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DEBATES
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PROCEEDINGS

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LEGISLATIVE ASSEMBLY OF MANITOBA

Wednesday, May 9, 1979

Time: 2:30 p.m.

OPENING PRAYER by Mr. Speaker.

MR. SPEAKER, Hon. Harry E. Graham (Birtle-Russell): Before we proceed, I should like to draw the honourable members' attention to the Speaker's Gallery, where we have the President of the Commonwealth Parliamentary Association, Mr. J. R. Harrison, Speaker of the House of Representatives from New Zealand and his wife, Mrs. Harrison.

On behalf of all the honourable members, we welcome you here today.

Presenting Petitions . . . Reading and Receiving Petitions.

COMMITTEE REPORTS

MR. SPEAKER: The Honourable Member for Emerson.

MR. ALBERT DRIEDGER: Mr. Speaker, the Committee of Supplies has adopted certain resolutions, and directs me to report the same and asks leave to sit again.

I move, seconded by the Member for Portage la Prairie, that the Report of Committee be received.

MOTION presented and carried.

MR. SPEAKER: Presenting Reports by Standing and Special Committees.

MINISTERIAL STATEMENTS AND TABLING OF REPORTS

MR. SPEAKER: The Honourable Minister of Mines, Resources and the Environment.

HON. BRIAN RANSOM (Souris-Killarney): Mr. Speaker, I'd like to table the May 9th Flood Report prepared by the Water Resources Division, and in doing so I would like to make two or three observations with respect to the report.

1. Concerning the Assiniboine River, Mr. Speaker, the peak levels have now been reached at all points on the Assiniboine River, and on the Souris River, it is expected that a peak will be reached within the next few days approaching the 1974 levels, that the water will decline for a period of time and then there will be a second peak reached towards the end of the third week in May.

And also for the information of the members, Mr. Speaker, I am advised that the natural flow of the Red River downstream from the confluence of the Assiniboine River is now at 104,200 cubic feet per second, and the regulated flow at James Avenue is about 54,700 cubic feet, corresponding to a stage of 19.2 feet of city datum.

In the absence of Flood Control Works, the stage at James Avenue would have been approximately 30 feet. Reduction in flood level and flood discharge is achieved by reduction as a result of the Shellmouth Reservoir of 3,500 cubic feet per second, as a result of the Portage Diversion, 6,300 cubic feet per second, and as a result of the Floodway, 40,600 cubic feet per second.

MR. SPEAKER: The Honourable Minister of Transportation.

HON. HARRY J. ENNS (Lakeside): Mr. Speaker, just a brief statement indicating that we have today indicated to the residents of the community of Letellier that they can return to their homes. We have confirmed that the access and such other things as essential services, water supply, are in safe condition, and I know that the residents of Letellier will be anxious to return to their homes. I emphasize that this includes only the people actually living in the village of Letellier. Individual farm families and/or other people living in the surrounding area should still await clearance by the

municipal officials prior to attempting to return to their farmsteads outside of the diked area of Letellier.

MR. SPEAKER: The Honourable Leader of the Opposition.

MR. HOWARD PAWLEY (Selkirk): Mr. Speaker, we are indeed pleased to receive the Minister's announcement, but again we would appreciate on this side receiving a printed copy of the statement so that we're able to peruse it.

MR. SPEAKER: Notices of Motion. . .

INTRODUCTION OF BILLS

MR. ENNS introduced Bill No. 28, An Act to amend The Land Acquisition Act.

MR. SPEAKER: Before I proceed with Question Period, I would like to point out to honourable members that Speaker Harrison is now in the loge to my right.

ORAL QUESTIONS

MR. PAWLEY: Mr. Speaker, my question is to the Acting Minister of Economic Development. I'm not too certain who that Acting Minister is —(Interjection)— I wonder if we could have some indication . . . Mr. Speaker, in the absence of some indication as to who is the Acting Minister of Economic Development, then I would ask the First Minister if indeed he can confirm that Shaino, a leather-making company in Winnipeg has announced its intention to transfer its operations from the city of Winnipeg to the city of Vancouver. Shaino.

MR. SPEAKER: The Honourable First Minister.

HON. STERLING R. LYON, Premier (Charleswood): Mr. Speaker, I'll be happy to take that question as notice on behalf of the Minister.

MR. PAWLEY: Mr. Speaker, at the same time as the First Minister takes that question as notice, I would ask that he provide us with an indication as to the number of jobs that will be affected by such outmigration, and in addition as to the amount of taxes that will be lost and the amount of capital that will fled Manitoba as a result of this exodus of this company.

MR. LYON: Mr. Speaker, I'll be happy to take that question as notice on behalf of the Minister as to all of the items that my honourable friend has enumerated. I should merely add of course by way of editorial comment, that the amount of capital fleeing Manitoba is considerably less now than it was in the 8 years when my honourable friends were in office.

MR. PAWLEY: Mr. Speaker, I could also comment by way of editorial that this is rather a new revelation on the new investment policies of this government that frequently we're reading of such departures from this province to greener fields elsewhere. To the Minister responsible for Parks, would the Minister confirm that negotiations are presently under way with one Joe Jarmoc pertaining to the development of his Condominium in the Whiteshell?

MR. SPEAKER: The Honourable Minister of Mines, Resources and the Environment.

MR. RANSOM: No, Mr. Speaker.

MR. SPEAKER: The Honourable Member for St. Johns.

MR. SAUL CHERNIACK: Mr. Speaker, thank you. I'd like to continue the questions that I was asking the Minister of Health yesterday at the termination of the Question Period. In regard to the agreement between the Manitoba Health Services Commission and the Manitoba Medical Association and in particular with regard to the clauses under Article 7 which give to the Association the sole right of allocating the percentage increases negotiated to individual fee tariff items, can the Minister indicate to us the extent to which there is any control whatsoever on the allocations that are made to ensure that they do stay within the limit of the negotiated increase?

MR. SPEAKER: The Honourable Minister of Health.

HON. L.R.(Bud) SHERMAN (Fort Garry): Mr. Speaker, there's absolute control. The MMA was granted a particular fee increase, which this year was 6.88 percent general, with an additional \$1 million and some odd thousands of dollars for special assistance in shoring up in specific procedural areas. Whatever fee levels they arrive at in relation to specific procedures and services must in composite come within those parameters.

MR. CHERNIACK: Mr. Speaker, in my attempt to understand the answer, may I ask the Minister whether or not he is now suggesting that the MMA is in control of the total budget of the moneys paid out on the fee for service basis in accordance with the fee schedule so that it will suffer any losses of any individual fees over the year which accumulate in excess of the total budget and the increased percentage? I wonder if my question is as clear as I think his answer was to indicate that.

MR. SHERMAN: Mr. Speaker, the MMA is not in total control in the sense of the word that the Honourable Member for St. Johns suggests, but it might not be a bad idea, Sir.

MR. CHERNIACK: Well, Mr. Speaker, now that the Minister has indicated that it might not be a bad idea to turn over the entire control of the fee tariff and distribution to the MMA, may I ask the Minister whether his ongoing committee of consultation with the MMA is discussing that kind of a — may I call it a sell-out, Mr. Speaker?

MR. SHERMAN: I can't confirm that the consultative committee is considering it, Mr. Speaker, but I certainly reject the suggestion that it would be a sell-out. What the inference I draw from the Member for St. Johns' remarks is that he's talking about a global figure that would be made available to the MMA. That would be it 100 percent. They would determine what procedures, what practices should have a 4 percent increase, what should have a 5, what should have a 6, whatever averaged out to the agreed upon general increase. I simply suggest to him that that's not a bad idea.

MR. CHERNIACK: Well, Mr. Speaker, am I correct in assuming that the Lieutenant-Governor-in-Council has no control over the final fee schedule?

MR. SHERMAN: No, that's not correct, Mr. Speaker, but what has happened in the case of this year's increases where we have struck an average increase of 6.88 percent, there are some procedures, some professional practices in which the MMA and the profession here felt, through their own expertise and their own confidence and through demonstrable statistics, that certain specialist categories were either under or above the levels of their counterparts across the country and they've made some individual adjustments to those particular specialties.

MR. SPEAKER: The Honourable Member for St. Johns with a fifth question.

MR. CHERNIACK: Yes, Mr. Speaker, thank you. There may be a sixth question and a seventh question, Mr. Speaker. Mr. Speaker, the honourable, the minister seems to indicate that the addition to the fee schedule is a lump sum amount, which could be reallocated by the MMA. Does he then say that the fee schedule that existed prior to this agreement remains as it is and just additional amounts are added to various described procedures, and in the end does the revised fee schedule have to be approved by the Lieutenant-Governor-in-Council?

MR. SHERMAN: Yes, Mr. Speaker, that's my understanding that the fee schedule that was in place remains in place, but what happens through the increased amount of money — which is some \$7.1 million in total — individual allocations are being made to individual categories and there are some in particular who are receiving as much as a, in round figures, Sir, an 8 percent increase and others that are receiving as relatively little, in round figures, as a 4 percent increase. Now, when the honourable member asked me, do these have to be approved by Order-in-Council or by the Lieutenant-Governor-in-Council, certainly the changes in the regulations governing the fee schedule have to go through the office of the Lieutenant-Governor-in-Council, but there is no bargaining between the Lieutenant-Governor-in-Council and the MMA as to how those adjustments are made. They make them on the basis of the global amount awarded and on the basis of the needs in respect to the individual categories.

MR. SPEAKER: The Honourable Member for St. Johns with a sixth question.

MR. CHERNIACK: Thank you, Mr. Speaker. Then might I indicate and ask the Minister of Health, that since I am certain that the Lieutenant-Governor-in-Council is not bound by this agreement and has not delegated to the Manitoba Health Services Commission the authority to grant to the association a sole right of allocation that would supersede the independent power of Cabinet, that then the Cabinet is not prepared to rubber stamp or to state in advance that it will rubber stamp a fee schedule variation set by the MMA, which the Manitoba Health Services Commission is by agreement, bound to accept.

MR. SPEAKER: The Honourable Minister of Health,

MR. SHERMAN: Mr. Speaker, I don't understand the contention of the Honourable Member for St. Johns that the parties to this agreement are not bound by the office of the Lieutenant-Governor-in-Council, or vice-versa. The fact of the matter is that the majority, vast majority of medical practitioners in this province, in fact all who are defined as medical practitioners, operate within the Health Services Insurance Act, within the legislation, and the agreement that is struck between the Manitoba Medical Association and the Manitoba Health Services Commission as an agency of the people of the province acting at the pleasure of the government, is an agreement that's consistent with the legislation.

MR. CHERNIACK: I'll try to make this my final question, Mr. Speaker. It seems to me that the Honourable Minister of Health should be informing us whether or not the Cabinet has committed itself to pass whatever fee schedule is presented to it by the Manitoba Health Services Commission, which as a result of this agreement, gives the sole right of allocation to the association. Is the Cabinet, has it bound itself to pass whatever fee schedule is presented in accordance with this agreement, or does it assert its independent right to refuse to pass the schedule or to vary the schedule in accordance with its judgment?

MR. SHERMAN: Mr. Speaker, the question has not come up and I would suggest will not surface in those terms unless there is a total breakdown between the government of the day and the medical profession in the province. The Lieutenant-Governor-in-Council has approved new regulations under the Health Services Insurance Act, which specify that there are varying percentage increases relative to different procedures in the field of medicine. As I have suggested, some of them are four percent, some of them are eight percent. That has been approved.

But that was not hammered out with the Lieutenant-Governor-in-Council, that was not hammered out between the MMA and the Lieutenant-Governor-in-Council. What was arrived at around the table was an agreement between the Manitoba Medical Association and the Manitoba Health Services Commission, acting as an agent of the government, that the overall fee increase this year would be 6.88 percent plus \$1.7 million for special categories. That added up to a certain amount of money, \$7.1 million, I think it was, that's all there is. Any doctor, any practitioner exceeding that who is in the plan would obviously be in violation of the legislation and in violation of the plan. He can't charge more than those fee schedules prescribed.

MR. CHERNIACK: Mr. Speaker, since I disagree with the conclusion drawn by the Honourable Minister of Health as to the individual rights of medical practitioners under the Act and the burden they might suffer, may I ask the Minister if he is fully aware of the fact that the prior agreements provided that both parties, the MHSA and the MMA would work out an adjustment to the fee schedule and that the new agreement just signed changes that former provision that both parties have to agree to now give in to the association sole right of allocation. Is he aware that that right by the MHSC, The Manitoba Health Services Commission, which formerly had the right to participate in the allocation has now given up its right entirely to the MMA, does he not realize that that is a substantial change which could have adverse ramifications to the budget?

MR. SPEAKER: Order please. Whether or not a Member of the Chamber disagrees with an answer given by a Minister of the Crown is really immaterial, and questions of awareness are hardly proper questions for this particular time, therefore I rule the question out of order.

The Honourable Member for St. Johns.

MR. CHERNIACK: Mr. Speaker, my question then to the Minister is whether or not he was informed that there was a change made in the agreement, whereas the prior agreement provided for both parties having to agree, both the Health Services Commission and the Manitoba Medical Association

and the new agreement provides that the sole right shall be given to the Manitoba Medical Association? Was he informed of that important change and if so, when?

