



Third Session — Thirty-First Legislature
of the
Legislative Assembly of Manitoba

**DEBATES
and
PROCEEDINGS**

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LEGISLATIVE ASSEMBLY OF MANITOBA

Monday, March 5, 1979

Time: 2:30 p.m.

OPENING PRAYER by Mr. Speaker.

MR. SPEAKER, Hon. Harry E. Graham (Birtle-Russell): I should like to, at this time, draw the attention of the honourable members to the gallery where we have 24 students of Grade 5 standing from Riverview School, under the direction of Mr. Stark. This school is in the constituency of the Honourable Member for Osborne, the Honourable Attorney-General.

We also have 20 students of Grade 8 standing from Isaac Brock School, under the direction of Mrs. Carlson. This school is located in the constituency of the Honourable Member for Burrows.

On behalf of all honourable members, we welcome you here this afternoon.

Presenting Petitions . . . Reading and Receiving Petitions . . . Presenting Reports by Standing and Special Committees.

MINISTERIAL STATEMENTS AND TABLING OF REPORTS

MR. SPEAKER: The Honourable Minister of Education.

HON. KEITH A. COSENS (Gimli): Mr. Speaker, I wish to table the Annual Financial Report of the University of Manitoba for the year ending March 31st, 1978.

MR. SPEAKER: The Honourable Minister of Health.

HON. L. R. (Bud) SHERMAN (Fort Garry): Mr. Speaker, before the Orders of the Day, I wish to table the Annual Report of the Department of Health and Community Services for the year 1978.

MR. SPEAKER: The Honourable Minister of Consumer Affairs.

HON. WARNER H. JORGENSON (Morris): Mr. Speaker, I beg leave to table the report of the Board of the Internal Economy Commission for the fiscal period ending March 31st, 1978.

MR. SPEAKER: The Honourable Minister of Labour.

HON. KEN MacMASTER (Thompson): Mr. Speaker, I beg leave to table the Fourth Annual Report of the Pension Commission of Manitoba for the period ending December 31st, 1978.

MR. SPEAKER: Notices of Motion . . . Introduction of Bills.

ORAL QUESTIONS

MR. SPEAKER: The Honourable Member for Inkster.

MR. SIDNEY GREEN: Mr. Speaker, I'd like to direct a question to the Minister to whom the Manitoba Development Corporation reports in the absence of his colleague, the Minister of Tourism. Can the Minister advise the House as to whether there are plans under way to turn over to private ownership and divest the public of its interest in the Gull Harbour Lodge which has virtually exclusive hotel facilities at Hecla Island?

MR. SPEAKER: The Honourable Minister responsible for Sports.

HON. ROBERT (Bob) BANMAN (La Verendrye): Mr. Speaker, in reply to the question, I should point out to the Honourable Member for Inkster that right now the operations of that particular

hotel are being handled by the Department of Finance. There has been a board of directors that has been set up to look after the operations of that and, as far as my knowledge right now, there is nothing in the wind that way, but I can take that question under notice and provide the member with the information.

MR. GREEN: Yes, Mr. Speaker, when the Honourable Member is taking the question as notice, would he also advise that if such a venture is being obtained — or even if not — will the government assure us that the public moneys that have been put into that operation, both at the federal and provincial levels, will be recovered from any private person who wants to operate that lodge, after the public had done the work to get it started?

MR. SPEAKER: Order please. Before I accept that question I suggest to the Honourable Member that the question might be hypothetical.

MR. GREEN: Mr. Speaker, during the process of asking it, I realized that that might be the case and I said that whether or not it is for sale, will the Minister advise us that the government intends that no disposition of that asset will be made unless the public recovers its funds.

MR. BANMAN: Mr. Speaker, one of the problems the member will readily agree, in dealing with this particular problem, is that there was federal government involvement; there was an agreement signed between the federal and provincial governments — I should say, the first of its kind, and it was also the last one of its kind — and that agreement called for somewhat more than \$1 million of federal input, and as a result any moves that will be made with regards to that will have to be done with the concurrence of the federal government.

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

MR. GREEN: Yes, Mr. Speaker, can the Honourable Minister assure us that we will protest to the federal government any disposition of that asset without the federal government, which has our money, recovering the public money which has been invested in it including money belonging to the citizens of the Province of Manitoba and other Canadians?

MR. SPEAKER: The Honourable Minister responsible for the Development Corporation.

MR. BANMAN: Mr. Speaker, I think that particular question at this time is hypothetical.

MR. SPEAKER: The Honourable Member for Fort Rouge.

MR. LLOYD AXWORTHY (Fort Rouge): Mr. Speaker, I have a question for the Minister of Education. I wonder if the Minister could confirm at this time that there will be a minimum of 140 layoffs in the School Divisions in the Winnipeg area commencing next year, and that the numbers are substantially higher if you take in the entire province, and if he could outline to us what steps he intends to take to deal with that very serious, almost 10 percent reduction in the teaching staffs in the Winnipeg School Divisions?

MR. SPEAKER: The Honourable Minister of Education.

MR. COSENS: Mr. Speaker, in answer to the question from the Member from Fort Rouge, I have received no information from Winnipeg No. 1 that would indicate a layoff of that proportion, but I think that it is only correct, Mr. Speaker, to inform the member, and I think he might already be aware of the fact that we are faced with declining school populations in this province, and it is inevitable that as the result of that decline that we will see some layoff or some cut-back in the size of our teaching staffs. But whether the proportion he states is correct or not, I can't affirm at this time.

MR. AXWORTHY: Well, Mr. Speaker, I would ask the Minister first if he would undertake to ascertain whether such serious layoffs are being contemplated by the School Divisions, and I would bring to his attention that the number I would have in mind for the Winnipeg School Division I itself is in the number of some 60 layoffs, and that he might also determine whether in fact those layoffs are not attributed simply to declining enrolments, but also will affect substantial cut-backs in the areas of special resource teachers and special needs teachers so that many of the programs directed towards special needs students will be eliminated, or seriously eroded.

MR. SPEAKER: The Honourable Minister of Education.

MR. COSENS: Mr. Speaker, I have no information that would indicate the type of actions that the member is speaking of at this time. I'll take the question as notice.

MR. SPEAKER: The Honourable Member for Fort Rouge, with a final supplementary.

MR. AXWORTHY: Yes, Mr. Speaker, as a final supplementary, when the minister is taking that question as notice, would he also undertake to ask officials in this department why it is that such information is not in his hands, and why there isn't an effective system of communication and information between the Department of Education to measure manpower needs and what the potential problems of the school divisions are going to be encountering.

MR. SPEAKER: The Honourable Minister of Education.

MR. COSENS: Mr. Speaker, I don't know if that was a question or a statement, but I might remind the Member for Fort Rouge that we do have school boards in this province who have certain jurisdictions, certain responsibilities, certain autonomy, and one of those areas of jurisdiction is to determine the staff size and staff complement that they require in their particular division.

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 First Minister. In light of today's Statistics Canada Report that Manitoba lost 10,493 people in the year 1978, will the government reconsider now its economic policy thrust in order to create more employment opportunities for Manitobans?

MR. SPEAKER: The Honourable First Minister.

HON. STERLING R. LYON (Charleswood): Mr. Speaker, I can only say to my honourable friend that I have not seen the figures, but in the light of the utilization of some of these previous figures by my honourable friend, I would suggest that he look at the two figures of in-migration, out-migration, the record of all of the other provinces and then if he wishes at some future time to rephrase his question.

MR. SPEAKER: The Honourable Member for Brandon East.

MR. EVANS: Mr. Speaker, a supplementary, I'd be delighted to debate that with the First Minister at the appropriate occasion. But, in light of the additional news that Manitoba's population has now dropped absolutely from 1,031,000 people in January, 1978 to 1,029,900 people in January 1, 1979, will the Premier of this province admit to the failure of his restrictive economic policies?

MR. SPEAKER: The Honourable First Minister.

MR. LYON: Mr. Speaker, again I must say with good humour to my honourable friend that notwithstanding statements to the contrary that this government of Manitoba, at any rate, has nothing to do with the birth rate in Manitoba. My honourable friends may have thought that they did, but I'm sure we don't.

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

MR. EVANS: I wonder if the Honourable Premier would undertake to have the staff in either his own office, or in the Department of Economic Development undertake a study of the kind of young people who are leaving this province, and who are included in this figure of well over ten thousand people, if he would care to have his staff look and see whether they are the undertrained, or the better trained, whether they are the highly motivated, or whether they are the people who often are on welfare.

MR. SPEAKER: The Honourable First Minister.

MR. LYON: Mr. Speaker, my understanding is that such a review is presently under way. I merely say again though, with goodwill to my honourable friend that he should examine the figures, and when he does examine them, if the information that is given to me orally is the case, he will find that the number of people leaving the Province of Manitoba, that is the net out-migration is smaller, or has been smaller in the last year than for a number of previous years. The difference arises by virtue of the fact that fewer people are coming into seven of the provinces of Canada, including Ontario, Manitoba, and a number of others, and that as one would obviously expect because of developments that are taking place there; Alberta is acting as a magnet for a large number of people moving across the country to seek jobs that are available there in pipeline, oil, and other important developments for our nation.

MR. SPEAKER: The Honourable Member for Brandon has already had two supplementaries — the Honourable Member for Brandon with a new question.

MR. EVANS: Thank you, Mr. Speaker. I thank the Honourable First Minister for his observations. I would point out to him that the important thing is the . . .

MR. SPEAKER: Order, order please, order please. May I point out to the honourable member that the Question Period is the time for asking questions; not for making statements — the Honourable Member for Brandon East.