MR. SHERMAN: Mr. Speaker, I was not only informed, I was aware and am aware. I would remind the Honourable Member for St. Johns that this is a one-year agreement running from April 1, 1979, to March 31, 1980. These agreements have to be renegotiated each year. If he feels that some great disaster is going to befall or does befall in the next twelve months, I can assure him he will have my ear.

MR. SPEAKER: The Honourable Member for Inkster.

MR. SIDNEY GREEN: Mr. Speaker, I'd like to direct a question to the Honourable the Minister of Labour. Mr. Speaker, has the Minister of Labour rejected at this time a request by the Manitoba Theatre Centre that he name an arbitrator for determination as to whether a collective agreement exists between the Theatre Centre and its stage edge employees? I ask, Mr. Speaker, whether he has rejected it because I would like to know if the Minister is of the same opinion that I am, that an arbitrator cannot determine whether a collective agreement is or is not in existence?

MR. SPEAKER: The Honourable Minister of Labour.

HON. KEN MacMASTER (Thompson): It's being considered at the moment, Mr. Speaker.

MR. GREEN: Mr. Speaker, in view of the fact that the Theatre Centre has precipitated a strike among its employees, even though there was an undertaking to the Theatre Centre that if any moneys were obtained, which could be attributable to unlawful strike action, they would be repaid by the employees, and in view of the fact that the employees say there is no agreement, would the Minister see whether conciliation services should be reinstated in connection with the parties so that there would be no problem affecting either the employees or the Theatre Centre, which is completely unnecessary.

MR. MacMASTER: Mr. Speaker, I haven't briefed myself on it in the last day or two, but I think at one point I was under the impression that it may be a situation that may be referred to the Labour Board.

MR. GREEN: Yes, Mr. Speaker. I quite agree, Mr. Speaker, that the question as to whether an agreement is in existence is not one for arbitration but one for the Labour Board, but I am asking the Minister whether, under the circumstances, the Theatre Centre is not causing undue damage to theatre in Manitoba when the employees have already agreed that if there was a collective agreement, which they deny and which I happen to agree with them, that the Theatre Centre would lose nothing by negotiating a settlement at this time.

MR. MacMASTER: Well, Mr. Speaker, the best that I can say is that we are reviewing that. I know it's been discussed in the last couple of days and I don't know what the final decision was.

MR. SPEAKER: The Honourable Member for Inkster with a fourth question.

MR. GREEN: Yes, Mr. Speaker. I then direct a question to the Minister of Tourism and Recreation. Will the Minister of Tourism look into the problem of the future of Theatre in Winnipeg being caused by the Manitoba Theatre Centre when, given the fact that they have nothing to lose from ending this strike, they are continuing the strike ostensibly with the full knowledge that, as they say, that they can financially and morally ruin the Theatre Centre in the Province of Manitoba, through no fault of the employees but through the fault of the Manitoba Theatre Centre?

MR. SPEAKER: The Honourable Member for Elmwood.

MR. RUSSELL DOERN: Mr. Speaker, I'd like to direct a question to the First Minister concerning what was a real media event and photo opportunity yesterday; namely, the visit of the Conservative Federal Leader, Joe Clark. Could the First Minister indicate whether the three helicopters which took the Federal Leader, the Minister of Highways, and various members of the national media, to a tour of Morris, etc., were those at provincial expense?

MR. SPEAKER: The Honourable First Minister.

MR. LYON: Mr. Speaker, I did not have the pleasure of accompanying the next Prime Minister of Canada on that trip. However, my colleague, the Minister of Highways, who is also the Minister in charge of EMO, did have that distinct pleasure and he may have the knowledge that my honourable friend seeks.

MR. SPEAKER: The Honourable Minister of Transportation.

MR. ENNS: My information is that, as one would expect, the travel arrangements and/or any other ancillary expenses, including those which involved the national media, were carried by the campaign expenses of the National Party in this instance.

MR. DOERN: Well, Mr. Speaker, for clarification there were three helicopters. Were those rented by, or ordered by EMO or the provincial Minister, or were they ordered by the Federal Conservative Campaign Committee and billed directly to them?

MR. ENNS: Mr. Speaker, the arrangements for the bus that brought the news media to the helicopter stations at the Airport, the arrangements for the hiring of the helicopters, were all made by the National Campaign of the Conservative Party of the Leader's tour. None of it came through the provincial and/or s Emergency Measures Organization.

MR. SPEAKER: The Honourable Member for The Pas.

MR. RONALD McBRYDE: Mr. Speaker, my question is to the Minister of Northern Affairs. I wonder if the Minister could confirm that, because of the frustration experienced by the council at Cormorant because of the withdrawal of responsibility and authority from that council, that four of the six councillors of that community council have resigned.

MR. SPEAKER: The Honourable Minister of Northern Affairs.

MR. MacMASTER: I cannot confirm that. I'm not aware of that at all, Mr. Speaker.

MR. McBRYDE: Mr. Chairman, I wonder if the Minister would be willing to now investigate the concern of community councils that the responsibility and authority that they once had is now being taken over by bureaucrats.

MR. MacMASTER: That's an assumption that's made by the Member for The Pas, Mr. Speaker.

MR. McBRYDE: Yes, Mr. Speaker. I wonder if the Minister could tell us how many councils will have to resign before he is willing to investigate the frustration that is now being experienced by community councils in Northern Manitoba.

MR. SPEAKER: The Honourable Member for Brandon East.

MR. LEONARD S. EVANS: Thank you, Mr. Speaker. I'd like to address a question to the Minister without Portfolio responsible for the Manitoba Public Insurance Corporation. Over two months ago I asked the Honourable Minister a question respecting the staff hiring, the freeze on staff hiring House by MPIC and at that time the Minister indicated to the that a review was being undertaken of the operations of MPIC with respect to staffing, among others. I wonder if that review has now been completed, Mr. Speaker.

MR. SPEAKER: The Honourable Minister responsible for MPIC.

HON. EDWARD MCGILL (Brandon West): No, Mr. Speaker.

MR. EVANS: Well, Mr. Speaker, I wonder if the Honourable Minister could give the Legislature some idea when the review will be completed.

MR. MCGILL: Mr. Speaker, I'm not able to give the member any precise estimate of when the review will be completed. The review, we expect, will take some time and it will be done when all of the available information is given to the review mechanism, and when that review is completed

the member will be advised.

MR. EVANS: Thank you, Mr. Speaker. Well, a supplementary question then to the Minister. Is it correct then, in the meantime, that the senior management of MPIC must come to the Minister and to the government for approval of any additional staffing or any changes in staffing patterns? Is it correct that a commercial Crown Corporation must get political approval for the hiring of new staff by MPIC?

MR. MCGILL: Mr. Speaker, it has been the regular pattern during the requests that are made by MPIC for changes or additions to staff to present them with a recommendation to the Minister.

MR. SPEAKER: The Honourable Member for Brandon East with a fourth question.

MR. EVANS: But Mr. Speaker, I'd like to ask the Honourable Minister, does he not think that that is an unusual procedure to require a commercial Crown Corporation to request of the government, of the Minister, changes in staffing comparable — I would say MPIC is comparable, Mr. Speaker, to Manitoba Hydro, Manitoba Telephone System. Is it the case that Manitoba Telephone System or the Manitoba Hydro must come to their Minister for approval of staffing as apparently seems to be the case in MPIC, so my question is, does the Minister not think that this is an unusual practice to require of a commercial Crown Corporation, which should be differentiated from a normal civil service government department?

MR. MCBRYDE: Mr. Speaker, I consider it not to be an unusual arrangement pending the completion of the review, and I might add, Mr. Speaker, that under the previous administration, where the Minister responsible was also Chairman of the Board, that he had a very direct control over all of the staffing changes and additions.

MR. SPEAKER: The Honourable Member for St. George.

MR. BILLIE URUSKI: Thank you, Mr. Speaker. I'd like to ask the Minister, now that several weeks have gone by whether he has established the terms of reference for the review that he indicated to the Committee of Public Utilities would be forthcoming, what those terms of reference are.

MR. SPEAKER: The Honourable Minister responsible for MPIC.

MR. MCGILL: Mr. Speaker, those terms of reference are under preparation.

MR. URUSKI: Thank you, Mr. Speaker. I'd like to ask the Minister whether he can advise as to who the makeup of the committee is that is doing the review.

MR. MCGILL: Mr. Speaker, that information will be provided when it is available.

MR. URUSKI: Mr. Speaker, the Minister in answer to questions posed by my colleague about MPIC coming to seek approval for positions to the Minister, can the Minister now indicate whether approvals have been given for staffing with respect to the general insurance division, which the General Manager of the corporation indicated, in order for the corporation to maintain a good portfolio of business. Staffing would have to be improved and approvals would have to be given and this Minister gave us the assurance that approval would be given. Has such approval been given to the corporation?

MR. MCGILL: Mr. Speaker, the member presenting these questions was formerly the Minister responsible for MPIC and did also serve as Chairman of the Board, and he took a very direct part in the approval of any additions to staffing. These staff changes now are reviewed on a regular basis by the Minister responsible and the General Manager, and I'm advised and I'm satisfied that the staffing arrangements and levels now are consistent with those which the General Manager requires.

MR. URUSKI: Thank you, Mr. Speaker. In view of the fact that the previous Chairman of the corporation recognized the fine business practice that a Crown agency in competition in the general insurance field required, what staffing it required, is the now Minister responsible who does not want to take direct involvement in the operations, cognizant of the fact that in order to maintain

that book of business, that they require increased staffing and necessary staffing and necessary input on behalf of management, and he is the direct manager of that agency whether he likes to admit it or not. Is he prepared to interfere and give the direction that is necessary?

MR. SPEAKER: Order please. The honourable member's question is repetitive. The Honourable Member for Ste. Rose.

MR. ADAM: Thank you, Mr. Speaker. I have a question to the Minister of Education. I have just received a telephone call from concerned parents in the Amaranth area in regard to problems in their school. They have asked me to ask the Minister why he refuses to meet with him to discuss their problems.

MR. SPEAKER: The Honourable Minister of Education.

HON. KEITH A. COSENS (Gimli): Mr. Speaker, there are some problems that are under the local jurisdiction and have to be solved by the local jurisdiction and I can see no useful purpose in the Minister of Education interfering in that regard. However, I am always prepared to sit down and discuss matters of general concern that people may have.

MR. ADAM: A supplementary question, Mr. Speaker, in view of the fact that they have made repeated requests to the Minister, the latest I believe was yesterday and they wish to sit down with the Minister so that he can hear the problems that are going to develop in the future, why he flatly refuses to even listen to their arguments? Why?

MR. SPEAKER: Order please. May I suggest to the honourable member that repetitive questions do not enhance the quality of the Question Period. The Honourable Member for Churchill.

MR. JAY COWAN: Thank you, Mr. Speaker. My question is to the Minister responsible for the Fire Commission. Given statements in the press that arson may be suspected in the fire at the West Lynn Heights School in Lynn Lake, can the Minister indicate if a formal investigation of those suspicions are being undertaken by that department?

MR. SPEAKER: The Honourable Minister of Labour.

MR. MacMASTER: Yes, Mr. Speaker, an investigation is under way.

MR. COWAN: Yes, thank you, Mr. Speaker. A supplementary to the Minister of Education. Can the Minister indicate what contingency plans have been formulated to ensure that students attending the West Lynn Heights School will be able to complete this year's schooling?

MR. SPEAKER: The Honourable Minister of Education.

MR. COSENS: Would the honourable member repeat the question. I'm sorry, I was otherwise occupied.

MR. COWAN: Thank you, Mr. Speaker. The question to the Minister was, what contingency plans have been formulated, can the Minister indicate if any contingency plans have been formulated to ensure that students attending the West Lynn Heights School will be able to complete this year's schooling?

MR. COSENS: There are no plans at this point, Mr. Speaker. If it's obvious that such are necessary, we will certainly take action.

MR. COWAN: Thank you, Mr. Speaker. A question to the Minister of Labour. Given the fact that a number of parents of the 86 students who refused the government permission to test their children at both Weston and Lord Nelson school for lead-in-blood levels, have indicated that they would be having private physicians do that testing, is the Minister prepared to open the provincial lab to the medical profession at large for the purpose of those private physicians doing the testing, have the blood samples taken tested at the provincial lab? I might add that this question takes on greater significance in respect to the comments made by that Minister in regard to the testing done at the Health Sciences Centre, which is the only other lab that I know of that is available for this sort of testing.

MR. SPEAKER: The Honourable Minister of Labour.

MR. MacMASTER: I'm sure our department will co-operate with the doctors involved, Mr. Speaker.

MR. SPEAKER: The Honourable Leader of the Opposition.

MR. PAWLEY: Mr. Speaker, earlier when the Minister of Economic Development was not present, the First Minister accepted a question as notice which may be now possible that the Minister of Economic Development would be in a position to answer. Can the Minister of Economic Development confirm that in fact, Shaino's is transferring its operations and head office from the city of Winnipeg to the city of Vancouver, British Columbia?

MR. SPEAKER: The Honourable Minister of Economic Development.

HON. J. FRANK JOHNSTON (Sturgeon Creek): Mr. Speaker, I'll take the question as notice.

MR. PAWLEY: Mr. Speaker, in view of the fact that the Minister may not have been informed, in accepting the question as notice I would again ask the Minister if he would accept as notice questions pertaining to the amount of capital, the amount of taxes lost, and the amount of jobs which would be outmigrating from Manitoba to British Columbia as a result of such a transfer.

MR. JOHNSTON: I will take the question as notice, Mr. Speaker.

MR. SPEAKER: The Honourable Member for Rupertsland.

MR. HARVEY BOSTROM: Thank you, Mr. Speaker. My question is to the Minister of Northern Affairs, and I ask the Minister if he will be meeting with the community council at Norway House to discuss their concerns regarding the future development of their community, and I ask this question, Mr. Speaker, in view of the many frustrations facing this community council in particular due to the lack of action by this government on one of their main concerns, which is the bridge crossing on the Nelson River.

MR. SPEAKER: The Honourable Minister of Northern Affairs.

MR. MacMASTER: The last time the particular council representative requested a meeting, they had a meeting in Thompson with my Deputy Minister, and I understand the outcomes of that meeting were quite successful.

MR. BOSTROM: Mr. Speaker, if the Minister agrees to meet with the council, which I hope he will do, will the Minister be able to give the community council of Norway House some indication of when his government will be living up to the commitment that was made by his First Minister when he was campaigning there in 1977, to provide a bridge crossing for the community of Norway House?

MR. MacMASTER: Mr. Speaker, I've said to the member before and to the members opposite that the communities themselves will decide what their priorities were. The Member from Rupertsland has repeatedly talked about different priorities of communities; I'm prepared to listen to the communities and let them establish what their priorities are.

MR. SPEAKER: The Honourable Member for Rupertsland with a final supplementary.

MR. BOSTROM: Yes, Mr. Speaker, I ask the same minister how the community can decide a priority like a bridge when the Progressive Conservative government will not give them the proper funding to be able to provide such a bridge crossing for their community? That kind of choice, Mr. Speaker, is no choice at all.

MR. MacMASTER: As I said, Mr. Speaker, we're prepared to meet with all of the communities and are meeting with communities and they in fact will establish what their priorities are.

MR. SPEAKER: The Honourable Member for Inkster.

MR. GREEN: Mr. Speaker, further to the question raised by the Leader of the Opposition to the Minister of Economic Development and in view of the fact that there is some urgency, and perhaps the change can be averted, would the minister advise Shaino's that approximately 18 months ago, we eliminated estate taxes and reduced the corporate taxes, and that perhaps they're not aware of it, and also, perhaps they're not aware that there's an election in British Columbia tomorrow in which people are predicting a New Democratic Party government.

Doesn't the minister think that if he brought these things to the attention of this company which obviously doesn't understand, Mr. Speaker, that maybe they will immediately decide not to go, or at least wait until after the election?

MR. SPEAKER: The Honourable Minister of Economic Development.

MR. JOHNSTON: Mr. Speaker, I'm sure if they ever became aware that there was any possibility of a New Democratic government in B.C., they'd stay here for sure.

MR. GREEN: Mr. Speaker, then can the minister explain why they have indicated that they are going, in spite of the fact that there are certainly predictions that the election could go either way, and they appear, Mr. Speaker, to be running from the tax haven of Manitoba to a potential fire of a New Democratic Party government in British Columbia?

MR. JOHNSTON: I'll certainly make them aware, Mr. Speaker.

MR. SPEAKER: The Honourable Member for Brandon East. There's one minute left.

MR. EVANS: I'd like to address a question, Mr. Speaker, to the Minister responsible for the Civil Service Commission, and ask the honourable minister whether negotiations, or at least discussions, are still going on with the MGEA about the possibility of placing the Civil Service under The Industrial Relations Act, as was indicated for some years by the former President of the MGEA as one of the objectives of that organization?

MR. SPEAKER: The Honourable Minister of Labour.

MR. MacMASTER: Discussions are ongoing with the MGEA, Mr. Speaker.

MR. EVANS: Well, a supplementary then, Mr. Speaker. Can the minister responsible advise the Legislature whether the Government of Manitoba has any particular view on this matter? Is the Government of Manitoba prepared to move the Civil Service under The Industrial Relations Act if that is indicated as the desire of the MGEA? Is that a position of the Government of Manitoba?

MR. MacMASTER: Proposed changes to The Civil Service Act will be brought in in this particular legislation, Mr. Speaker.

MR. SPEAKER: Order, please. The time for Question Period having expired, proceed with Orders of the Day.

MR. SPEAKER: The Honourable Member for Crescentwood.

MR. WARREN STEEN: Yes, Mr. Speaker, if I could have the indulgence of the House for a moment.

Yesterday, during Question Period, the Member for Elmwood was asking the Attorney-General a number of questions concerning myself and a person by the name of Lorne W. Parker, a Chartered Accountant. I have a letter that I would like to table to you, Mr. Speaker' through the Clerk, from Mr. Lorne W. Parker.

Mr. Parker dates it today, May 9th, 1979 and he says: "To Whom it may Concern: Following charges made in the Legislature on Tuesday, May 8th, 1979 by Mr. Doern, I deny that the Member for Crescentwood told me that I, or my firm, should not or could not contribute financially to the campaign of one Richard Mercier, federal Liberal candidate, or that firms that do business with the Lyon government must be both provincially and federally PC contributors and supporters. Also I deny that I was pressured or coerced by Warren Steen from supporting one Richard Mercier's campaign." So I would hope, Mr. Speaker, that that will clear up the matter.

ORDERS OF THE DAY

MR. SPEAKER: The Honourable Government House Leader.

HON. WARNER H. JORGENSON (Morris): Mr. Speaker, will you call Bills Nos. 14, 22, 23 and 36 and then if those bills are concluded will you turn to Page 1 and take them in the order in which they appear on the Order Paper beginning with Bill No. 11?

GOVERNMENT BILLS — SECOND READING

BILL NO. 14 — AN ACT TO AMEND THE PLANNING ACT

HON. GERALD W.J. MERCIER (Osborne) presented Bill No. 14, An Act to amend The Planning Act, for second reading.

MOTION presented.

MR. SPEAKER: The Honourable Attorney-General.

MR. MERCIER: Mr. Speaker, the proposed amendments to The Planning Act are intended to facilitate the establishment of greater local authority over land use within the context of overall provincial land use policies. These amendments are being brought forward after more than two years of experience with The Planning Act and are expected to clear up various procedural problems which have been identified.

The major principles which are dealt with in the bill, Mr. Speaker, are these: The bill will expand and consolidate the list of types of land transactions which may be completed without the approval of the minister or any approving authority; the bill will clarify and improve the procedures to be followed for the adoption of a Development Plan or a basic Planning Statement; where the minister requires an amendment to a plan or a statement which is, in his opinion, of a substantial nature, he will have to await the amendment to the Municipal Board for a hearing, first.

Any amendments required by the minister will be referred to the District Board or Municipal Council and will not be submitted to the Lieutenant-Governor-in-Council for approval until after the Board or Council has made the amendments as required in giving third reading to the bylaw in question.

The bill is also intended to make clear that a Development Plan or Basic Planning Statement, approved in accordance with the Act . . .

MR. SPEAKER: Order please. Could we have a little courtesy extended to the Attorney-General, and if people want to hold private conversations, perhaps they can do it elsewhere other than in the Chamber? Order please. Order please. If members want to carry on private conversations, I would suggest perhaps they do it someplace else and give the Attorney-General the courtesy of making his presentation. The Honourable Attorney-General.

MR. MERCIER: Thank you, Mr. Speaker. The bill is also intended to make clear that a Development Plan or Basic Planning Statement, approved in accordance with the Act, will supersede the relevant provincial land use policies for the purpose of approving subdivisions in the area covered by the plan or statement.

It is intended that provincial policies will be incorporated in the plan or statement as necessary, prior to its approval by the Lieutenant-Governor-Council.

The bill also allows the minister to authorize not only the Board of a District, but also the Council of a municipality not forming part of the Planning District to act as an approving authority for subdivisions where the Board or Council has adopted a development plan or basic planning statement. The delegation of approving authority is at the minister's discretion, and is to be subject to such conditions as he deems necessary.

Mr. Speaker, those are the major changes in the bill. I will provide the Member for Lac du Bonnet, the Municipal Affairs critic for members opposite with a copy of detailed explanatory notes of the whole bill.

MR. SPEAKER: The Honourable Member for Kildonan.

MR. FOX: Mr. Speaker, I move, seconded by the Member for St. George, debate be adjourned.

MOTION presented and carried.

MR. FOX: On a matter of privilege, if the Honourable Minister of Highways thinks this is filibuster, let him take himself someplace else. I think it is in order for these things to be adjourned so that we can have a look at it, as Her Majesty's Loyal Opposition, and I do not care for his kind of remarks. If he hasn't learned to be a parliamentarian, it's time he did.

BILL NO. 22 — THE PUBLIC SCHOOLS ACT

MR. COSENS presented Bill No. 22, The Public Schools Act, for second reading.

MOTION: presented .

MR. SPEAKER: The Honourable Minister of Education.

MR. COSENS: Mr. Speaker, it's my pleasure to place before you Bill 22, which represents the new Public Schools Act. I shall now elaborate on its salient features and mention a number of the areas where substantive change have been made.

One of the first considerations in revising the existing Act, was to update, condense, consolidate and clarify it. This we have done in a number of ways. In the matter of condensing and consolidating, you will note that we have eliminated mention of all school jurisdictions, with the exception of the school division and the school district. A few of the latter still exist. Thus, we have been able to remove all those sections dealing with rural nonunion school districts, union school districts, municipal school districts, school areas, special parts, such as Part 3, pertaining to the Winnipeg School Division No. 1, rural consolidated school district and city and town and village district. All of the rights, duties and privileges enjoyed by those school corporations, have been given to a common authority, which we have termed the School Board, which is equally applicable to either division or district school corporations and to official trustees. This has clarified the Act as you may well realize, without necessity for my mentioning specific sections to illustrate that point.

In the matter of condensation, I would like to point out that the existing Public Schools Act contains 541 sections. The revised Act contains 281 sections. At this juncture I should also point out that we have incorporated the School Attendance Act into the Public Schools Act, to be found as Part XIV therein. Therefore I think, Mr. Speaker, you will agree that we have achieved a considerable amount of consolidation. Besides updating, condensing, clarifying and consolidating the existing Act, other considerations which guided us in our revision were a desire to develop a statute that is basically common to all types of school jurisdictions, to give the local authority, within limits, the freedom needed to deliver the educational program and conduct the administration thereof; to continue to provide the general organization of and sense of direction in education for all.

And in keeping with the philosophy of providing flexibility at the local level, many of the specific procedural details, such as conduct of meetings, and duties of secretary-treasurers, have been deleted. Archaic sections, such as those referring to the different school jurisdictions previously mentioned, municipal districts and union districts, have also been deleted. Highlights in the specific sections of Bill 22, I shall now mention in numerical order.

In the Interpretations Section, the 44 definitions in the existing Act have been reduced to 24 in the revised Act. 18 of the definitions are from the existing Act in either verbatim or revised form and six are new. Definitions of terms which have a common general and unmistakable meaning, such as secretary-treasurer, or are defined in relation to special sections of the Act, and have application only in those sections, such as Private School in Section 59, have been omitted from the Interpretations Section. Some new terms, such as school division, have been added to bring the Act up to current nomenclature. You will note that the term 'school division' also includes the remote school district.

In Part I, which deals with formation, alteration and dissolution of school divisions and school districts, and the establishment of school divisions and school districts, I would like to draw your

attention to the fact that the mechanisms for those purposes are found in Sections 2 to 5 inclusive, and Section 14. Subsection 1 of Section 5 gives the power to the Board of Reference to alter the boundaries of existing school divisions, consolidate two or more of them, designate the number of wards therein, establish the boundaries of, and fix the number of trustees who will represent the electors of an existing school division, or of one formed through alteration or consolidation. To enable school boards to vary the terms of office of trustees, flexibility in this matter has been provided in Subsection 6 of Section 25 for all school boards outside Greater Winnipeg.

Subsection 5 of Section 41 will make statutory what school boards are to all intents and purposes doing today, that is providing programs for children with special needs.

In Part IV, Agreements with Private Schools, Section 59, the requirement that a private school be named in Schedule C, as provided in Section 170 of the existing Act, has been deleted. To be eligible for funding through an agreement with the public school jurisdiction within which a private school is located, a private school will need to make an agreement with that public school corporation and meet the requirements of the regulations in order that the minister may approve the payment of such funding. Private school has been defined in Clause G of Section 1 of Bill 23, the Education Administration Act.

Section 70, which relates to Purchasing, is designed to eliminate the procedures currently in vogue and place the onus of purchasing in the most economical manner with the local school board.