MR. EVANS: Will the Honourable, the First Minister admit, that it is the lack of job opportunities for our young people in particular, that is causing them to be attracted to such places as Alberta, British Columbia, or Ontario, and will he now reconsider the economic policies of this government, so that it will be more positive and be job creating rather than job destroying.

MR. LYON: Mr. Speaker, I would have to be a fool or a knave to admit what my honourable friend has just suggested, because the record of job creation by the private sector in Manitoba in the last 12 to 18 months has far surpassed that of what it was under the three previous years of the government in which my honourable friend sat as a member. So we are entirely pleased with the rate of job creation in Manitoba, which, my memory tells me, was roughly 22,000 jobs as opposed on average to about 4,000 jobs per year in the private sector, when my honourable friends had responsibility for such things. I stress, however, Sir, that these jobs are being created in the private sector. They are not make-work jobs being created by government to puff up figures.

MR. EVANS: Mr. Speaker, I would like to ask a supplementary question to the First Minister. Would the First Minister, while he bandies around statistics of more jobs in the last couple of years, will he not concede that obviously while those jobs are created by outside factors such as the devalued Canadian dollar, will the First Minister not concede that the job creation is insufficient to hold our people in this province.

MR. SPEAKER: Order, order please. May I suggest to the honourable member that his question invites argument, and I would therefore have to rule it out of order — the Honourable Member for Fort Rouge.

MR. AXWORTHY: Mr. Speaker, I would like to come back to the Minister of Education. In a statement he made, he said that the control and decision on manpower is made by the local school board. Would the Minister be prepared to confirm the statistics that were released by the Manitoba Teachers' Society, which shows in the past three years, the percentage of support for schools taken by the local property taxpayer rate has gone from 21 percent to 29 percent, because of the commensurate decline in provincial support for teacher grants and per capita grants.

MR. SPEAKER: The Honourable Minister of Education.

MR. COSENS: Mr. Speaker, I would not be prepared to comment on those particular statistics at this time. I would be quite prepared to examine the grants, the foundation programs, and so on, the amount of moneys paid out to the school divisions in this province such time as my estimates are before this House.

MR. AXWORTHY: My supplementary, Mr. Speaker. Can the Minister indicate what actions the Provincial Department of Education has now taken in light of the intention of several band councils in the Province of Manitoba to begin providing education on reserve areas and no longer providing

education in the public school system under the previous agreements. Is the Department of Education taking any action and how it will affect the grant position of those schools which are affected by those decisions.

MR. COSENS: Mr. Speaker, if the Member is referring to students who fall under the particular responsibility of the federal government, then this is a federal concern. I believe this is the type of situation that he is referring to at this time.

MR. AXWORTHY: Mr. Speaker, that's exactly what I am referring to. The question I am asking is, in light of the intention of several band councils to remove their students from the public school systems and to develop their own school systems on the reserve, what action is being contemplated by his department to assist or deal with the problems that many of the rural school divisions will have to cope with as a result of those decisions particularly in the loss of the substantial financial support that came through the band council arrangements.

MR. COSENS: Mr. Speaker, as of yet we are not aware of any particular problems in this regard. If they arise we will be prepared to deal them.

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

MR. BILLIE URUSKI: Thank you, Mr. Speaker, I would like to direct a question to the Minister of Mines, Resources and Environmental Management concerning reports that there has been large scale damage by elk done in the Northern Interlake. Is the Minister and the government intending to review their compensation policy with regard to damage done to forage crops and seed crops by elk within the Northern Interlake.

MR. SPEAKER: The Honourable Minister of Natural Resources.

MR. RANSOM: I think that is a matter of policy that would be better discussed under the Estimates Review which are now before the House.

MR. URUSKI: Thank you, Mr. Speaker, I have a question to the Minister of Health and it relates to the recent announcement that he indicated with respect to the construction of a personal care home in the Interlake region. He did not in his announcement indicate what community was favoured with the construction of that personal care home. Is it the intention of the provincial government to change their policy with respect to the construction of personal care homes adjacent to local hospitals.

MR. SPEAKER: The Honourable Minister of Health.

MR. SHERMAN: Well, Mr. Speaker, let me put it this way. It is not necessarily the intention of the provincial government to continue to insist that they be juxtaposed to hospitals or to other health facilities. In answer to the first part of the Honourable Member's question, there are three communities in the Western Interlake interested as the honourable member knows and those submissions will be dealt with by the Health Services Commission.

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

MR. URUSKI: Mr. Speaker, I would like to ask the Minister in light of the position of the communities in the Western Interlake that two personal care homes as originally planned be constructed, is it the intention of the government to review their position in this respect?

MR. SHERMAN: Yes, Mr. Speaker, but the government has only announced that its capacity to build this fiscal year will embrace one personal care home for the Western Interlake, that is for this year.

MR. URUSKI: Yes, Mr. Speaker, my final question to the Minister of Health. In light of their position now with respect to constructing one personal care home, are they intending to place the old community against community role in this issue, Mr. Speaker?

MR. SHERMAN: Well, Mr. Speaker, with respect, Sir, I would say, and I choose my words carefully, that the communities have been pretty competitive. What we are saying is that their respective

should be weighed justly and equitably by the Health Services Commission.

MR. SPEAKER: The Honourable Member for Ste. Rose.

MR. A. R. (Pete) ADAM: Mr. Speaker, a question to the Minister of Highways. I would ask the Minister if he could confirm if the hearings for license suspension appeals have been moved from the Highways Traffic Building to some other area.

MR. SPEAKER: The Honourable Minister of Highways.

MR. HARRY J. ENNS: Mr. Speaker, I'll take that question as notice.

MR. ADAM: Well, my supplementary, Mr. Speaker, if the Minister is taking that question as notice, could he also take as notice the reason for an increase in the fees for a license appeal suspension from \$25 to \$35, an increase of approximately 40 percent, and if this increase is due to the fact that the appeals are no longer heard at the Highway Traffic Building?

MR. ENNS: Mr. Speaker, I can answer that question very quickly. The philosophy governing the setting of fees of these and other such boards are essentially that they cover a reasonable portion of the cost of the operation of the board. These fees hadn't changed for a number of years and that change was brought forward for those reasons. It has nothing to do with the location of the board or where its present hearings are held. I'm not informed that they have changed their hearings, but as I indicated to the Honourable Member, I'll undertake to provide the Member with that information.

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

MR. ADAM: Yes, Mr. Speaker, to the same Minister, I'd ask him as a supplementary, if he could confirm if that space that was used previously by the License Suspension Appeal Board at the Highway Traffic Building, what is the reason for the move, if any, and what is that space now being used for?

MR. ENNS: Well, I will agree to accept that question as notice. I can only indicate to the Honourable Member that we felt that we didn't have to pay the rent at the other facilities that were rented for a period of years, I believe in the Union Headquarters here on Portage Avenue and the hearings were then transferred to the public building on 1075 Portage Avenue. It's my understanding those hearings are continuing there.

MR. SPEAKER: The Honourable Member for Transcona.

MR. WILSON PARASIUK: Mr. Speaker, my question is directed to the Minister of Health and Social Development. Can the Minister assure the House that the four health centres, Norwest Co-op, Health Action Centre, Clinic, and Mount Carmel Clinic will be receiving sufficient funding from the provincial government to carry on their operations in their fiscal year, which begins in less than one month?

MR. SPEAKER: The Honourable Minister of Health.

MR. SHERMAN: Mr. Speaker, I guess it all depends on what the Honourable Member means by sufficient funds.

MR. SPEAKER: Orders of the Day. The Honourable Member for Transcona.

MR. PARASIUK: Supplementary, Mr. Speaker. In light of the fact that the Manitoba Health Services Commission executive has called these four centres in for a special meeting on Friday, and these centres who have to set their budget for the next fiscal year, which starts within a month, have to set their budget now, and have already set it, can the Minister assure that those centres will not have to close down as of April 1st, 1979?

MR. SHERMAN: Mr. Speaker, that's what the Friday meeting is all about. It's subsequent to the evaluation of community health centres that was carried out over the past twelve months by officials of the department. Determinations will be made at that time as to what the funding limitations will

be, what the budgets will be and how the community health centres will adjust accordingly.

MR. PARASIUK: A final supplementary to the Minister. In the light of the fact that the budgets for these centres have already been struck and the government is now, only at this state, having meetings with these four centres, is the Minister satisfied that there has been sufficient budgetary consultation between these four health centres and the government?

MR. SHERMAN: Mr. Speaker, I'm satisfied that there has been sufficient consultation and sufficient study and sufficient evaluation done.

MR. SPEAKER: The Honourable Member for Rupertsland.

MR. HARVEY BOSTROM: Thank you, Mr. Speaker. My question is to the Honourable Minister of Government Services, and it is with respect to the Norway House School. I wonder if the Minister can explain to the House and to the people of Norway House why he has not yet made a decision on the appointment of an architect for the building of a school at Norway House, the funds for which were approved in the House last spring.

MR. SPEAKER: The Honourable Minister of Government Services.

HON. SIDNEY SPIVAK (River Heights): Mr. Speaker, I've already taken that question as notice and I will be replying to it shortly.

MR. BOSTROM: Mr. Speaker, my question is to the Minister of Education. Can the Minister of Education assure the people of Norway House that he will be honouring his commitment to them that he would allow their local elected officials to select an architect for the proposed school at Norway House?

MR. SPEAKER: The Honourable Minister of Education.

MR. COSENS: Mr. Speaker, I can make the assurance that the school will be going forward this summer, the school building at that time. That assurance I can make at this particular instant.

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

MR. BOSTROM: Yes, Mr. Speaker. In case the Minister did not understand the previous question, my question was: Can the Minister assure the people of Norway House that he will be honouring his commitment to them that they will have the option of selecting the architect for the school which is proposed for their community?

MR. COSENS: Mr. Speaker, my understanding is that there was no commitment in that regard, that there was some direction that had been provided for the people of that community to have discussions with architects but not to select an architect.

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

MR. D. JAMES WALDING: Thank you, Mr. Speaker. My question is to the Honourable Minister of Government Services. I would like to ask the Minister whether the government's restraint program applies to the maintenance of the government's fleet of vehicles.

MR. SPEAKER: The Honourable Minister of Government Services.

MR. SPIVAK: Mr. Speaker, the government restraint program applies to all costs involved by government in the operation of its undertakings.

MR. WALDING: A supplementary question, Mr. Speaker. I would like to ask the same Minister whether he has received any complaints from his staff concerning one of his Cabinet colleagues who refused to accept a change of tires on his car, insisted that the staff pick up the car, go out and buy a new set of tires, and put them on the vehicle.

MR. SPIVAK: No, Mr. Speaker.

MR. WALDING: A supplementary, Mr. Speaker. Can the Minister inform the House what steps he will take to protect his staff from the unreasonable requests of Cabinet Ministers who refuse to ride on tires with a narrow white band and insist on riding on tires with a wide white band?

MR. SPIVAK: Mr. Speaker, I'm really not aware of what is in the member's mind or what he is referring to and I believe that it would be improper for me to assure him, or anyone else, of the things that are concerning him. If he has any particular facts, let him place it before the House, it will be dealt with.

MR. WALDING: Thank you, Mr. Speaker. It was not my intention to embarrass any particular member of the Treasury Bench, but if the Minister would like to inspect the vehicles that are standing outside, I think it would be obvious to him which case I'm referring to.

MR. SPEAKER: The Honourable Member for Churchill.

MR. JAY COWAN: Thank you, Mr. Speaker. My question is to the Minister of Labour. Can the Minister confirm that he has recently received a letter from the Canadian Association of Industrial, Mechanical and Allied Workers asking him to correct statements he has publicly made in regard to alleged union acceptance of his department's so-called lead control program?

MR. SPEAKER: The Honourable Minister of Labour.

MR. MacMASTER: It hasn't come to my desk, Mr. Speaker.

MR. COWAN: I would ask the Minister then if he can specify which individual unions have either officially or unofficially supported his lead control program as outlined in his so-called Lead Control Program brochure.

MR. SPEAKER: Order please. May I suggest to the Honourable Member for Churchill that that question has been asked on several occasions in this Chamber.
The Honourable Member for Churchill.

MR. COWAN: Yes, perhaps I can rephrase the question, Mr. Speaker. Can the Minister confirm that the Canadian Association of Industrial, Mechanical and Allied Workers, which represents the workers at Canada Metal, have never met with his department and have, to this date, not given him any assurance that they accept his so-called lead control program?

MR. MacMASTER: Well, Mr. Speaker, the so-called lead program is meeting with a great deal of acceptance from an awful lot of the people working within the industry. I suppose you could call it a lot of things, being the first that's ever happened in the Province of Manitoba. We've met, as I've said once before, and I don't know how many times I have to say it, we've met with employee representatives which I am sure CAIMAW have some within the particular industry. We've met with representatives of the employees and they were agreeable to the implementation of the program. I don't have the specific document that the member is referring to objecting in any strenuous way. He says it does. I'll have to wait until I see it to confirm his comments.

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

MR. COWAN: Yes, thank you, Mr. Speaker. Well, the Minister of Labour tells us that he has met with representatives of the employees. I would ask the Minister to confirm that he has never met with union representatives representing the Canadian Association of Industrial, Mechanical and Allied Workers in regard to the so-called lead control program, and that the Canadian Association of Industrial, Mechanical and Allied Workers have never given his department or him any assurance that they accept his so-called lead control program. I would ask him to confirm those specific questions.

MR. SPEAKER: Orders of the Day. The Honourable Member for Fort Rouge.

MR. AXWORTHY: Mr. Speaker, I have another question for the Minister of Education. Can the Minister indicate whether he has received a report from the principals of the inner city schools indicating that close to 2,000 students in any one day are out on the streets because of the total weakness of the court procedures and The Truancy Act in dealing with children who are absentees

from the school system in Winnipeg?

MR. SPEAKER: The Honourable Minister of Education.

MR. COSENS: Mr. Speaker, I've not received such a report.

MR. AXWORTHY: Well, a supplementary, Mr. Speaker. Is the Department of Education aware in any way, shape or form, that this particular problem with truancy is now existent in the school system and can he indicate whether he intends to take any steps or amendments to the Act in order to clarify and strengthen the position of the schools in dealing with the problem.

MR. COSENS: Mr. Speaker, this problem is not one that has just arisen this year, it's been with us for a number of years. I accept the statement of the Member for Fort Rouge and can assure him that we are concerned with it and we are looking closely at the legislation in that regard.

MR. AXWORTHY: Well, Mr. Speaker, I just have a supplementary. First I'd just like to ask what is the Department of Education doing in the field of education in light of the answer we've received up to this point in time, and secondly, can we expect some form of legislation this year and would he also undertake to meet and discuss with his colleague, the Attorney-General, concerning the degree to which the legal processes are applicable in these kinds of circumstances?

MR. COSENS: Mr. Speaker, let me assure the Member from Fort Rouge that if he is here when my Estimates are before this House, he'll find out what we're doing in the area of education this year. I also can assure him that we have had discussions between my colleague, the Attorney-General, and myself.

MR. SPEAKER: The Honourable Member for Burrows.

MR. BEN HANUSCHAK: Yes, Mr. Speaker, I wish to direct my question to the Honourable Minister of Education. Could he indicate to the . . .

MR. SPEAKER: The Honourable Member for Burrows.

MR. HANUSCHAK: Yes, Mr. Speaker, I'm in the process of asking the Honourable Minister of Education a question, but his colleagues do not give him the opportunity to hear it. Would the Honourable Minister please indicate to the students, the post-secondary students of Manitoba when the applications for next year's student aid program will be available to them?

MR. SPEAKER: The Honourable Minister of Education.

MR. COSENS: Soon, Mr. Speaker.

MR. HANUSCHAK: Would the Honourable Minister then confirm or deny that the promise of March 20th given by his office to prospective applicants is correct or incorrect?

MR. COSENS: I wasn't aware of the March 20th date, Mr. Speaker, but I'm sure we'll have these out as early as they have been in the past.

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

MR. HANUSCHAK: Would the Honourable Minister then make himself aware of the type of information issued by one of his offices to the public?

MR. SPEAKER: Orders of the day. The Honourable Member for The Pas.

MR. RONALD McBRYDE: Mr. Speaker, I have a question for the Minister of Municipal Affairs and in his absence I wonder if I could direct it to the acting minister. I wonder if the Acting Minister could cause an investigation to be done of a dispute between the LGD of Consol at The Pas and the owner of the Valley View Trailer Court which leaves the tenants of that trailer court in considerable confusion as to whom they should pay their rent. I wonder if the Minister could give that undertaking.

MR. SPEAKER: The Honourable Minister of Government Services.

MR. SPIVAK: Mr. Speaker, on behalf of the Minister of Municipal and Urban Affairs, I'll take that question as notice.

MR. McBRYDE: Yes, Mr. Speaker. I would then also ask the Acting Minister if the government is planning any legislative changes that would overcome a serious problem of trailer owners who could legally have their trailers sold out from under them, even though they've paid their rent through taxes, because the owner of the trailer court has not paid his taxes. I wonder if there is any review of that matter being undertaken, or any legislative changes planned.

MR. SPIVAK: Mr. Speaker, if any legislative changes are planned, they are a matter of policy and will be announced, and so far as the review is concerned, that also could be answered at the time that the Minister answers the other question that I have taken as notice.

MR. McBRYDE: Mr. Speaker, I wonder if the Minister then could also take as notice the question as to what will happen to a trailer owner if they sell their trailer or move their trailer without permission of the local government district of Consol.

MR. SPIVAK: Mr. Speaker, the Honourable Member knows that that's both a hypothetical and a legal problem.

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

MR. SAUL CHERNIACK: Mr. Speaker, I have a question, but before I address the question, I would like to state that the Member for Crescentwood informed me as I came into the Chamber of the death of the husband of the Minister of Tourism. I want to take advantage of this occasion as Deputy Leader of our caucus that we express our deep sympathy in her bereavement. I suppose there's not much else one can say, other than to indicate our concern on her behalf.

My question, Mr. Speaker, is in relation to the announcement by the Liquor Commission that they are about to display or are displaying on their shelves and promoting the sale of South African products. I would like to know whether that's a decision of the Liquor Commission Board independently arrived at, or whether it bears the concurrence of a member of the Treasury Bench.

MR. SPEAKER: The Honourable Minister of Government Services.

MR. SPIVAK: Mr. Speaker, on behalf of the Attorney-General I'll take that question as notice.

MR. SPEAKER: Orders of the Day. The Honourable Member for Transcona.

MR. PARASIUK: Mr. Speaker, my question is directed to the Minister of Health and Social Development. Could he inform the House who conducted the study of the community health centres? Was it the Manitoba Health Services Commission or his Department, the Department of Health and Social Development?

MR. SPEAKER: The Honourable Minister of Health.

MR. SHERMAN: It was both, Mr. Speaker. There was more than one review undertaken.