Section 79 concerns the Languages of Instruction. The main provisions pertaining to languages of instruction have been retained, the modification occurs in the disestablishment of the English and French Advisory Committees and Council, and replacing them with the Languages of Instruction Advisory Committee. The Languages of Instruction Advisory Committee is designed to consider any matters referred to it by the minister, local groups or individuals, pertaining to languages of instruction in the schools of this province.

Section 81, having to do with Instruction in Religion, introduces the concept of flexibility in the timetabling of such instruction. It may be to the mutual advantage of both the school and the person or persons offering the religious instruction, to offer it at a time other than during the last half hour of the school day, which is the current requirement, and in blocks of time greater or lesser than one-half hour to a maximum of 2-1/2 hours per week.

Similarly, Subsection 3 of Section 84, gives the school board the right to establish the times at which religious exercises shall be held in its schools. Also, provision is made in Subsection 8 for the parents or guardians of children to petition the school board to conduct religious exercises where the school board has passed a by-law directing that religious exercises shall not be held.

Section 93, on Sick Leave Benefits to Teachers, has two important aspects: First, the principle of earned accumulative sick leave is clarified, and secondly, we are bringing the present minimum 60 statutory days of sick leave up to 75, to be in keeping with collective agreements and benefits accruing to school boards through present Federal Unemployment Insurance Commission legislation.

As previously mentioned, The School Attendance Act has been incorporated into The Public Schools Act, and constitutes Part XIV thereof. In summary, changes relating to school attendance have to do with:

1. Terminating compulsory attendance on a child's 16th birthday, rather than at the end of the school term in which he or she becomes 16, this is Section 258, Subsection 1(b).
2. Putting the onus on the person or persons who have a child in his charge . . .

MR. SPEAKER: Order please. May I suggest to the Honourable Minister that it is not the normal practice to refer to specific sections by number and that, however, I realize it is a brand new bill and it may be of assistance to the opposition. I have no firm viewpoint one way or another on it.

The Honourable Member for Kildonan.

MR. FOX: Yes, Mr. Speaker. I realize that it wasn't a normal practice, but we were prepared to overlook it in view of the large size of the bill and the various issues to be dealt with, but I would hope that this is not taken as a thing that we would normally do.

MR. SPEAKER: The Honourable Minister of Education.

MR. COSENS: Thank you, Mr. Speaker. I will avoid making that type of reference in future.

In No. 2, putting the onus on the person or persons who have a child in his charge, care or custody to have him attend school regularly;

No. 3, increasing the penalties for failure to comply with the attendance clauses of this Act, for example, a maximum fine of \$500 for anyone employing a child of compulsory school age during a time when the child is required to be in school.

These then, Mr. Speaker and honourable members, are what I deem to be the highlights and important substantive changes in this particular Act, which I have placed before you.

I might also mention, Mr. Speaker, that I do have information sheets to hand out to honourable members of this Chamber, and I will do so as soon as I have completed presenting the second Act.

MR. SPEAKER: The Honourable Member for Winnipeg Centre.

MR. J.R. (Bud) BOYCE: Mr. Speaker, I get to move, seconded by the Member for Logan, that debate be adjourned.

MOTION presented and carried.

BILL NO. 23 — THE EDUCATION ADMINISTRATION ACT.

MR. COSENS presented Bill No. 23, The Education Administration Act, for second reading.

MOTION presented.

MR. SPEAKER: The Honourable Minister of Education.

MR. COSENS: Mr. Speaker, as an adjunct to the complete revision of the Acts relating to my department, it was necessary also to revise The Education Department Act, and I now refer to Bill No. 23, having to do with The New Education Administration Act and the repeal of The Education Department Act.

The first change you'll notice therein is the change in title of The Education Department Act, it will now be known as The Education Administration Act. This is in keeping with The Executive Government Organization Act, which statute outlines the pattern for the administration of all the departments of government.

Substantive changes are as follows: The discretionary and regulatory powers of the Minister have been kept separate and distinct as you'll find in Section 3 and Section 4 respectively.

Certain discretionary powers have been added to those previously held by the Minister. For example, there is assurance to school boards they have access to our support staff in the matter of planning and in constructing or renovating school buildings, and this is an amendment of the existing Act to make it consistent with present policy.

As certification of teachers is part of the jurisdictional responsibility of the Minister, courses leading to such certification should be subject to his approval, and this has been insured in this particular bill.

There is also provision for regulations governing the rules of procedure of the Certificate Review Committee, as provided in this bill, Mr. Speaker. The Certificate Review Committee replaces the Discipline Committee. This Committee, as suggested in its title, is a Committee to review cases where a teacher's right to continued certification is questioned. Further, it is a teacher's right to have any complaint heard and reviewed by the Committee.

The Text Book Bureau and the Advisory Board remain constituted substantively the same as in the existing Act. Minor amendments have been made to update them to current practices.

You will note, Mr. Speaker and honourable members, that we have deleted from the existing Act those sections relating to the Board or Boards of Conciliation and Arbitration as these matters are dealt with under appropriate sections of The Public Schools Act, and that Section Part VIII.

These then, Mr. Speaker and honourable members, are the highlights and my introductory comments on Bill 23.

MR. SPEAKER: The Honourable Member for Winnipeg Centre.

MR. BOYCE: Mr. Speaker, I beg to move, seconded by the Member for Elmwood, that debate be adjourned.

MOTION presented and carried.

BILL NO. 36 — AN ACT TO AMEND THE REAL ESTATE BROKERS ACT

MR. JORGENSON presented Bill No. 36, An Act to amend The Real Estate Brokers Act, for second reading.

MOTION presented.

MR. SPEAKER: The Honourable Minister of Consumer Affairs.

MR. JORGENSON: Mr. Speaker, the bill amends The Real Estate Brokers Act for the purpose of clarity and wording and easing of some of the procedural requirements. The Act requires the registration of Real Estate Brokers, but this is subject to certain exemptions and these exemptions are being broadened.

Where property is sold by auction and the auctioneer is merely conducting the auction and not participating in any other documentation for finalization of the sale, the bill provides that the auctioneer is not required to be registered as a Real Estate Broker.

It also provides that any person, who is subdividing his own property, is required to be registered as a broker. In practice, the Registrar has been granting registration as brokers to these owners without requiring them to take the usual examination, but provided they use a form of contract prepared for them by a solicitor and provided that any deposits they take on a purchase are held by a solicitor in a proper trust account.

The major amendment to this bill is simply the granting to such owners, an exemption from registration upon terms which require them to observe the same conditions under which they are presently granting registration without examination as a matter of commission policy. The only practical differences will be, first, that the owner will be spared the time and the expense of completing the form of registration, and secondly, he will not have to file the minimum \$3,000 broker's bond that is presently required upon registration.

With respect to the question of the bond, there has not, in the past, been any instances in which the bond filed by any of these owners has been forfeited. The condition of exemption, as provided in the amendments, assure the continuing protection for purchasers of owner-subdivided properties.

MR. ENNS: Good move.

MR. JORGENSON: And for this reason, Mr. Speaker, I am commending the bill to the House.

MR. SPEAKER: The Honourable Member for Kildonan.

MR. FOX: Mr. Speaker, I move, seconded by the Honourable Member for Inkster, that debate be adjourned.

MOTION presented and carried.

THIRD READING — GOVERNMENT BILL

BILL NO. 11 — AN ACT TO AMEND THE PROVINCIAL JUDGES ACT

MR. SPEAKER: The Honourable Member for St. Vital.

MR. WALDING: Thank you, Mr. Speaker. I adjourned this bill when it came up for third reading in the absence of my colleagues who had an interest in this bill. I have subsequently been informed that they do not wish to speak on it and they would like to see it go through.

QUESTION put, MOTION carried.

SECOND READING — GOVERNMENT BILLS

MR. SPEAKER: Adjourned debate on second readings, Bill No. 2, (stand); Bill No. 18, An Act to amend The Natural Products Marketing Act, standing in the name of the Honourable Member for Kildonan.

MR. FOX: Can we have this matter stand, Mr. Speaker. (Agreed)

BILL NO. 20 — THE PERSONAL INVESTIGATIONS ACT

MR. SPEAKER: The Honourable Minister of Consumer Affairs.

MR. JORGENSEN: I want to make a few remarks in closing debate on this bill, and I want to thank honourable members for their contributions to the debate and some of the suggestions that have been made. The Member for Inkster suggested that the objectives of the bill could have been accomplished by merely introducing amendments to the existing Act, and I must tell him that we had given consideration to that course of action, but decided that because of the substantive nature of the changes, we felt that my honourable friends would find it a little easier to follow the provisions of the Act and that it would be more comprehensible rather than attempting to try to piece together various amendments to the existing statute.

The Member for Inkster also found fault with the limitations on a person who requires personal investigation information for making a decision on a person's application for a benefit, and I can advise my honourable friend that that point is well taken and will be taken into consideration when we come to the committee stage of the bill.

It was felt that the powers of the directors are extraordinary, particularly with respect to reference to the financial position of an application for registration, and the director's right to pass judgment regarding the applicant's future conduct. Here again, I want to advise my honourable friend that consideration will be given to the suggestions that have been made by my honourable friend.

He was also concerned about the requirement that the content of a personal file be understandable by the subject of the file, and while the member acknowledges that some file information is recorded in code, he tends to, I think, underestimate the need for a person to understand information to clear, forthright disclosure. If it were permissible for each reporting agency to use its own coding system, a subject could very possibly have to become familiar with several codes if he wanted to know what each of the agencies was in fact, reporting about him. —(Interjection)— The member questions the practicality of the prohibition against the use of lie detectors and wiretap information. We all know that despite the provisions of the Criminal Code, certain persons will contravene that code and thus become the subject of prosecution. The existence of the Act does not guarantee that no crime will be committed.

Similarly, this provision of the bill cannot guarantee that some persons will defy the prohibition. Nevertheless, this possibility does not justify the removal of this prohibition.

The honourable member takes exception to the power given to the Lieutenant-Governor-in-Council to exempt any person from the definition of personal reporting agency. I note earlier, his comments on the provision that would prohibit any person from making a personal investigation unless they are registered as a personal recording agency. I agree that this merits further exploration. Even if it is changed, however, the definition of personal reporting agency may still embrace certain organizations to which application of the Act would be impractical and perhaps disadvantageous. There is a clear possibility that this may be the case and should situations arise, it is imperative that it be possible to provide this exemption.

The Member for Wellington directed the members' attention to what he perceives to be inadequacies in the federal legislation dealing with human rights and civil liberties. While he may find a relationship between the personal investigations as regulated under this bill and other activities which are dealt with by the federal statute, I do not believe that it's appropriate to explore any such possible relationship in our consideration of this bill which is clearly within provincial jurisdiction.

In my opinion, Sir, the debate has been interesting and worthwhile. I share the concern of all members that this Act should be clear, and perhaps more importantly, it should be effective. Where there are shortcomings, appropriate amendments will be offered for your further consideration in committee. With these closing remarks, Mr. Speaker, I commend the bill to the House.

QUESTION put, MOTION carried.

BILL NO. 25, AN ACT TO AMEND THE HUMAN TISSUE ACT

MR. SPEAKER: When this bill last appeared, the Member for Wellington was speaking, just concluded his remarks at 4:30, so the question is now open.

QUESTION put, MOTION carried.

BILL NO. 27, AN ACT TO AMEND THE LIQUOR CONTROL ACT

MR. SPEAKER: On the proposed motion of the Honourable Attorney-General, the Honourable Member for Kildonan.

MR. FOX: Mr. Speaker, I adjourned this bill for the Honourable Member for St. Vital.

MR. SPEAKER: The Honourable Member for St. Vital.

MR. WALDING: Thank you, Mr. Speaker. I've had the opportunity to examine the contents of the bill over the last couple of weeks and discuss it with some of my colleagues. We find that the changes are substantially as outlined by the Honourable Minister when he introduced the bill. We find that it refers to a number of different subject matters within the Liquor Control Act. It has raised a number of minor questions with members of the opposition that we would like to take up with the Minister when it comes to the Committee, but we see no reason to debate the bill at any length at this time or to delay it in any way.

QUESTION put, MOTION carried.

MR. SPEAKER: On the proposed motion of the Honourable Minister of Labour, Bill No. 35, an Act to amend the Workers Compensation Act. The Honourable Member for Kildonan.

MR. FOX: We have this matter stand, Mr. Speaker. Bill 38 also. (Agreed)

MR. SPEAKER: The Honourable Government House Leader.

MR. JORGENSON: Mr. Speaker, I move, seconded by the Minister of Highways, that Mr. Speaker do now leave the Chair and the House resolve itself into a Committee to consider of the Supply to be granted to Her Majesty.

I think, Mr. Speaker, in view of the hour, we may just sit in one Committee today.

MOTION presented.

MR. FOX: Mr. Speaker, on a matter of procedure, I wonder, since we are starting one department — one has already been started — whether we couldn't do the Attorney-General in here for the time being.

MR. SPEAKER: The Honourable Government House Leader.

MR. JORGENSON: That's perfectly all right with me if the honourable members don't mind waiting for a few moments while the Attorney-General gets his material from his office.

QUESTION put, MOTION carried and the House resolved itself into a Committee of Supply with the Honourable Member for Emerson in the Chair.