MR. PARASIUK: In these various reviews that were being undertaken, can the Minister assure the House that the staff and executive board members of these four health centres concerned were consulted in the review so that they would have an input into the review process as well?

MR. SHERMAN: Mr. Speaker, I can't confirm that at this juncture; I'll certainly check, but I want to assure my honourable friend that they were thorough-going and intensive reviews, in which the community was consulted.

MR. PARASIUK: Final supplementary to the Minister: since these reports will obviously be used in setting the budgets or the allocations of government funding to these four health centres, would the Minister — — assure the House that he will table those reports, these review reports of the health centres, with the Members of this House so that they can peruse those reports prior to the

estimates of his department being considered by members of this House?

MR. SHERMAN: No, Mr. Speaker, and that leads me to a question that I was asked by the Honourable Member for Fort Rouge on Friday and which I took as notice. The reports and reviews are in-ouse documents; certainly I'm prepared to discuss the conclusions in my estimates, but I will not be tabling them.

MR. SPEAKER: The Honourable Member for The Pas.

MR. McBRYDE: Mr. Chairman, I would like to direct a question to the Minister responsible for the Rentalsman and the Rent Stabilization Act. I wonder if the Minister could tell us whether the Rentalsman or what's left of the Rent Stabilization or Rent Review process is able to do anything in regard to a 32.3 percent increase in the cost of renting trailer space in The Pas.

MR. SPEAKER: The Honourable Minister of Consumer Affairs. **MR. JORGENSEN:** Well, Mr. Speaker, the problem that my honourable friend is addressing himself to has been under active consideration for some time.

MR. McBRYDE: Thank you, Mr. Speaker. I wonder if the Minister could inform the House whether it's appropriate for a landlord to ask for a rent increase exactly proportional to the amount of rent required to be returned under the Rent Stabilization Act. Is it appropriate for a landlord to notify his tenants that their rent will be increased by exactly the amount that would be refunded to them because of the Rent Stabilization Act.

MR. JORGENSEN: As my honourable friend is probably aware, any application for increase in the rents can be opposed by tenants in which case the matter is brought before the Rent Review Board. And a decision then is made following consultations between the both parties.

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

MR. McBRYDE: Mr. Speaker, I just want to double check then with the Minister whether it would be appropriate then for the tenants to appeal their appeal if they are ordered to pay back their appealed amount to the 13 4 landlord?

MR. SPEAKER: The Honourable Minister of Consumer Affairs.

MR. JORGENSEN: Both sides, the tenants and landlords, have access to the courts if they choose to appeal.

MR. SPEAKER: Before we proceed any further, the time for questioning having expired, the next question on the Order Paper, Order for Return.

ORDERS OF THE DAY — ORDER FOR RETURN NO. 1

MR. SPEAKER: The Honourable Member for Elmwood.

MR. DOERN: Mr. Speaker, I move, seconded by the Honourable Member for Kildonan, that an Order for Return to issue to answer the following questions:

1. How many provincial buildings are serviced by the Amy St. steam plant?
2. How many buildings, that are partly or wholly funded by the Province, are served by the Amy St. steam plant?
3. What is the estimated capital cost of installing independent heating equipment (as described in Nos. 1 and 2) to replace that now provided by the Amy St. steam plant?

MR. SPEAKER: You've heard the Motion by the Honourable Member for Elmwood. The Honourable Minister of Government Services.

MR. SPIVAK: Mr. Speaker, we're prepared to accept the Order, with the understanding that we'll furnish whatever information we have that is available to us.

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 the supply to be granted to Her Majesty.

MOTION presented.

MATTER OF GRIEVANCE

MR. SPEAKER: The Honourable Member for Elmwood.

MR. DOERN: Mr. Speaker, I rise on a Matter of Grievance. I would like to, in the time allotted to me, deal with what I regard as a scandal in our province, namely the state of law and order, the courts, and the correctional institutions, and in my remarks I would like to examine briefly the record of the Roblin-Weir government during their term in office; the record and advances made under our government in eight years in office; and the inaction of this government over the past eighteen months, which has led to a greater problem and a mess in the field of justice and law and order.

Mr. Speaker, this matter has been raised before in this Assembly, and I think was only really drawn to public attention and focused before the Members of the Legislature in the past month, with the absolutely scathing report of the Ombudsman which was released I believe on February 20th. I believe that not only does this report reveal serious weaknesses and shortsightedness on the part of the Conservative administration, but also deals with the failure and some of the dangers of the restraint program. It is a much bigger question, Mr. Speaker, than the field that I intend to deal with, but it is a result of the kinds of policies — the main cornerstone — of the Conservative government, that has led to this particular failure.

I would like to begin by referring to the Ombudsman's report which wound up on the sentence which said, on Page 41, "The present situation with regard to the detention of juveniles at The Pas Correctional Institution is scandalous."

Mr. Speaker, we have used language like that before in this House, but by some Honourable Members Opposite it hasn't been given weight, they haven't paid attention. But I say, when the Ombudsman who is a man of considerable experience in police matters, someone who has for a number of years occupied a position of some independence and objectivity, when he says this I think we have to pay serious consequence and serious attention to the import of his remarks. He referred in his report to a report by the Inspector-General, Mr. Cox, a report that was given to the Deputy Minister of the Department that was then passed on to the Minister, a man who is overburdened with the weight of a number of portfolios, and I regret that the First Minister will not be here to listen, Mr. Speaker, because he was Attorney-General for almost a decade and it was during that decade that the problems first began to surface and we are still feeling the consequences of his inaction at this point in time — some twenty years later.

Mr. Speaker, the Inspector-General, in his remarks contained in the Ombudsman's report, pointed out that all the people in The Pas, and I deal first with The Pas, that the people in The Pas — men, women, male juveniles and female juveniles — are all housed cheek by jowl in adjacent rooms, and he says it is impossible to provide proper segregation as required by law. In all of these instances that I give, Mr. Speaker, it clearly shows that the government and the Minister are in violation of either provincial or federal law. That seems to be an impossible situation. You have the very people who are upholding the law in the front ranks — the Attorney-General, the Minister of Corrections, and the Premier — and they are all in violation of the same law by not living up to their duties, that is his first example of an illegality.

He says on the next page, Page 30, that because of this mixture, he says it is still, nevertheless, in contravention of the law and recognized correctional practice. And then at the bottom of the page, in the stronger language, he says, "The complete disregard to heed legislation which requires adults and juveniles to be held separately, is a matter of great concern." And finally, "There is probably not another institution in the whole of Canada which so ignores the legal and professional requirement to hold juveniles separate from adults. If so, that remark is true, Manitoba lags in tenth place in terms of modern correctional institutions and practices."

Mr. Speaker, that blew the lid off the situation in Manitoba, and shortly after that, raised by numerous Member of the Opposition including my colleague from Winnipeg Centre, the Member for Fort Rouge and myself, my good friend the Member for The Pas, who was also in at the very first, this led to a number of other revelations which went beyond The Pas, because some people might feel that if there is a problem at The Pas that doesn't affect law and order in the capital city or in the rest of the province.

My colleague from Winnipeg Centre pointed out that because of the fact that there were

facilities at Headingley, some twenty inmates had to be let out to let another twenty in. I mean, that's the situation that we're at today in Manitoba, Mr. Speaker.

I regret that the former Member for Swan River wasn't present here, because he was a man who believed in law and order, and I believe he would have supported the Opposition in this instance. That surely is a preposterous situation. The police apprehend criminals, take them to a holding facility. In order to get them in, they have to let some people out. That surely is a ridiculous and intolerable situation. We then had further comments from the Minister on this, and then it was revealed by Justice Graeme Garson, that he was confronted with a problem, namely, that he could not sentence a man to jail, a convicted thief, because there wouldn't be any room in the jail, so he had to settle for a fine.

There were other matters raised as well, including the fact that juveniles are being raised to adult court because of the fact that there are not proper holding facilities in this province. So we raised this matter to our honourable friends, we raised a matter of urgent public importance, my colleague and deskmate raised that matter — that wasn't allowed — we have raised other questions and so on, and we get remarks from the Minister of Corrections and from the Premier of this Province, saying, "Well, what did you do about it; what did your government do about it? How come there's a problem?" Mr. Speaker, I would like to tell you today what this government didn't do, and what this administration, when our government was in office, what we did. And then to look at the contemporary situation and see why things are in a mess.

Mr. Speaker, in the period from '58 to '69, when we had the Roblin and the Weir administrations in power, there was talk about new facilities, but little action, or no action. I remember repeated articles in the 1960's about the Vaughan Street Detention Home. I remember demonstrations, resolutions passed by the United Church, and others. I recall going with some of my colleagues on a tour of the Vaughan Street Detention Home in the late 1960's, and I can recall various ministers, I believe Dr. Johnson maybe was responsible at that time . . . if it wasn't him, perhaps the Attorney-General, giving us reassurance that something would be done to an old horrendous facility. And I recall on that particular tour, looking at the pathetic physical conditions and the kind of care and treatment being given to juveniles, and I remarked at the time that it reminded me of Oliver Twist, just a group of raggedy-looking little boys sitting around a room, with no recreation opportunities, little reading material, and nothing to do, other than to be bored or to get into trouble. That was the Vaughan Street Detention Home that the Roblin and Weir governments did nothing about.

Then there was The Pas Correctional. You know, Mr. Speaker, before I ever entered politics, before I ever sat in this Legislature, I heard of The Pas Correctional problem. And I recall reading an article in university, written by Darcy Bancroft, who was a well known Conservative lawyer in that area, about the scandalous conditions of The Pas Correctional Institute. It was regarded as serious, but so ludicrous as to be a joke, in the late 1950's and the early 1960's. The Brandon jail is a hundred years old and that facility was long past the need for renewal when this government lost office. And who was the Attorney-General? Who was the man responsible for law and order and justice in Manitoba during that period of time, nearly every year, perhaps 90 percent of the time that the Conservatives were in office — the Honourable Sterling Lyon. He was the Attorney-General; he was the man who wrote the letters, made the promises, made the speeches that they were studying the matter, monitoring the situation, reviewing it, looking into it, taking it as notice, being concerned about it, actively considering it. That's what we heard in this Legislature, and that is what we read in the press. So when the Conservative government lost the 1969 election as all governments do at some point in time — they lose them rather than are beaten in the election when they lost that election, there was a backlog of needs and requirements that were in existence from the 1950's and the 1960's.

So I have sat here in this House in the last few weeks and listened to the mocking comments of the Premier, and of, I believe, the Minister of Health, maybe the Minister of Government Services, saying, "Well, what did you do; how come there is this problem? What did you do when you were in office?" Well, I will quickly enumerate what was done in this particular field by our government in its eight years in office.

One of the first things that was done, Mr. Speaker, was the construction of the Manitoba Youth Centre to replace an old and obsolete holding facility for youth.

A second thing we did was, we built the Woodsworth Building, and although the members opposite won't want to admit the purpose of that building, I can tell them that the primary purpose of the building was to relieve the Law Courts of considerable congestion, to move facilities from the Law Courts in terms of the Land Titles office, and the Prothonotary's Office, and all kinds of other offices; the Crown Attorney's from the Legislative Building. That building was regarded by our government and by those who know what is behind it, as the Justice Building. In fact, at one point in time, the name was thought of that it would be called, and it was called internally, the

Justice Building. It was then decided to name it after J. S. Woodsworth, on the broader grounds, and the more important grounds of social justice, which is surely a more important concept than criminal justice, one that supersedes it, but nevertheless, I wish to deal primarily with criminal justice.

We made improvements to Headingley Jail; there were renovations taking place and some new construction.

The Public Safety Building is a fourth example of what our government did. There were problems in the Public Safety Building. There was no exercise facilities; it was a drab horrendous place. There were suicides taking place, and it was condemned — not by the bleeding hearts — but by The Trial Lawyers' Association, and the various lawyers' associations, by the judges, by social workers, by parents, by people who visited it or had the misfortune to be incarcerated there.

The new Brandon jail is a fifth action of this particular government to replace a hundred year old facility.

And then the sixth was The Pas Court House and Correctional. That was a firetrap; that was a building that was condemned over and over again, Mr. Speaker, and it was regarded as something that would be temporarily put in place, namely, we would temporarily resolve the problem with trailers, we would have the permission of the town and various people in regard to certain problems, certain inspectors, and so on. It was understood that a new building would take place, new construction would take place, that temporarily trailers would be used and be allowed to be used, and then finally, after a number of governments, we would have a new correctional facility and court house.

Mr. Speaker, under our government, the architects were appointed, the land was acquired, the tender was called, and the tender was awarded to the Foundation Company. And I recall going up there I guess in September or October with my colleague, who was then the Minister for Northern Affairs, and digging a ceremonial shovel. Within days the contractor was sending in his forces to finally commence construction.

Seventh, we committed to a Law Courts renovation which would cost over \$3 million, Mr. Speaker.

Eighth, we began plans for a Provincial Judges building, by that I mean we expropriated land near the City Hall and we appointed an architect.

Mr. Speaker, we worked hard to meet the needs in the field of justice and in so doing, in addition to meeting present needs, past backlogs and future planning, as a consequence of those actions we also provided hundreds of jobs and hundreds of employment opportunities in the construction industry. It will come as a shock to my honourable friends and they won't believe me when I say this, but I have to tell you that some of these actions were wrung out of a tight fisted Premier and a tight fisted Cabinet. There was no eagerness on the part of many Ministers and I think my seatmate can attest to that, to build some of the requirements, but when the arguments were made and when the decision was taken it was necessary to proceed and proceed we did.

The problem now is that the present administration seems to be in a state of paralysis, that they are afraid to made decisions and take actions. That seems to me to be the watchword of this administration. The first twelve months it was restraint, now it's inaction. It's studies, it's waiting, it's reviewing, it's thinking, it's monitoring, it's actively considering. And you know, this has gone on for too long and I know better than anyone, Mr. Speaker, that there is little political appeal, little popular appeal in this field of corrections, in this field of justice, in the general community. It is not considered very sexy politically to be talking about the problems in the correctional field, but when the problems start to mount and when the pressure begins to rise then it moves from a low priority to a high priority item. In the same way that in the federal field the Defence Department isn't really considered by some people to be of much consequence, but in wartime it becomes the prime and most important department of all. It takes precedence over everything else. So when you let things pile up and when there is dynamite being stacked then there is action that is required.

Mr. Speaker, when the government came into office in 1977 there were some plans in the mill and what did the government do? It immediately froze construction. That was their first action and that action to a large extent is still the order of the day. A lot of talk and no action. A lot of studies and no action.

You know, Mr. Speaker, I don't like to quote philosophers in the Chamber even though we have some live ones around and some statues of former philosophers, but I would mention Aristotle in passing who said that the object of all knowledge is action. Now my honourable friends appear, I don't know if they are, but they say that they are acquiring information. They're gathering reports and what we are asking for and what the general public is asking for is some action of those reports, particularly when you have problems that are decades old. I'm not talking about some of the current problems that sprung up yesterday, I am talking about outstanding, age old, hoary old, Tory

Mr. Speaker. And false economy is not fiscal responsibility, we keep hearing about that. It's like the Democrats and the Republicans in the United States; the Republicans keep saying fiscal responsibility, Sir, it's their only vocabulary, that's what this government keeps saying. But you know when you are not spending money correctly, when you are being penny-wise and pound-foolish, that is a terrible thing.

Last Friday the Leader of the Opposition asked some questions of the Attorney-General about a current report of a backlog of court cases and I want to read you some excerpts from what the Attorney-General said and his answer. He said he's concerned, he says he has a draft report, he says he's going to review it, he says he's waiting for other reports and then after that he's going to attempt to persuade his colleagues. Well, Mr. Speaker, I say that is a feeble response and I watched the Attorney-General on television and read his comments again and so on and studied them and it was a feeble response, it was the illusion of actions, sleight of hand but no action, more of the same, more inaction.

Mr. Speaker, the government is claiming that it is saving a few bucks. This is one of their big arguments, they're saving us money because they don't have to spend money on these facilities and then we look at wherethey are spending money. You know, where are the priorities of the government because that is really, of course, where the crunch comes. There is a lot of demands on the provincial budget, and there is a difference of values and a difference of opinions as to what is necessary.

So if they are not spending money here where I say it is needed, where are they spending money? Who gets the millions? What is the first priority? I say to a large extent, over the past two years, it's still Highways, the Minister of Highways. He can be a heavy hitter, Mr. Speaker. Sometimes he's only a light hitter in the House, but in Cabinet there's no doubt in my mind that he is the heavy hitter, that is where he really has clout. He has coined the new slogan of the Tory government, which is "Potholes Before People," that's the basis upon which they are acting. Pave those Tory roads. If it moves, pave it. If it's a two-lane highway, make it a four-lane highway. If it's four lanes, make it eight and when its eight, we'll get up to sixteen eventually. That is the direction and the Minister has been talking about that the last few weeks, he's going to double, triple, and quadruple some of the roads in Manitoba, providing they lead south, providing they are south of No. 1.

Mr. Speaker, if highways are number one, if that is the number one priority, then I say that law and order, justice and corrections are the last and least priority of this particular government. And what I find strange about this, is that these are supposed to be the law and order men, you know, they're the ones who believe in catching criminals. But what is new, what is brand new, what is 1979-ish about all of this is that they don't believe, after having apprehended these people and bringing them to court, they don't believe in putting them in jail, and they don't believe in separating the young offenders from the old, because it costs money. They don't want to spend the money.

You know, Mr. Speaker, I too believe in law and order, and I share one view with them that is not too popular with some of my colleagues, and that is that I believe in capital punishment. But I also believe, Mr. Speaker, that we should build the facilities and that we must build the facilities, the physical facilities, that are essential to make the system work. That is where there is a significant difference. I say to the honourable members opposite, you have to put your money where your mouth is, and if you believe in law and order, then you're going to have to invest and spend some money in that particular field.

Mr. Speaker, after 18 months in office, here's the Tory record on the construction of necessary facilities.

(1) They froze The Pas courthouse and correctional facility. The Ombudsman has already spoken on that. My honourable friend, the Minister of Government Services, is struggling away with a \$700,000 lawsuit. He's also struggling away with the fact that there has been a 20 percent rise in construction prices. So if you look at what we would have built for \$5 million, a proper facility, properly designed, it now costs \$7 million, if you consider the lawsuit and if you consider the rise in construction prices. What will my honourable friend do? Will he cut 30 percent of that building to build a \$5 million building, knock a third off so he can build for the same amount of money? Or will he study it further? He's studying it further, Mr. Speaker, he and his deskmate.

A second thing that the government did was they froze the Law Courts renovations. The result? Inadequate space, continuing poor conditions of air, light, acoustics, security; a continuing seven month backlog of court cases which is growing larger and longer. They took one positive action, Mr. Speaker, they decided to add a juvenile wing to Brandon. The only problem with that decision is it's illegal. That was their one big positive stroke and, unfortunately, it's against the law, so they'll have to wrestle with that. And then, they have also done nothing more in regard to a new Provincial Court Building in Winnipeg, resulting again in a seven month backlog.