SUPPLY — ATTORNEY-GENERAL

MR. CHAIRMAN, Mr. Albert Driedger (Emerson): Committee come to order. I'd like to refer members of the Committee to Page 14, Resolution 18, Item 5.(a)(1)—pass; (a)(2)—pass; (a)—pass. (b)(1)—pass — the Member for Wellington.

MR. CORRIN: Dealing with this Item, Mr. Chairman, through you to the Minister, I wish to express some concern and I do so not only as a result of my own inquiries but as a result of information that has been brought before me, by several members of the practicing Bar, who have become increasingly agitated of late with the absence of appropriate mechanisms by which alimony and maintenance, or I should say alimony orders can be varied province to province, and I'm now referring to situations wherein a spouse collecting alimony leaves the province and the other spouse, the paying spouse, wishes to have a variation of the decree, perhaps in order to reduce the amount of alimony or something of that effect, and it's my finding, Mr. Chairman, that persons in those circumstances are unable to acquire the necessary revision or amendment without instituting proceedings outside the province. They have to go to the province where the former spouse is resident in order to launch those sorts of proceedings, and I'm told, and I know that it's the case, that the costs associated with that sort of proceeding are simply prohibitive for most parties in our courts. Apparently there have been a number of hardship cases in this regard.

I was just the other day told by a solicitor that he had a client who couldn't afford to stop paying, he couldn't afford to stop paying his alimony because he didn't want to lose his job as a result of being in breach of the order and contempt of court and liable therefore to imprisonment' and on the other hand he couldn't afford to pay the alimony either, and he didn't quite know what to do. He couldn't afford to go to, in this case, British Columbia, couldn't afford to pay his alimony, couldn't afford to lose his job, so he was put in a situation of triple jeopardy, all as a result of these unfortunate sorts of circumstances which I'm told happen quite regularly as a result of increased mobility within our society.

It seems to me, Mr. Chairman, through you to the Attorney-General' that it's time that we in this country consider the institution of some sort of legal mechanism analogous to the reciprocal enforcement of maintenance provisions with respect to these sorts of variance applications. It seems to me that if we can, on some basis or other, make the REMO provisions work, if I can use that acronym. It seems essentially sensible that we can make within our law some mechanism that will afford people who are caught in these rather unfortunate circumstances some outlet, some recourse, other than simply to avoid the honouring of the court's order and therefore expose themselves to Contempt of Court proceedings. So Mr. Chairman, I would ask through you to the Attorney-General whether any discussions have now transpired in this regard as between himself and other Ministers responsible for law enforcement in the other provinces of Canada, and whether or not this matter has been discussed, as I think it would most probably have to, with the Solicitor-General in order to establish whether appropriate revision of the Divorce Act could be made in order to afford the provinces the opportunity to institute this sort of mechanism on a reciprocal basis.

MR. CHAIRMAN: The Honourable Minister.

MR. MERCIER: Mr. Chairman, with respect to the Reciprocal Enforcement and Maintenance Orders Act we have assigned a departmental solicitor solely to work within that area and, in fact, the Province of Manitoba has undertaken representations on behalf of residents of other provinces under that particular Act, and I believe we're the only province, in fact, in Canada that have undertaken that kind of work.

The problem that the Member for Wellington has referred to is not one on which I have received complaints but, having heard his comments, I'm certainly prepared to review that particular aspect and indeed raise it at the next meeting of provincial Attorney-Generals and have it discussed in that form to determine whether or not there is a concern in other provinces and perhaps together the Attorney-Generals may indeed make recommendations to the Federal Government for improvements in that area.

MR. CHAIRMAN: The Member for Wellington.

MR. CORRIN: Yes. In this regard, Mr. Chairman, it would be of some interest to me to find out what mechanisms are now in existence in order to afford the Attorney-General the opportunity to communicate with members of the practicing Bar in order to enable him to become enlightened as to these sorts of problems. I've myself often thought that there was an absence of such formal liaison or communicative processes and I would ask whether or not there is in fact anything in the nature of an official, regularly scheduled, meeting process as between the Minister, members of his department, and representatives of organizations, such as the Manitoba Trial Lawyers Association, the Manitoba Bar Association, and of course the Law Society of Manitoba, although I would note that the Law Society is essentially a regulatory body as opposed to an interest group, and therefore I suppose I would acknowledge that it would be of lesser importance that these sorts of communications be ongoing as between that latter body.

But I would ask whether or not there is such a mechanism and I would do that, Mr. Chairman, in the light of responses yesterday in the course of our debate dealing with the Knox Commission of inquiry. I note that at that time, Mr. Chairman, as the Attorney-General of course will recollect, it was my expressed feeling that the Knox Commission simply should not have been appointed but rather than going to private corporation, and that's essentially what we were told, that the firm of James Richardson and Sons Investments had generously and gratuitously offered the services of their general counsel, Mr. Knox, to the government in order to do the independent review that the Attorney-General has referred to on so many occasions. And Mr. Chairman, I indicated for your remembrance, that I felt that it would have been better if the Attorney-General had gone to an association such as the Manitoba Bar Association or the Manitoba Trial Lawyers Association, or for that matter even the Manitoba Association of Rights and Liberties, a group which I'm told is quite active in the field of civil liberties and is very interested in matters of that sort as they come before our courts.

I suggested, Mr. Chairman, and I would continue to reinforce my suggestion, that in doing so the Minister could have exercised considerable flexibility inasmuch as he could have either asked any one of those groups to do the assessment, or he could have asked those groups in conjunction, one with the other, to participate in an independent overview, and so, Mr. Chairman, it seems to me that if the Minister is not moved to give proper and due respect to organizations such as this, to entrust them with this sort of responsibility, then perhaps there is a need for more effective lines of communication, because I only can presume that the reason the rationale for his turning to a private firm such as Richardson Investments is essentially a lack of faith; a lack of faith in members of the practising bar and for that matter members of the public who have an interest in matters of civil rights and liberties.

So, Mr. Chairman, in the context of those remarks I would ask whether or not the Minister could indicate to the Assembly, whether or not any formalized regular meetings are now transpiring as between those organizations being the Manitoba Trial Lawyers' Association, The Manitoba Bar Association and the Law Society of Manitoba?

MR. MERCIER: Mr. Speaker, I have met on a regular basis with the president and whatever other representatives of the Manitoba Law Society that they wished to bring, and I've also met on a regular basis with the president of the Bar Association, to deal annually with their resolutions in addition to other meetings, and have indicated to both the president of the Law Society and the president of the Bar Association that I am prepared to meet with them at any time that they wish to raise any matter that they consider to be of any importance.

MR. CORRIN: Mr. Chairman, I would ask through you whether the Minister, in view of the fact that he has expressed a pattern of recognition of these organizations, whether he would now indicate as to whether he might consider supplementing the Knox Commission, which as you know, Mr. Chairman, is a one man inquiry, with members representative of the organizations which he indicates he has been meeting with and whose views he does indicate he respects.

Mr. Chairman, I would note that it seems to me that it's imminently wise and prudent that recourse be had at this particular juncture, to the opinions of those who most often come into contact with the system that is being reviewed. If the evaluation is to be effective and if it is to be meaningful, I would suggest that it has to be respected by those who represent those who are in the greatest jeopardy, and I am now referring of course to the clients of the lawyers who appear in those courts, and in order for that, Mr. Chairman, to be facilitated I would suggest that it's necessary that the views of those representatives be put forward on a firsthand basis to the Knox Commission. I would suggest that it's inappropriate that we leave it to Mr. Knox simply to discuss with those members of the practising bar that he's to choose on an ad hoc basis.

I suggest that it's imperative, quite important, that there be some formal recognition of the stature, the standing of those members representative of the practising bar as a whole. I would suggest that that would best be accommodated by expanding the Commission, expanding its membership to encompass representatives of the Manitoba Trial Lawyers' Association, the Manitoba Bar Association, the Law Society of Manitoba. I would suggest respectfully, Mr. Chairman, that there should be citizen representation and I feel that the Manitoba Association of Rights and Liberties would be an appropriate body to petition in order that membership can be solicited from their ranks.

I've had the opportunity in this latter regard, Mr. Chairman, to receive literature from that particular association and I note that there certainly is a cross-section of opinion that is participating within the membership. I noted many names of people from the three parties. It seemed to me that the group really was nonpartisan and operating on essentially an apolitical basis and I think that it would be a great step forward if recognition of volunteer citizen participation such as that were afforded such an organization and the citizens of this province by the Attorney-General.

As I've indicated yesterday, and in my remarks today, Mr. Chairman, it's my opinion that Mr. Knox is simply not representative of all the peoples of our province and certainly not representative of the practising bar, inasmuch as he is a solicitor practising in a corporate scenario and area. Although I am aware and familiar with his past practice at the bar, I would suggest that in light of the fact that he's been practising extensively in the corporate area for the past four or five years, that he alone is not able notwithstanding . . .

MR. CHAIRMAN: The Honourable Minister on a point of order.

MR. MERCIER: Point of Order, Mr. Speaker, this is extremely repetitious of the debate that occurred last evening under Criminal Prosecutions in which we dealt with the problem of backlog and the report of Mr. Knox, and it sounds like the Member for Wellington is reading from Hansard

from last evening.

MR. CHAIRMAN: The Member for Wellington.

MR. CORRIN: Thank you, Mr. Chairman. I would point out to the Honourable Minister, Mr. Chairman, through you, that it's not repetitious because last night we did not discuss the possibility of the Commission being augmented by participation from representative bodies such as the Manitoba Association of Rights and Liberties and the Manitoba Trial Lawyers' Association. We didn't go that far and I think, Mr. Chairman, it's absolutely essential and imperative that we give consideration to implementing their participation as soon as possible.

I would note that I respect Mr. Knox's qualifications as a practising lawyer. I do have my reservations about his familiarity with current events in the courts, notwithstanding that he is attempting to apprise himself of that situation. I think having worked for the Canadian Pacific Railway and more latterly with Richardson Securities as a corporate counsel, it's fair to say, it's fair to comment, and I am sure he would agree that he is somewhat out of touch with the criminal court system. I would indicate, Mr. Chairman, that I myself am not altogether satisfied that Mr. Knox is qualified to do hhhhhhs review, simply as the Attorney-General would suggest because he was a practising member of a firm with which the Attorney-General was associated in the early 1970s. That, Mr. Chairman, was indicated to be one of the rationales for his selection, that the Attorney-General had come to respect him during the term of their association and in the light of that relationship had decided that he was a person who could be relied upon to do an objective and independent overview and assessment of his Department.

But surely, Mr. Chairman, that in itself is not satisfactory or sufficient for the purposes of an independent appraisal. I would suggest that if it's going to be cited and mooted as an independent appraisal, it must be demonstrated to be one and the only way to do that is to remove it to independent bodies, bodies who are representative of people in the courts and representative of taxpayers who are concerned about the backlog in our courts and the rather serious situation that has evolved with respect to the administration of justice in our province.

So, again I would ask whether the Attorney-General could indicate for the record, as to whether or not he will discuss with those bodies that he says he does communicate with fairly regularly, the possibility of having membership seconded from them in order to augment and supplement the Knox Commission into his Department?

MR. MERCIER: Mr. Chairman, as I indicated last evening, Mr. Knox has met with the president and other officers of the Manitoba Trial Lawyers' Association with respect to this matter as well as many other groups, and the report I am advised will be completed very shortly and I don't intend at this stage to expand it.

MR. CORRIN: Mr. Chairman, I think that in light of that answer I can cite an appropriate analogy and that would be the Family Law Report. As you will of course remember, Mr. Chairman, there was considerable consternation last year when it was discovered that Mr. Houston, another very reputable member of the Manitoba Bar, was going to unilaterally be reviewing Family Law Legislation that had been tabled and enacted and proclaimed by this House.

We, Mr. Chairman, on this side were quite concerned that Mr. Houston would not be able to do a thoroughly independent overview as a result of his prior predisposition made manifest by remarks made publicly at a Law Amendments Committee the year previous and in several public presentations he had made on the subject around the city.

Now, Mr. Chairman, as I indicated to you last evening, Mr. Knox is employed for a firm that as we all agreed had been supportive of the Attorney-General's Party for some time. That in itself, Mr. Chairman, does not lead me to believe that Mr. Knox would be in any way moved to do anything but a thorough and independent assessment of the Attorney-General's Department. Mr. Chairman, surely any reasonable individual being apprised of the fact that donations had been made from Mr. Knox's firm, his company to the government's side, would I think have to conclude that there was on the basis of innuendo, the possibility the report that would be tabled would be less than independent and objective. It is for those reasons as with the case with respect to the Family Law Review, Mr. Chairman, that I would suggest that it's absolutely imperative that consideration be

given to expanding the base of that commission.

I think it's imperative that the lawyers be given an opportunity if necessary to file an independent report. I know that we had a minority opinion with respect to several matters when we received the tabled copy of the Family Law Commission Report and I would suggest respectfully, Mr. Chairman, that it is of equal importance that sufficient latitude be given within the framework of the terms of reference of this particular Commission of Enquiry in order to afford members of the practising bar the opportunity, and of course lay citizens as well who are affected and concerned with this matter, the opportunity to formally publish before this House their opinions as well.