Mr. Speaker, all of this comes in the Year of the Child, this year of special recognition for children and, I suppose, juveniles and it of course comes in the year of restraint.

Mr. Speaker, may I ask how much time I have remaining?

MR. SPEAKER: Eleven minutes.

MR. DOERN: Thank you. I would like to deal in particular with what the PCs are very fond of saying because when I listened to my honourable friend, the Minister of Health, one day, he was quick to reply that they couldn't stomach the extravagant design of the New Democrats. There were extravagant, grandiose plans that they were going to knock down. —(Interjection)— No, I'm talking now about construction; I'm not talking about that in particular. I want to talk in a finer and more specific way.

And the Minister of Government Services, he said that too. He said, "Oh, you should have seen those plans. Boy, they were really generous. And, you know, Tories are hard-minded, hard-headed, hard-nosed businessmen, and boy, when we looked at those plans, it turned our stomach and we're going to put the axe to those plans and come in with a really good design, a functional design." We've also heard the Premier say this. He's very fond of this sort of nonsense.

So the question, Mr. Speaker, is this: How about it? Is this true? Is it true, because it's a very important point. Do we build expensively and they build inexpensively — assuming they build at all? There's nothing cheaper than not doing anything. You don't have any costs. Or, Mr. Speaker, if it's not a case of who - builds expensively, then the question might be: Do we build well, and do they build poorly? That's another way of looking at the matter.

Mr. Speaker, any design that you show me, I can build cheaper. My honourable friend who is in charge of MHRC can show me how he can build senior citizen housing for \$1 million, I'll take the same building and I'll build it for, say three-quarters of a million. It's easy to do, it's very easy to do: thinner walls; /on; no insulation if it's brick, build it out of board; if board is too expensive, build it out of cardboard; if that's too expensive, build it out of paper. You know, it can be done. Any building that you show me, I can build cheaper and any building I show you, you might be able to build cheaper, because there's nothing to it, Mr. Speaker. But — but — will it hold up in the long run, that is the question, that is what counts. The substitution of inferior products is not a way to save money, Mr. Speaker, and ignoring maintenance costs is no way to save money.

You know, the government is doing the following, and I think this is going to be a very serious problem in the future. They're the ones who are cutting out maintenance; they're the ones who are saving millions of dollars by not maintaining. They're cutting it out of the budget every day. The Minister of Government Services brags about this kind of thing. They don't know about life-cycle costing which means that sometimes when you build a building well at the beginning in terms of its operating costs, it will be cheaper over the long run. They're not aware of that.

Mr. Speaker, I would like to look at a couple of Conservative extravagances. One of them is this building right here. If ever there was an extravagant expenditure for a building in Manitoba, this is it. But, you know, Mr. Speaker, even though the building isn't functional, I, for one, would not poor-mouth this building because I do not think it is inappropriate to have a building that is of this scope and scale as the seat of government, so I have never knocked this building on this account.

Now, they built the Norquay Building. That was a Liberal thing. My Honourable Friend for Fort Rouge probably doesn't know the story, but it was whipped up one weekend by the Campbell government. On a Friday they called up an architect, said, "Hey, we ought to do something; we haven't done anything for ten years, so I think we're going to do something quick." And by Monday they had a rough plan, a rough plan. At least the Liberals could do something in three years. The Tories haven't done anything in 18 months. It was the Roblin government which then put up that building. It has some very serious flaws, Mr. Speaker, one of them being, for example, that it is not a very pleasant place to work in. The people have never liked working in there; they've never liked the layout' and it has always had inadequate elevators. So, even though the Woodsworth Building and the Norquay are about the same size, about the same population, one has five elevators, the Woodsworth; and the Norquay has three. That's a cheaper building, they saved a lot of money. The only problem is that everybody stands around, minutes and minutes and minutes times hundreds of people every day waiting for an elevator.

And then one of the best examples I can give you, Mr. Speaker, of Tory know-how, and Tory action is Red River Community College, because there is a complex built, and I'm not sure of the exact figure because I have two figures. One says around 12.5 million, and one says about 17.5 million. There was a Tory dream, quick and efficient construction. They got the best engineer in terms of building buildings cheaply and quickly. His name was Ron Lazar. He was a super engineer

in the province of Manitoba — the fastest pen in the west. And, Mr. Speaker, we're still paying for that decision, and we're still going to be paying for that decision over the next years. And, I give you the figure as I last had it in 1976. The cost of poor design and poor construction, \$6,200,000 in structural repairs to that facility. That, Mr. Speaker, is a scandal — that is a Tory scandal. That is one that they will have to live with for their term in office. So, when you add that cost on to that quickly, and cheaply and tightly designed building, it balloons the cost, either a third or 50 percent depending on what your starting figure is. Plus the aggravation, plus the inconvenience to staff and students, plus the time of the Public Works Department, plus the A-G's time in terms of suing for recovery.

So, Mr. Speaker, I conclude by saying that I am afraid of what's going to happen when this government leaves office. Because of their policies of restraint, their Minister of Government Services aided, and abetted, and encouraged by all of his colleagues, "Cut it out of restraint" and the minister gladly obliges. "Cut it out of maintenance, cut it out of maintenance, take it out of maintenance, cut out millions under maintenance," he says, "Sure, how much do you want, let's cut it all out, what do we care?" And they're saving money by not building facilities, millions of dollars, Mr. Speaker, tens of millions. It looks great on paper, it looks terrific on paper. The only trouble is there's problems out there in society, and the public capital is being wound down and ground down. Public needs are being postponed, and at the same time people in the construction industry who could do these things, build these things are leaving the province or unemployed.

The solution, Mr. Speaker, I say is this. We need a new Minister of Corrections. My honourable friend is overburdened with too many portfolios. We need an Attorney-General who can focus on the mess within his department by giving up some portfolios, and we need new facilities and new programs to clean up the scandal in corrections, and the mess in the A-G's Department. In short, Mr. Speaker, we need a new government with a different approach.

MR. SPEAKER: The Honourable Minister of Government Services.

HON. SIDNEY SPIVAK (River Heights): Mr. Speaker, my intention would be to speak very briefly on this matter of grievance. With respect to the questions on corrections of the Honourable Minister of Health and Social Development in his estimates, we'll deal with that, and we'll deal with that fairly effectively. With respect to the questions of the Attorney-General, he will deal with that, and deal with that very effectively, but I think it's necessary with respect to the perspective that one has to look at the way in which the government approached the restraint program in its whole public works field, to make some observations, and then I offer the opportunity when we get into estimates for the honourable member, the former Minister of Public Work who was to deal with the issues in a greater way, in much more detail and to a larger extent than he has today. And, I would hope that we'll be able to deal with the answers effectively then.

Mr. Speaker, when we took over as a government, we found that the combined deficit was substantially higher than of capital and current. It was substantially higher than had been projected in the most optimistic way by those who said that the government had not disclosed the full information to the public in Manitoba.

Mr. Speaker, we also had to deal with the proposals for the coming year which would have given us another situation of another \$400 million deficit on its first projection, which had to be again seen in the perspective that that would have been cut down in the normal course, but nevertheless, based on the past history of the previous government. It would have been several hundreds of millions of dollars again. Mr. Speaker, that was made up of current and of capital. We then had to deal with the capital items and determine what programs we would at that point freeze, and then determine whether we would proceed, or not, and those that we were compelled to proceed with, because either too much money had been put into the project to hold back on the project, or because of its priority and its necessity.

Now it's interesting, Mr. Speaker, but had the money not been spent on the Provincial Garage, it could have been spent on the The Pas Correctional Institute which was really the priority decisions that should have been made by the Minister of Public Works and his Cabinet and they didn't do that. They built a provincial garage, and for the life of me, Mr. Speaker, there is no justification for that provincial garage that's found in any documentation that I have available to me which would justify the basis and the conclusion for that kind of a building being constructed.

Mr. Speaker, there were other matters. They built an environmental lab, which we are now proceeding with, for \$8 million. Well, Mr. Speaker, in terms of the priorities that were required, our problem at that point was that we had \$1,700,000 already invested in land and in foundations and we had to proceed. And, in terms of the priorities involved, the question, Mr. Speaker, could be asked as to whether it was necessary to build that lab, or rent a facility which would have been substantially less than the interest money on the charges for that construction. Yes, Mr. Speaker,

that was the option that was available to members opposite, but the members opposite were playing with monopoly money. It wasn't their own money, it was monopoly money. And, Mr. Speaker, if they couldn't get it from the taxpayer, then they would simply do the next best thing and borrow, because after all they had that available to them. They had the exercise of power and they did it, and if the Honourable Member for Elmwood would have had his way when he was minister, he would have built in Elmwood, he would have built another building, and the question is, what kind of a building would he have built? He originally wanted a Liquor Commission, then he couldn't get a Liquor Commission, so he was going to build another office building, Mr. Speaker. What for? Mr. Speaker, we have an excess of space, and if the honourable member had examined his own situation he would have realized that he had excess of space.

Their problem, Mr. Speaker, was that they believed that the public sector involvement was necessary for the maintenance of job formation in the province, and for the continuation of the economy, and therefore they felt they had to do it by whatever means they had available. But, they did not think their programs out, and they forgot one very basic principle, when you borrow money, you have to pay it back, both interest and principal, and that has to come from your earnings, and what they were forgetting, Mr. Speaker, is that we were going to have to pay all of this back.

Now, Mr. Speaker, we froze certain projects, we have examined other projects, we are trying to determine what we can do to provide savings, and I want to assure the honourable member and I'm quite certain he will not accept this. We will save money on the projects that he has already talked about. We will save money on The Pas Correctional Institute when it's completed. Money yes, Mr. Speaker, we will save money. We will save money on the Provincial Judges Court, I can assure it, and we will save money on the Law Courts' renovations when it's all completed. The matter is under review and we are trying to rationalize the space we have.

Mr. Speaker, we have been attempting in the last little while to do a space inventory. That's a very interesting thing, Mr. Speaker. We could not, when we became government, get from the department a proper print-out of all the space that we owned or leased. It wasn't available in the form that was necessary for some adequate determination of how we should deal with that space. We are now in the process of conducting a space inventory; we have consultants who have been brought in, and we are trying to do our best for that rationalization of that space. And, Mr. Speaker, we are working in the various projects that he's mentioned, and we have met with architects, we've met with the officials in the departments, and we are trying to do our best. And, Mr. Speaker, we will in fact accomplish that objective. You know, Mr. Speaker, we will accomplish it for less money.

Mr. Speaker, a lawsuit has been commenced and he made a reference to that. Whether the lawsuit will succeed in court is another question. But, Mr. Speaker, it may be our lawsuit and it may not be our lawsuit. In any case, Mr. Speaker, we will deal with that, and a Statement of Defence has either been filed or will be filed and the court will determine, and I don't think it's wise for the honourable member to pre-judge it as this point, or to assume that his judgment is correct as to what will take place with respect to that.

It hasn't been easy, Mr. Speaker, restraint is not easy. There are any kind of retrenchment and any organization always has its implications and consequences for somebody or for some group, or for some area of activity. But to suggest, that we have, in fact, Mr. Speaker, not examined the consequences of what we were doing, or not understood that it was necessary to try and do these things with speed is not the case. We have attempted to do this as best we can, and Mr. Speaker, I believe that within the life of this session there will be sufficient announcements made that will satisfy both the honourable members. Well, I'm not sure that we'll ever satisfy the members opposite, but I think we'll satisfy the community that we have done and accomplished two things: We have examined the situation, we have established the priorities, we have reviewed it, and we have accomplished solutions which are far more substantial in savings of the public, of money of the public, than have been proposed by the members opposite.

Mr. Speaker, the members opposite were faced with an obvious dilemma. The economy of the province was not, in the last few years, was not increasing at the rate that it should have. The effects of the NDP rule were in fact, in Manitoba, and the NDP programs were in fact being felt within the private sector, and certainly within the capital expenditure sector. The hydro projects themselves, having been maintained in a certain momentum, had been decreased, because there was in fact an excess capacity and it was understood by the members opposite that that excess capacity existed, and as a result it was necessary, Mr. Speaker, to prime the pump by the use of public works and public sector involvement.

Mr. Speaker, they had a lot of things on the drawing board. They set up a shell of activity, so the interesting thing, Mr. Speaker, because there has been some reference to it already, with respect to those architects who were selected by the group from Norway House, that of the three

architects that were selected by them, that those architects had completed work and had been paid for the work of about \$1,400,000 of construction that has not yet started in Manitoba. Now, it's true that part of that was stopped as a result of the freeze on our part, but part of that wasn't even planned, Mr. Speaker, but they had been paid for that work. Now, one has to understand, Mr. Speaker, that our situation was to try and establish our priorities and to get on with the job.

We recognize the difficulties that have occurred with respect to the administration of law and order, and those difficulties existed before. We believe that we will have solutions, and those solutions will be intelligent solutions, Mr. Speaker. —(Interjection)— Oh, yes, we are doing things. Mr. Speaker, we have not announced the things that we are going to be doing, but I suggest to the honourable member —(Interjection)— no, we're not studying we'll be doing more than studying. We are almost at a point where we'll make all of these announcements, and when they come in the House, the decisions will be here. And when the decisions are placed here, Mr. Speaker, they will indicate what I've said, that we'll have saved substantial money. We will have saved substantial money to the public, and that money would have to be either borrowed, or raised by taxes. And that was our mandate, Mr. Speaker, the mandate that we were given was to do exactly what we are doing. Without in anyway, Mr. Speaker, taking away from the very real problems that exist and the necessary solutions.

Mr. Speaker, had honourable members opposite continued with their ways, we would have had other buildings built, there is no doubt about it, we would have had a lot of buildings, but, you know, the problem you have to address yourself to is, "What are the buildings for? Are they for the purpose of job formation in the immediate sense? Are they for the purpose as it was announced for the redevelopment of the core area? Mr. Speaker, the honourable members' redevelopment of the core area consisted of a few public buildings which they announced, in aggregate amounted to so much money. But, Mr. Speaker, I want you to know that the public buildings that were proposed were substantial in nature and a very important component part. Mr. Speaker, they did nothing for the core area, but it was announced as part of the Public Works programs.

Now, Mr. Speaker, what we are trying to do is rationalize it. We think we are doing it in a successful way.

Let me cite another example, Mr. Speaker. The Land Titles Building, the old Land Titles Building, Mr. Speaker, was to become the Vital Statistics Building. The honourable member will recall that. A contract was not undertaken but a tender was undertaken. The tender, Mr. Speaker, came in at \$500,000 more or less. The net space that would have been saved as a result of the Land Titles Building being utilized; the net office space to have been gained, Mr. Speaker, was 3,000 square feet. Now \$500,000 was to be spent for 3,000 square feet at a time when we had excess office space. Now how could we justify proceeding with that, Mr. Speaker. You know, how can we justify that? And, Mr. Speaker, that's a very important component part in terms of the renovation of the Law Courts.

And so I suggest to the honourable member opposite that he should wait until we put on the table all the information and all the figures, and he will see, Mr. Speaker, that in fact we have saved the public money, we will continue to save the public money, and, Mr. Speaker, when it's completed, then the honourable members opposite will realize — possibly, I am not saying that they will all agree — that maybe some of the actions that were taken, and some of the proposals that were brought forward by the former Minister of Public Works, were foolish.

MR. SPEAKER: The motion before the House is that the House resolve itself into a Committee to consider of the Supply to be granted to Her Majesty.

QUESTION put, MOTION carried and the House resolved itself into a Committee of Supply with the Honourable Member for Radisson in the Chair for the Department of Mines, Natural Resources and Environment, and the Honourable Member for Emerson in the Chair for the Department of Highways.

SUPPLY — MINES, NATURAL RESOURCES AND ENVIRONMENT

MR. CHAIRMAN, Abe Kovnats (Radisson): I would direct the honourable members attention to Page 63 in the Main Estimates, Department of Mines, Natural Resources and Environment. We are on Resolution 82, 2.(b)(2) Other Expenditures — pass — the Honourable Member for Fort Rouge.

MR. AXWORTHY: Mr. Chairman, I just wanted to maybe get a judgement from you. I wanted to deal with the Minister on some questions relating to environmental impact assessments, and I would

like to know whether this is the proper jurisdiction in which we can bring this up.

Mr. Chairman, the Member for Inkster has already appropriated your decision and I will certainly abide by it, if that is all right with you.

Mr. Chairman, last year, in examining the Estimates of the Minister, he indicated at that time that he would be interested in introducing, or somewhat improving the environmental impact procedures in the province. I think his word was strengthen; I hope it was strengthen, at least. I wonder if the Minister could indicate to us, in terms of these Estimates, whether the full complement of staff man years in the ERAP program is filled, what the proposals are in terms of strengthening the program, and what submissions have been made over the past year to the program, and how they have been dispensed with.

MR. CHAIRMAN: The Honourable Minister.

MR. RANSOM: The staffing is the same as last year, Mr. Chairman, and there have been no actions undertaken to strengthen the process at this point. There was an internal review carried out and some comments have been asked for on that review. We have received some comments from interested groups, and we will be reviewing those, but to this date there has not been any specific changes made.

I would believe, Mr. Chairman, since the last Estimates review, there has been a project description submitted from Water Resources on Gilbert Plains dam and reservoir, a project from Highways on the South Indian Lake road, another one on the Cross Lake road, a road on the east side of Lake Winnipeg, at least a potential alignment to Rice River or perhaps Berens River, The Pas-Squaw Rapids transmission line, and one listed as Churchill Diversion Test Program. I can give you more details on that one if you require them.

MR. CHAIRMAN: The Honourable Memer for Fort Rouge.

MR. AXWORTHY: Mr. Chairman, I would certainly like to have the information on the Churchill Diversion Test Program, considering the past history of the debates about Churchill Diversion. Anything that has such a title, certainly deserves being given some further examination by members of this House, and I would hope the Minister would supply it.

I would like to bring to the Minister's attention the appendix in the back of his report, the year ending March 31st, 1978, which indicates that of the eleven submissions made under the environmental review process, that all of them have really been submitted from the dates of November to January, 1977. There seems to be a total cutoff in terms of the further extension of these programs. In other words, once they get past Stage 2, which is that the agency decides the assessment is not required, they seem to come to a dead end. Does that really indicate, Mr. Chairman, that in fact, the impact assessment program, really doesn't provide any impact assessment, and that it is simply being a way of rubber-stamping . many of these proposals, because they simply are not being given any kind of extension or further study once they go in for submission? I wonder if the Minister can maybe just level with us, to indicate that among many other priorities which have been downgraded, the requirement for doing environmental impact statements of a serious nature, is simply being disregarded by this government.

MR. CHAIRMAN: The Honourable Minister.

MR. RANSOM: What it means, Mr. Chairman, is that the potential difficulties have been resolved between the assessment and review people and the proponent agency.