It seems to me that that is the fairest method to be employed in the exercise of the commission's power. It would seem to me that this is the only way that members of the public and members of this House can be assured that that report has been done on a truly independent basis, and failing that I would suggest that the Minister brings into disrepute the reputation of his government and the reputation, frankly, of Mr. Knox because he is asking Mr. Knox to entertain what is essentially an invidious position. It's simply, I think, impossible for Mr. Knox to represent himself to members of the public and to all members of this Assembly as being objective in these circumstances. He may well be objective, Mr. Chairman, and no one would doubt that that would be his intention, but it would be impossible, in view of the fact that contributions had been made by his employer; in view of the fact that he is being seconded gratuitously at the behest of his employer to the government service; in view of all these facts, Mr. Chairman; in view of the fact, as well, and I wish to repeat, that he has not practised actively in the courts for many years. It's my recollection, I've been thinking about it during the course of our discussions this afternoon, and it's my recollection and I distinctly recall that he left active practice in either 1971 or 1972 to work with the Canadian Pacific Railway in the position of corporate counsel. I remember that well because I think that Mr. Knox beat the tar out of me in the County Court of St. Boniface about a month before he left. I remember wishing him well and thanking my lucky stars that he wasn't going to be around to do it again.

Mr. Chairman, I don't think it's appropriate or satisfactory for the Minister to suggest that it's too late in the day, too late in the day to consider augmenting the Task Force, the Commission of Review. I would suggest that in view of the fact that his Estimates have now been tabled and will not again be so discussed for a full year, that it's entirely appropriate for the Minister to give consideration to supplementing that Task Force and allowing other people to participate.

I might have felt differently, as a matter of fact, I think I would have felt differently, Mr. Chairman, if a report had been brought before these Estimates from Mr. Knox's office. I think then that it would have been very difficult for me to belabour this matter and to suggest that the whole matter be opened up once again in order that the Task Force review be supplemented. But in view of the fact that Mr. Knox is not yet in a position to report; in view of the fact that he has not reported; in view of the fact that members of the Trial Lawyers Association and the Bar Association would willingly participate, I have only informally discussed this matter with members of those associations' Mr. Chairman, but I know that they will willingly participate in that review. They are concerned, and I think justifiably, that their interest is not going to be represented in that Commission of Review; they are concerned that it is possible that they are going to be castigated, that they are going to be found to be the principals responsible for the malfunction or disfunction of that department's work; they are concerned that there are going to be allegations by inference or otherwise that they have been derelict in their duty and they have been dilatory in proceeding in the courts on behalf of their clients, and I think all those concerns, Mr. Chairman, are justifiable.

I think that in view of the fact that they are in a very sensitive position, not in a position to speak out publicly as individuals, that it's incumbent on the Minister to give consideration to allowing their representative bodies to participate in this Commission. It's not enough to hear that Mr. Knox paid a visit to a certain select executive member of the Bar Association or the Trial Lawyers Association. It's not enough because that is not necessarily representative of the positions taken by those associations, or organizations.

I would suggest that it's absolutely imperative, if the Minister is to retain his stature, is to retain his independent stature in this regard, that he give consideration immediately to allowing representative members of those organizations to participate. And frankly, Mr. Chairman, I'm very disappointed to hear the Minister respond as he has. I think that justice is never served behind closed doors. I know of no system of justice that can operate in those clandestine circumstances. It simply repudiates the whole concept of justice when someone suggests that one person who is not representative or affiliated with a specific subject matter, can do an independent, so-called independent review at the behest of one particular person, this being the Attorney-General to whom he is responsible and will report. In these circumstances, I would suggest respectfully that it's absolutely essential that the entire community of concern be drawn from as it was in the Family Law Review. Certainly no one in this Assembly stood up and suggested, for instance, that there

should not be a woman allowed to participate in such a very important matter as Family Law Review, and I can't for the life of me see why anybody would stand in his or her place and suggest that it would be improper or in any way, inefficient or inexpedient for members of the practising bar who are familiar with the court processes, who are representative of the people who have to appear in those courts every day of the year, should be excluded from a review which will very definitely and directly impact their practising lives.

The recommendations that are made by Mr. Knox could have a very profound impact, and I would suggest for instance, in this regard, Mr. Chairman, that Mr. Knox might suggest that certain preliminary procedures, pre-trial procedures be substantially revised. He might suggest that the provincial courts give consideration to substantive revision of counsels — I should say accused right to pre-trial examinations and interrogatories. And if that were the case, Mr. Chairman, I would suggest that that would have a profound impact on the quality of law in this province.

I would suggest that it would certainly be something that should be held up to considerable review, it should be the subject of considerable review by those who are called upon to serve our laws, to serve the courts and Her Majesty's representatives in those courts on a daily basis. I suggest that it would simply be a manifest injustice to allow such recommendations to issue forth without first having had those positions reviewed and independently assessed by practitioners at the bar.

Mr. Chairman, I would also indicate I've been remiss in that I have not suggested, and I should have suggested, that the Manitoba Provincial Judges Association should be allowed to participate in this review. I apologize, Mr. Chairman, that I have been remiss in not mentioning that. There is no reason why all levels cannot participate and I would suggest that there is an analogy in the Juvenile Justice Commission which included amongst its members, members of the practising bench as well as bar, both defence and Crown, as well as those officers of the court such as probation staff and social workers, court communicators, who are charged with responsibility to facilitate the efficient functioning of our justice system.

I would suggest, in view of the fact that the Minister saw fit to appoint some 10 or 11 members to the Juvenile Justice Committee, and in view of the fact that the Juvenile Justice Committee in turn saw fit to go out to all the members of the public in a wide-ranging public survey — and I might note that I took advantage and participated in that, Mr. Speaker and was pleased to have been able to do so, as were dozens of other people in the province — I would suggest that the Minister should at least accord the same stature and status to the Knox Commission as he has to the Juvenile Justice Inquiry, as well as the Family Law Review Inquiry.

I would suggest that those are two fine precedents, those are two examples of the Minister at his very best, and I would suggest that it's simply inconsistent and irrational that the Minister should now turn turtle and suggest that Mr. Knox in his capacity . . .

MR. CHAIRMAN: Order please. The hour being 4:30, Committee Rise. Call in the Speaker.
The Chairman reported upon the Committee's deliberations to Mr. Speaker and requested leave to sit again.

IN SESSION

MR. SPEAKER: The Honourable Member for Emerson.

MR. DRIEDGER: Mr. Speaker, I beg to move that the report of the Committee be received, seconded by the Member for Radisson.

MOTION presented and carried.

PRIVATE MEMBERS' HOUR

MR. SPEAKER: We are now under Private Members' Hour. The first item of business on Wednesdays is Resolutions.

PROPOSED RESOLUTIONS

RESOLUTION NO. 12 — RAILWAY LINE ABANDONMENT

MR. SPEAKER: The first resolution is the resolution being proposed by the Honourable Member for Ste. Rose. The Member for Ste. Rose.

MR. ADAM: Thank you, Mr. Speaker. I would move, seconded by the Honourable Member for Brandon East:

BE IT RESOLVED that this Assembly, deploring the establishment of the Prairie Rail Action Committee, requests the Minister of Transportation of Canada to cancel any further abandonment hearings of the Canadian Transport Commission and to transfer the lines in question to the permanent network, or to establish the Prairie Rail Authority as recommended by the Hall Commission.

MR. SPEAKER: Are you ready for the question? The Honourable Member for Ste. Rose.

MR. ADAM: Thank you, Mr. Speaker. I believe that the Resolution that I am proposing today will probably be one of the most important Resolutions that have come before this Assembly in many a long year as far as farmers of this province and western Canada are concerned, and as far as farm rural communities are concerned.

One of the major problems that has been facing our rural communities and our farm population is the problem of being able to move their production to market; and of the things that has been a major problem and becoming more acute, particularly over the last three or four years, is the fact that there has been proposed wholesale branch line abandonment, not only in the Province of Manitoba, but throughout Western Canada. There have been, of course, other problems associated with the movement of grain and other problems facing the farm community; there's the high cost of production and so on. But I want to say that there are certain interest groups at work in Canada, powerful groups, who, I believe, are doing a disservice to Western Canada and to grain producers in general, by recommending a wholesale rail abandonment, and other matters.

I would like to itemize a few, which I don't intend to address myself today, but I would like to put them on the record as I see them. The grain transportation of course and rail abandonment in my opinion, is one of the most important. 2) The undermining of the Canadian Wheat Board in orderly marketing — there are moves afoot to continually undermine the functions of the Wheat Board; and 3) there are moves to do away with the Port of Churchill — while we haven't heard too much of this yet, I'm sure you will hear more of it in the future. But there are moves afoot to suggest that the Port of Churchill is causing or creating to the inefficiency in the grain transportation system. And also, more so we have heard lately, the undermining of the Crow rates for the transportation of grain.

My resolution, Mr. Speaker, deals primarily with the abandonment of our rail branch lines, and of course transportation of grain to market. I do not in any way relegate these other matters that I have mentioned to lesser importance, but I do wish today to deal directly with the matter of rail abandonment. I do see that the preservation of orderly marketing and the Port of Churchill — I view these matters as of great concern, but I do wish to apply myself to the matter of what is happening in the abandonment of our transportation system. I see I have agreement from the Member for Pembina so I hope that I will have his support when it comes to vote on this resolution, I know that I have spoken to the government members, and there are some that have indicated that they may support my resolution; I hope that they will; I think it's very important; it's crucial and our farmers can no longer afford the indecision that has been taking place over a number of years now in regard to this abandonment of branch lines.

So there are powerful forces, intensifying their efforts to undermine the welfare and viability of western producers. And we have seen this, for their own particular self-interest, we have seen this more and more of late. Unfortunately, even some of the members of the Liberal Party, and as well some of the Conservative Party, will have to shoulder some of the blame and some of the responsibilities for some of the suggestions that I have made in regard to those forces who are trying to undermine what I believe is a very important question that faces Western Canada today.

I have received many letters in the matter of rail abandonment, and I expect I will receive many more, requesting to do whatever I could to stop this wholesale abandonment of our branch lines. I have approximately 30 briefs and letters that have been sent to the Transport Commission, to try and save their branch lines in their communities, and I know that I will receive more. I've received some from Neepawa. I have received some from numerous areas, and I know that I will receive more.

So, Mr. Speaker, I feel that what I am proposing today will remove the uncertainty that has been taking place in the past in regard to rail abandonment. This question has been studied to death, and it's time that we come to a definite conclusion of what's going to take place. The farmers are being told that they will have to double their production by 1985. I'm saying, Mr. Speaker, that what has been happening in the past is that commissions and boards and committees have been meeting, and they have always been looking in the past, and not looking to the future. So we,

at this point and time, in my opinion, cannot really know what we are going to need in the way of transportation by the year 1985 or 1990. So I'm saying that we should stop and take a look, and perhaps try and analyse the future. I am sure with the increased cost of fuel that is taking place, and that is bound to continue, we will see higher costs of truck transportation, higher costs to maintain our roads and build roads. We are going to see that it is going to cost the producers much more to deliver their production to market.

There have been rural farm communities, as I have said, have great apprehension of what is taking place. They're worried that their communities will die and wither on the vine if they lose their railroads. Farmers will have to travel greater distances, and at greater costs. Basically, Mr. Speaker, what I am proposing is that those lines that have been scheduled for evaluation by both the Hall Commission and the Prairie Rail Action Committee — I am proposing that these branch lines be transferred over to another group, either by leasing or by purchase at a nominal fee. I propose setting up a Crown corporation, which would take over the complete responsibility of handling only those lines that are scheduled for evaluation and abandonment between now and 1983. This is what I am proposing. They would contract with the railroads to provide service and maintenance of the track. This group would decide which lines should be upgraded to the higher capacity. They would pay the railways their cost of bringing in freight, taking out the grain — it doesn't matter whether it would be lumber or other commodities that would be going into these communities — they would be fully in charge of all transportation on those particular branch lines. It could be leased at a nominal fee from the railroads, and as I say, this Crown corporation would act in a similar way as the railways do now on those lines.

If this resolution is accepted by the Federal Government, the farmers would be assured that they would have transportation to at least 1990, and I am suggesting that that isn't sufficient. We should have all those branch lines abandonment frozen until the year 2000. And this group, this Crown corporation would have from 1979 until the year 2000 to decide what is taking place in view of the increased production of grain, and they would then decide which lines would have to go. Of course, there are other matters, such as cases where the elevator companies have been closed out or are phasing out and no longer a line required. Well, that is a different proposition, but this authority would decide on where those lines should be abandoned.

What would happen at the end of the year 2000, the group or the committee that would be in charge of those 2,300 miles of rail lines would automatically phase out at the end of the program, at which time all those remaining lines would revert back to the permanent network, back to the railway companies. I think it's a good proposition that, with some variations, it is basically what the Hall Commission has recommended, and which the Federal Government has chosen to disregard. I believe that what's happening now is a real hatchet job on our rail abandonment. I know that there's rail abandonment throughout this province, more so in Saskatchewan, and also in Alberta. I say it's got to stop because we don't know where we're heading with this increased production that we know is going to take place, we have the markets, if we can get the grain.

Now it's no use to go into those arguments as to why we've got into this position. We know why. You know, I don't want to go into recrimination on why the railroads have allowed all these branch lines to deteriorate, why they have been paid subsidies on those branch lines for their losses, and used those subsidies. They haven't used them in those branch lines to keep them even maintained to their proper standards. They have used those subsidies on other lines to maintain, and they have taken depreciation on these lines. They have taken depreciation on boxcars. Why should the boxcars be in disrepair if they have taken depreciation? They haven't maintained them, Mr. Speaker. They have been depreciated perhaps several times over, and they haven't maintained the boxcars.

And why is it necessary today for farmers to have to purchase boxcars? There are thousands of boxcars that could be used if they were in a usable condition, but they haven't been maintained and now we have to start maintaining boxcars. Many of the lines, the arguments that are used is that, oh, it's going to cost too much money to repair, too much money to upgrade. I say that this is a very, very weak argument, because by the year 1906, you know, the railway companies had received 55 million acres in subsidy in the matter of lands because there was many branch lines then that it was known would never be profitable. Yet they were never intended to be profitable. They were intended solely to provide a service to bring in people, to open up the country and to produce grain and bring it out. It was never intended that there would be a profit on those lines and that is why we have had subsidies on some of those lines that have been scheduled for abandonment.

So, I am saying, Mr. —(Interjection)—.

MR. SPEAKER: Order, please. The honourable member has five minutes.

MR. ADAM: Thank you, Mr. Speaker. So we have a number of reasons why there have been all sorts of bottlenecks, and I don't accept the argument that the railways are putting forth that it is costing them too much to maintain and upgrade their lines, because they have taken depreciation on those lines, and those lines should be at least up to the standards to which they were intended, and that is, I believe, 175,000 pounds on the secondary lines. Now, those ties should be in good condition, the road bed, the ballast should all be in good condition if they have taken depreciation on these lines. A similar argument I just mention on the boxcars — there's no reason for those boxcars to be in a poor condition and not able to be used for transportation of grain; they've allowed them to deteriorate, and then they come to the government or the Transport Commission, and say, "well, we have to abandon these branch lines and we haven't got the boxcars, so it's not feasible, we're losing money."

Now, we have other forces that say, "well, if you haven't got enough money, we'll have to raise the Crow rates." Well, I say that that's not the right answer, because if you do that, Mr. Speaker, it's going to cost perhaps between 75 cents and a \$1.00 more for each bushel of grain that is being sold by the farmers, and that's going to put many of them out of business, I can tell you that right now.

I believe the Government of Saskatchewan have proposed a similar resolution to what I have proposed here today, and I believe it is going to pass, or has passed in the Saskatchewan Legislature. I'm hoping that I will have support from every farm member of this Assembly; I'm sure that I will have; I haven't spoken to all of my colleagues, but I hope that I will have support of every member of this Assembly. It is a very crucial and important matter and I hope that I will hear debate from many members of this Assembly, particularly from the members from the government's side; I hope that they will stand up and be counted on this issue as to where they stand insofar as rail abandonment is concerned.

So, Mr. Speaker, I recommend this resolution to this Assembly. Thank you very much.

MR. SPEAKER: The Honourable Minister of Agriculture.

HON. JAMES E. DOWNEY (Arthur): Thank you, Mr. Speaker. I would like to speak today mainly on the first issue that was mentioned in the resolution by the Honourable Member for St. Rose, that being the deploring of the establishment of the Prairie Rail Action Committee; that we request the Minister of Transport to further put a hold on all abandonment hearings by the CTC, and that all railroads that have been recommended for abandonment be placed in permanent network.

I think we should first of all, Mr. Speaker, take a look at the network of rail system that we've had distributed throughout western Canada. Really the purpose of that rail system was to transport people, transport agricultural products and industrial products through the different regions of western Canada. I'm sure that we all have to realize that many things have changed in western Canada and Manitoba as far as the need for the rail system, the changing of some of the transportation systems, and I think we're all, as far as I'm concerned, quite receptive to change, I'm sure that the member could agree with that. I do not, however, believe that we should change totally for the sake of change, or that, in fact, we should remove from the people, the producers or the consumers of western Canada, an infra-structure which has been over the past many years, very important to the continuation and the further development of, in particular, the agricultural industry.

But I would first of all like to ask the member opposite, the individual who introduced the resolution, why his concern at this particular point? Why would he introduce a resolution, a resolution that we abandon or we have no further hearings, that in this particular time, we freeze everything and revert back to what was recommended by the Hall Commission?

I think that, if he were to look back in some of the records that he might have, that when he was a member of the government in power in Manitoba, that he should have been taking some actions at that particular time. Rail line abandonment did not start since October, 1977, but in fact, the implementation of the Prairie Rail Action Committee was implemented at a time when he was in power in May 27th of 1977, where did we hear the members opposite speaking out on the Prairie Rail Action Committee?

MR. SPEAKER: Order, please. The Honourable Member for St. Rose on a point of order.

MR. ADAM: On a point of privilege, the member imputes that I was not concerned and why wasn't I doing something a few years back. I want to point out to the member that I was involved in the Hall Commission; I've made representations to the Hall Commission when they sat. . .

MR. SPEAKER: Order please, order please. Order please. That is not a point of privilege. The

Honourable Member for Brandon East on a point of privilege.

MR. EVANS: The Honourable Minister made reference to where was the NDP government when the Prairie Rail Action Committee was set up? I would like to advise the House, Mr. Speaker, on a matter of privilege, the member is misleading this House by making that statement, because the Government of Alberta, the Government of Saskatchewan, and the Government of Manitoba, under the NDP, unanimously opposed 100 percent the formation of the PRAC by our mutual. . .

MR. SPEAKER: Order please, order please. Order please. The Honourable Member for Brandon East had no point of privilege. The Honourable Minister of Agriculture.

MR. DOWNEY: Mr. Speaker, I think I referred to the Member for Ste. Rose not introducing a resolution, a resolution that would at that particular time deplore the implementation, and I can't find on the record a resolution that in fact says any such thing. But I would say that, in looking back at some of the history of what has taken place, that we have seen a lot of abandonment that has caused a lot of hardship to certain communities. I think that we have made it very clear that we, as a government, are very much against the removal of infrastructure, such as some of the rail lines that have been recommended for abandonment, that we do not support that, we support all communities that put together a retention committee that in fact, want the government support to retain those rail lines. We've made it very clear that we are prepared to go to fight to make representation to the CTC on that particular issue.

But I get back again, Mr. Speaker, to some of the history of the implementation of the Prairie Rail Action Committee and the Hall Commission Study and Report, that we had one study prior to that, and that was of course the MacPherson Commission which looked into the total picture of rail line abandonment. And before that, Mr. Speaker, we looked back prior to the year of 1933, when we saw the railroads, without going before any Commission or Hearing, able to abandon or remove any lines of their choice. That changed somewhat, where, after 1933, under The Railway Act, they had to make applications to the Canadian Transport Board or the Board of Transport Commission to get approval to do that, and came somewhat to a standstill during the Second World War.

I think that following the MacPherson Commission and some of the outcome of that, we see where the federal government agreed to pay to the railroads, a subsidy fund for the upgrading of some of these branch lines, which in fact, they expected them to keep to service the people of western Canada. At that juncture, I believe that the railroads looked at that particular subsidy as a subsidy to transport grain, and in fact, a lot of the rail lines that were to receive that upgrading money, did not receive it, that in fact, they were allowed to depreciate and go into a state of repair that they did not want to continue to repair them and keep them in the order in which they were able to transport grain over them.

So we then go to the period of time when we've seen the implementation of the Hall Committee which was set up to further rationalize — I'm not making an argument for the federal government in this particular case, but it was a Commission that was set up to hear the people of the western provinces to get some kind of a feel for really what had to take place on an orderly manner. And I think that as far as the Hall Commission's objectives and what they set up to do, they took into account the financial viability, they encountered the fact that the social and the economic viability of communities, and they in fact did have a good hearing throughout the western provinces.

And I would just say in addition to that that I think there was a real sincere attempt by the Hall Commission to put together a report that was meaningful, that in fact could be supported, using both the economic and the social input that would give some guidance to the government of the day, and to assure the people that they had some input into what took place.

Well, we see the report that came out that we had in fact some approximately 12,000 miles of track that were to be added to the permanent network, which would in fact guarantee rail service to these communities to the year 2000. They had some several other amounts of mileage, something like 2,100 and some miles that they suggested could be abandoned sometime between 1977 and 1981. Well, the way time moves and the way the progression or the way in which we have seen the development of our abandonment process, we see that we are now at the stage where we have had the implementation — instead of what the Hall Committee recommended — a Prairie Rail Authority which would have the authority to continue to place certain lines into the permanent network.

We have seen the federal government implement what we have called the Prairie Rail Action Committee to take a look at, not the social and the economic viability of lines, but the total economic need for those lines. And of course I would have to say I do not support what came out of the Prairie Rail Action Committee. I think that we are in some lines that I am familiar with, that we

have seen some figures used, some calculations used in the calculation of the profits and the losses or the costs on some of these lines that could certainly be questioned. And I think that the action of the federal government to move at such a rapid pace to remove some of this infrastructure that is important to the people of Manitoba and western Canada, was far too hasty. As farm people they have to have the opportunity to upgrade their trucking system, or they have to give the grain companies an opportunity to upgrade their handling capacity where they were losing a line.

But I think we should also stop, when we mention grain companies, that in fact there was a large reduction of grain elevators on some of these lines prior to some of the abandonment announcements that were made. In particular, I can name several points in my home riding where we have seen elevator companies close their elevators because of an economic factor that they were unable to support an elevator in one of the towns that was on a line that was due for abandonment, and they had made that decision to move to a more assured line — a line that was going to be assured to the year 2000.

So I think when we look at the total picture of abandonment of rail lines, that in fact there has been a move by the total industry, not only by the governments or by the railroads, but I think we have to look at some of the grain companies that have in fact made these moves far prior to what came out in the Prairie Rail Action Committee or in fact the Hall Commission Study. I think we have seen a move already taking place.

The point that I would like to make in this particular case is the fact that why would the federal government, or why would any government, force the issue. And I think that's the part that really bothers me. Why do we have to have a designated line that's going to be removed by 1981? If that line is doing a good job and the rails and the roadbed is in good order, why force the issue? And that, Mr. Speaker, is of very much concern to me, I can probably mention several subdivision lines or lines that will and could service the people 'till 1990, and here we are saying that that line has to be torn up by the year 1981.

Well, I think that the general move of farm people, the upgrading of their equipment that they have, the capacities of the grain companies to receive the grain in these communities is the most important part of this whole debate. And I would like to say that I think that the move by the federal government and the railroads to prematurely remove these lines is the point that has to be made. And I think that the point that we should be debating is in fact, sure there should be a stop put to the abandonment of rail lines, where the Retention Committee, that local community puts together Retention Committee, goes to fight for that line with the support of the provincial government; that in fact when that particular position is known and taken that we go to work and fight for that line.

But what is the trade-off, Mr. Speaker, if I can use that term, what is the trade-off? Where was the last government, and I'll go back again and say, where were they in negotiating with the federal government for funds to upgrade those roads and provide a special transportation fee to those particular communities that may have to pay more for transporting their grain from some of the areas that they have lost their railroads? What about off-line elevators? Mr. Speaker, I would have to say that I think we can use off-line elevators and should be allowed to use off-line elevators in the province of Manitoba; that in fact if the rail line is removed and the grain company that has a good elevator at that particular point, then why can we not, why can't we provide them the service of removal of that grain from that U elevator through a trucking system? But need, Mr. Speaker, support from the federal government to upgrade the roads to haul that grain over, not only for grain companies but the farmers need it. We have to upgrade that infrastructure, Mr. Speaker — (Interjection) — well, Mr. Speaker, the member is saying that his resolution will do that. I don't agree with that at all, I think, Mr. Speaker, his resolution is saying he wants to establish the Prairie Rail Authority as recommended by the Hall Commission.

Mr. Speaker, we are far past that point, we are far past that point at this particular time. Mr. Speaker, we could freeze the hearings of the CTC, and it is my understanding that there is being a western office of the CTC being set up in Saskatoon next week. Now, I don't know why the decision would be made at this particular time to set it up in western Canada in the Minister of Transport's riding, at this particular date. It might have something to do with an election that is coming up on 22nd of May, but I think, Mr. Speaker, that it is far too late as far as the abandonment is concerned to go back to totally supporting a Resolution that has been put before us. If the Resolution, Mr. Speaker, had said we would stop all CTC Hearings until we have a commitment from the federal government to fund those communities — the provincial government, the local municipalities, the rural municipalities, and the farm people — if they would support that kind of a Resolution then it would have some meaning, Mr. Speaker. But, Mr. Speaker, the Resolution says nothing of the sort and I think that is the main reason that I can't support it.

MR. SPEAKER: Order, please. The Honourable Member for Ste. Rose.

MR. ADAM: I would like to offer some clarification to the member, if he will accept.

MR. SPEAKER: Order please. The honourable member has had his 20 minutes. The Honourable Minister of Agriculture.

MR. DOWNEY: Well, Mr. Speaker, I again go back to say that I think the timing is certainly of prime importance and the member opposite who had his eight years in government when this whole process was taking place, we heard very little. In fact, I heard nothing from the Member for Ste. Rose when it came to discussing rail line abandonment. In fact, I heard very little from the last Minister of Agriculture, who had very little to say as far as the western region of the province was concerned when it came to the removal of some of the rail lines,

Mr. Speaker, I can name communities in my constituency that had to go to work totally on their own. They had no support from the last government, Mr. Speaker, that being the community, the community of Tilson, and I'll give credit to one of the past candidates from that area, and that being the NDP candidate from the south-west, from Arthur constituency who ran against me — a fine, good gentleman, a farmer. He went to work with another councillor and they went after the CTC and the Minister of Transport to get money to pay the farmers for hauling grain because the rail had gone out before they were allowed to do it under the Canadian Transport Commission Hearings had been held ; the rail line was abandoned before it should have been and those farmers went to work for themselves, they went to work for themselves and got paid for hauling that grain because the rail line was removed or was unserviceable prior to the legal ability of that to really take place. Those farmers, Mr. Speaker, went to work on their own. They went to work on their own. Where was the government of the day standing up saying, "Wherever you people want to go to work and work for your retention of your rail line," or "We'll go to work to help you get funds to help move this grain over." Mr. Speaker, they wouldn't even help one of their potential candidates in that particular field.

So, Mr. Speaker, I think we have to really look at the history of how we got to where we're at and the little bit of support that the NDP Government gave the farm people when it came to rail retention, and all at once we see the great concerned Member for Ste. Rose standing up introducing a Resolution where now we should go back to do something, in fact we should go back and do something that they should have done.

Well, Mr. Speaker, we are doing something for the farm people. There was a meeting held on the 8th and 9th of January by the Premier of this province asking all the participants to come in and sit down and discuss it. Where was the leadership when he was a member of the government? Where was the leadership? There wasn't any, Mr. Speaker. Let me tell you we're out to do battle on the saving of the rail lines that are being abandoned. We will go to work with the people in the communities that are losing those rail lines. We do not want to see rail lines abandoned, but we cannot support a position where we say, all rail lines have to be supported, because you lose your credibility on the ones that really need to be saved.

There are certain rail lines that I'm sure that a lot of the communities have . . .

MR. SPEAKER: The honourable member has one minute.

MR. DOWNEY: . . . already accepted, have already accepted the fact that their rail line is depleted or it's no longer serviceable to them. It's very difficult for them to stand up and support that kind of a position. Maybe it's in the case of Tilson where one bridge, one new bridge, would have given them a line to the year 2,000. Nobody stood up in the government and supported them. They had to go to battle for themselves. So Mr. Speaker, I think that at this particular point we cannot support the member's Resolution. What he is trying to do is cover his tracks for the last eight years as a rural member, and I would say that we will carry on to support those communities that want to retain their rail lines. We will go before the CTC Hearings and we will, in fact, support the farm people of this province.

MR. SPEAKER: The Honourable Member for St. George.

MR. URUSKI: Thank you, Mr. Speaker. I wanted to make a few remarks to this debate in the remaining period that I have left today and I'm pleased that the Minister of Agriculture has got up and made his comments on behalf of his government in terms of their action. It appears, Mr. Speaker, that the Minister of Agriculture of this province has no policy to enunciate on behalf of the provincial government. His offensive is not to state a policy decision on behalf . . . his policy is to attack what the previous administration did.

Mr. Speaker, it appears that this Minister of Agriculture has not even read the Hall Commission Report in terms of what the Prairie Rail Authority duties should be. —(Interjection)— Mr. Speaker, he has not even looked at the report, because he has made comments to this House today about what he believes would be a good system to evolve in terms of handling, with respect to off-line elevators and the like. If he had read the report, Mr. Speaker, those very comments were right within the Hall Commission Report, on Page 91, Mr. Speaker. I will read for the Honourable Minister, that these comments were made by the Hall Commission.

Mr. Speaker, the Minister of Agriculture of this province has now introduced into an issue that should be a non-political issue, should be a common stand between all representatives of rural and urban areas dealing with the abandonment of rail lines in this province, to protect a basic network of transportation in this province. Now we have the Minister of Agriculture of the province of Manitoba saying, look, I have no plan, I have no policy to give you, but you fellows didn't do anything when you were in office.

Mr. Speaker, I will tell him. There was financial support given to the Abandonment Committee of the Branch Line Abandonment Committee by the previous administration. Mr. Speaker, there were submissions made — and the Minister of Agriculture, it appears that he doesn't want to listen because the facts bore him in terms of what I am about to say —there were submissions made by the Premier of this province, by the Minister responsible for Transportation to the —(Interjection)— Mr. Speaker, there were members on the opposite side who, when they were interjected by the Member for Ste. Rose and other members, said, "shut up." Could I also have the same courtesy from members on the government side in terms of having my remarks put on the record, Mr. Speaker?

Mr. Speaker, this Minister gets up in this House and will not and has not stated his government's policy with respect to rail line abandonment. At least he should have the gumption to get up and support the previous government's submission with respect to rail line abandonment and transportation in this province. But even here today and even here during the Estimates of his department he failed, Mr. Speaker, to enunciate any government policy with respect to rail line abandonment. When he was questioned, Mr. Speaker, what is the government's position with respect to possibly putting all the rail lines as a public utility in the province of Manitoba, he rejected it out of hand, Mr. Chairman.

Today he is talking about the retention. Why should rail lines be abandoned when they could be of service to people? Why should they be torn apart? Mr. Speaker, the Hall Commission made recommendations on those very points. He is asking the question that — we were begging an answer — at least a position from the provincial government to enunciate or at least repeat the position of the previous government to make rail lines a public utility, that if the railway companies have indicated that those lines are so expensive for them to obtain, then let them give them up. They should have no problem of turning those rail lines over to be maintained, like we do the highways, like we do the airports, like we do the seaway or any other public utility. If it was feasible for the federal government to set up VIA Rail in terms of setting up a Crown agency to handle both passenger services, certainly it should be possible to set up. . .

MR. DOWNEY: Would the honourable member submit to a question?

MR. URUSKI: Yes, Mr. Speaker, I will.

MR. SPEAKER: The Honourable Minister of Agriculture.

MR. DOWNEY: Mr. Speaker, the member is suggesting that the rail lines be nationalized. Does he also suggest that the grain companies should be nationalized to support the farm people?

MR. SPEAKER: The Honourable Member for St. George.

MR. URUSKI: Mr. Speaker, the Minister is back on his red herring. He wants to continue to play politics with an issue that is so important to the farmers of Manitoba — Mr. Speaker, I have advocated, and the previous government of Manitoba has advocated, and even some of your colleagues have supported that position but you haven't as the spokesman of your government — of turning over the rail beds as a public utility, Mr. Speaker. —(Interjection)—

Mr. Speaker, the Member for Minnedosa keeps chirping. If he wants to make his comments, please please, your turn will come.

Mr. Speaker, this government and this Minister now wants to turn an issue that is beyond political boundaries into a political issue. Well, Mr. Speaker, I will give him a political issue. The provincial government is hiding behind the retention committee. You know he is talking about how the province

is now supporting a retention committee. What is the provincial position? We don't know what the provincial government's position is? Is it the same as the objectives that were stated by the former administration about the grain handling, Mr. Speaker? The Minister should read what comments were made by the former government if he wants to at least find out what the position was of the previous administration.

But we don't know, we don't know what your position is, Mr. Speaker. All he can do is stand up and criticize that we allowed these recommendations to be made. Mr. Speaker, the Minister I believe is less than candid in terms of saying, well the PRAC Commission came down with its findings during our administration. He knows well that in 1977 the Minister of Transport, the Honourable Otto Lang, set up the PRAC Commission, and he knows very well — maybe he doesn't — what the recommendations of the PRAC Commission were to abandon another 400 and approximately 50 miles of line, in addition to those that were discussed by the Hall Commission.

Certainly there should be a statement by this government, I believe, and by this Legislature, by the resolution that's been proposed by the Member for Ste. Rose, condemning the decision of the PRAC Committee to go beyond to go beyond what the Hall Commission recommended. Certainly, if there is to be any abandonment, it should be done by a body who makes its decisions in western Canada. There should be a governmental position to indicate that there should be a prairie rail authority to deal here, in western Canada, with the abandonment of rail lines, if there should be any abandonment at all.

Mr. Chairman, the Minister of Agriculture, well, he supports an off-line concept. Does he realize the implicit costs to the future generations and farmers, that trucking of grain will put on the farmers of this province? He, in his remarks, is speaking of having the government of Canada subsidize or pay a portion of those transportation costs. It's really falling into the same trap, Mr. Chairman, as his Premier, and this Minister, when they went to Prince George to discuss the Crow rates. This province of Manitoba was the only province in western Canada that put forward a motion that the Crow rates should be reviewed, Mr. Chairman. They were rebuked by their own colleagues, even the Premier of Alberta had enough sense to rebuke the First Minister of this province in indicating that they didn't want to have any part of it. So did the Premier of Saskatchewan and British Columbia. They did not want to be part of any study of review of Crow's Nest rates.

But this Premier and this Minister of Agriculture certainly were prepared to even discuss it, to put the farmers of western Canada up for ransom. That's what they were doing, Mr. Speaker. That's what this government is doing.

Mr. Speaker, for the Minister of Agriculture's knowledge, I want to read to him from Page 91 from the Hall Commission Report dealing with the duties and powers of the Prairie Rail Authority. And I quote from Page 91, "The Commission believes that the Prairie Rail Authority should be a federal Crown Corporation, chartered effective no later than January 1st, 1978, with headquarters in the west. It should be empowered, as may be appropriate, to carry out the following duties," Mr. Speaker, and Number 4 of their duties was, and I quote again, "contract for the provision of truck service in substitution for rail service after cessation of the latter on branch lines which are abandoned, where an off-line elevator is continued in operation."

Mr. Speaker, that very concept of an off-line elevator was proposed in the community of Fisher Branch. Mr. Speaker, that concept was proposed by the Hall Commission in Fisher Branch. The Prairie Action Committee, while they said it should be carried on for up to 10 years, a subsidy, beyond that it should be phased out. Mr. Speaker, now this Minister indicates, well that's a concept that should be carried out. That was in the report. If the Minister would have read it, he would have — and that's part of the resolution, Mr. Speaker, that is part of the resolution that is being proposed.

I fail to see, Mr. Speaker, how the members on the government side can now stand up, or at least the Minister, if he's speaking on behalf of the government and of the backbench, can stand up and indicate that they cannot support, that they will not support this resolution as proposed by the Member for Ste. Rose, deploring the establishment of the Prairie Rail Action Committee, and requesting the Minister of Transportation to cancel any further abandonment hearings of the Canadian Transport Commission, and to transfer the lines in question to the permanent network or to establish the Prairie Rail Authority as recommended by the Hall Commission.

Mr. Speaker, if the government and the Minister of Agriculture of this province indicates that he cannot support such a resolution, it really shows, Mr. Speaker, that this government did not support any recommendations within the Hall Commission Report. He does not support the recommendations made by Justice Emmett Hall and the Hall Commission. His own advisor on transportation who served as a member of that commission, Mr. Speaker, his own advisor would probably have his hair turn grey if he heard his own Minister now rebuking the same report that he helped prepare.

This Minister of Agriculture, in saying that he can't support this resolution is really — even before his new advisor on transportation comes to work for him, he has already slapped him in the face and said, I can't trust what you have done for this province, because I don't agree with the Hall Commission report because I can't support a resolution which indicates that — which indicates what, Mr. Speaker? It appears that the Minister of Agriculture has not read the resolution. It appears that he hasn't read the resolution. He's prepared to say that I don't accept the Hall Commission Report —(Interjection)— Mr. Speaker, members on the opposite side certainly will have ample opportunity to get into the debate and defend the indefensible position of their Minister of Agriculture. We will see what kind of policies the backbench of the Conservative Party can come up with, since their Minister of Agriculture has not stood in this House, has failed to stand in Committee of Agriculture, and at least provide the people of Manitoba a concrete position on their position with respect to rail line abandonment, with respect to their position on the Crow rates. All he has said is, we are prepared to review them. There has been no position of this government.

All they are saying is that they are going to set up a committee — what is it called? The Retention Committee. And that's all they are saying, we will hide behind the communities of this province in terms of each individual application for abandonment. That is no policy, Mr. Chairman, that is a defeatist policy. That is a policy to accept all the recommendations of PRAC, that is a policy that is —(Interjection)— well, that's really what it is, Mr. Speaker. This government has no policy on rail line abandonment.

MR. SPEAKER: Are you ready for the question?

MR. URUSKI: Mr. Speaker, I have five minutes if you . . .

MR. SPEAKER: All right. The hour being 5:30, when this next comes up, the member will have five minutes.

MR. URUSKI: Thank you.

MR. SPEAKER: The hour being 5:30, the House is adjourned and stands adjourned until 2:30 p.m. tomorrow afternoon. (Thursday)