MR. AXWORTHY: Well, Mr. Chairman, that is a pretty vague answer. I wonder if the Minister could give examples of exactly what happens when, for example, under the Hydro Nuclear Power Program, the different highway programs that are being put forward; what kind of mitigation efforts in fact are put in place to cope with the environmental damages that might ensue from it. Can he give us an indication of how the process is working satisfactorily?

MR. RANSOM: First of all, the honourable member had referred to those that had gone only to the first or second step. He now throws in nuclear generation, which is quite a different situation. Perhaps I should have responded earlier to his request of whether he was at the correct point in the Estimates for discussing environmental assessment and review, and in fact, that it really falls under the Program Development and Review section. What I could do is get some examples of how some of the specific issues have been dealt with, and make them available to the honourable member prior to coming to that section.

MR. AXWORTHY: Mr. Chairman, I am quite content to wait until that point in time. I wonder if the Minister could indicate, and perhaps if he is taking some of these items as notice, about the discussion that we had last year concerning the Polar Gas pipeline route, where it was indicated that staff from the Environmental Assessment Review Program would be involved in the assessment of potential corridors for the Polar Gas pipeline. And yet an item appeared in the press about two or three weeks ago, how several Indian band councils in northern Manitoba, were substantially protesting the fact that the government was doing absolutely nothing to initiate how potential Polar Gas pipelines might impact upon the environment in their reserves; how it would affect their ability to trap and to fish and to hunt; to affect the total kind of environment in which they operate, and if they were in fact suggesting it because the government wasn't doing anything, they were going to have to do it all by themselves. There seems to be a contradiction in that case, Mr. Chairman, between the commitment made or at least the statement made by the Minister in the last year's Estimates, that this is something that would be submitted to the proper environmental impact arrangement and the statement by the Indian band councils. In fact, nothing is being done. I wonder if the Minister could somehow resolve that contradiction for us.

MR. RANSOM: Again, Mr. Chairman, this is not the appropriate section to discuss it under, but if that is your wish to proceed here, then I will respond to the question.

MR. CHAIRMAN: I would suggest that if the Honourable Minister would discuss it under the appropriate section — under which section would I ask the Honourable Minister?

MR. RANSOM: The Program Development and Review, Mr. Chairman, 2.(d).

MR. CHAIRMAN: 2.(d). If the Honourable Member for Fort Rouge would re-raise his question under 2.(d)? The Honourable Member for Fort Rouge.

MR. AXWORTHY: Mr. Chairman, I am quite prepared to wait until then. I only wish the Minister had spoken up earlier before we got into this line of discussion, but if he wants to bide some time, I am quite prepared to have him do that. I am more interested in the information than in any other debating points we might reach, so I am quite prepared to leave it until that particular item.

MR. CHAIRMAN: 2 — pass — the Honourable Member for Logan.

MR. WILLIAM JENKINS: Before we leave this item, Mr. Chairman, the Honourable Minister took as notice on Friday that he was going to come back to me, and I refer to Page 434 of Hansard where I asked him, "Could the Honourable Minister tell the House when the last lead and air test was done in the vicinity of say about half a mile radius of Canadian Bronze plant? What last date was this done of the current year?" I wonder if the Minister has, before we leave this item, any further information for the House at this time?

MR. RANSOM: Mr. Chairman, we have to get that information, as we said on Friday, from the federal people. There hasn't been much opportunity yet between Friday afternoon and today to get that, but I think I would prefer to be certain of what that answer is before I communicate it to the honourable member.

MR. JENKINS: I thank the Honourable Minister for his answer, and I quite appreciate that it may not be possible, but I don't want to give up my chance to get a reply and when the Minister does — I am perhaps speaking more to you, Mr. Chairman — when he does come with a reply, I hope that I am able to make some comment at that time or otherwise I will have to make it on the Minister's Salary, which I know I can do.

MR. CHAIRMAN: 2 — pass — the Honourable Member for Churchill.

MR. COWAN: Yes, thank you, Mr. Chairperson. I would like to ask a few brief questions arising from the Annual Report, to the Minister. Under the Environmental Control Branch of the 1978 Annual Report of his department, it mentions that wastes that were not suitable for handling by existing facilities were directed to temporary storage facilities at Gimli Industrial Park. During the year, 30 packages of hazardous waste were accepted at Gimli for storage." I'm wondering if the Minister can inform us as to what those 30 packages were.

MR. RANSOM: Well, Mr. Chairman, if the honourable member has a number of technical questions of that nature, perhaps if he would undertake to state those questions and I will get the information as quickly as possible.

MR. COWAN: Thank you, Mr. Chairperson. I would be more than happy to do that. I would ask him, in that particular instance, as to what items are stored at Gimli, and under what conditions they are stored. Just a brief example of each.

In the next section, the Soil Pollution Control Section, he said, "The Soil Pollution Control Section is a primary response centre for environmental accidents and resources are assembled to provide immediate response to accidental discharge in order to minimize environmental damage." I'm wondering if the Minister could inform us as to what, if any, environmental accidents of this nature took place during the past year, and what chemicals were involved, and what procedures were utilized to minimize the environmental damage.

In the next section, under The Environmental Accident Program, it talks about accidental releases of chemicals in terms of abatement of discharges, cleaning and restoring the environment. "During the fiscal year, 79 leaks and spills of petroleum products and other chemicals were investigated." I would ask the Minister to list out the leaks, the dates, and where they took place. There were 79 spills of petroleum products and other chemicals; I would ask him to list what other chemicals are included under that statement in those spills. I assume there were 79 total spills.

On Page 18 of the Annual Report, there is reference made to an investigation that was held to determine the effects of thermal effluent discharge and the second investigation to determine the effects of a mining development on water quality in Wekusko Lake, Wekusko Lake being outside of Snow Lake in the Flin Flon constituency.

I'm just wondering if the Minister can confirm that those hearings have now been held and completed.

MR. RANSOM: I'm advised that they have been, Mr. Chairman.

MR. COWAN: And is the Minister assured then that through the information that was compiled and presented at those hearings, and I understand that there was some protest from local residents in regard to the building of a mill in that area, their feeling, especially from the commercial fishermen in the area, was that eventually there would be effluent discharge into the Wekusko Lake and into the Grassy River system and having negative impact on commercial fishing operations as well as recreational opportunities in that area. I'm wondering if the Minister can inform us that he has been assured that no such accidental discharge will occur as a result of the mill being put in at Snow Lake. And if he can also inform us as to when he feels, or when he has been informed that that mill will begin operation, because I understand that it has not yet begun operation. It is a bit behind schedule.

MR. RANSOM: I would not like to assure the honourable member that no accident can occur, Mr. Chairman, because by definition that is perhaps at least difficult to control. I would have to specifically enquire as to the conditions that have been imposed on the plant. In terms of its opening, I understand that it is still some months away.

MR. COWAN: Thank you, Mr. Chairperson. I would ask your direction and the Minister's direction in this. I'm wondering if it would be appropriate to ask the Minister to table the results of that environmental hearing so that those of my colleagues on this side who are interested in it, can pursue it and perhaps come back to it if there is a question during the Minister's salary. I'm wondering if I could ask that of the Minister.

MR. RANSOM: Mr. Chairman, the Order is a public document.

MR. COWAN: I would, again in my ignorance, Mr. Chairperson, ask the Minister is that the specific Order or the transcripts of the hearing, or do indeed transcripts of the hearing actually exist?

MR. RANSOM: Well, I'm advised that the transcripts are available in the library, Mr. Chairman, and that they, along with the Orders, are public information.

MR. COWAN: I thank the Minister for that information. At my first opportunity, I will take time to peruse those.

Later on, in that same paragraph, it mentions, "Other specific work included investigating the number of fish kills, fish entrapment monitoring at Selkirk Generating Station, arsenic monitoring

in Snow Lake." I'm wondering if the Minister can elaborate on what arsenic monitoring is going on right now in Snow Lake and what is necessitating this sort of monitoring in that recreational lake that sits right on the boundary of a community in northern Manitoba. In other words, I would ask the Minister if there is an arsenic problem in that lake and, if there is, are the members of that community in any danger from that problem? .

MR. RANSOM: It's a monitoring program, I'm advised, that has to do with the tailings at the mine, Mr. Chairman.

MR. COWAN: Yes, I would ask the Minister then if he can inform us as to what the results of that monitoring program have been. In other words, is there arsenic in substantive quantities or in any quantities at all currently in Snow Lake?

MR. RANSOM: I'll undertake to review the results, Mr. Chairman, and report further.

MR. CHAIRMAN: (2)—pass — the Honourable Member for Churchill.

MR. COWAN: Yes, going on to Page 19 of the Industrial Water Pollution Abatement Program, it states that, "This program is specifically concerned with the discharge of industrial liquid waste into surface waters. Generally the industries under examination are chemical plants, power plants, iron works, distilleries and mines." I'm wondering if this would be the section under which we would discuss the recent finding of high levels of mercury in the South Indian Lake, in the Rat River system.

MR. RANSOM: This is the section, Mr. Chairman, within which the group exists that does the testing.

MR. COWAN: Yes, thank you, Mr. Chairperson. I would ask the Minister then if he can inform us as to what activity is currently going on to investigate this very serious problem that has come to light over the past year and in recent months of high levels of mercury contained in the water in South Indian Lake and showing up through the food system chain in the fish in South Indian Lake. I'm wondering if the Minister can inform us if there is current testing going on of the mercury level in the fish, and because the community of South Indian Lake depends substantively for food from fish from the lake, I'm wondering if the Minister can inform us if his department is doing any testing of the hair or the blood of individuals in South Indian Lake to give us some idea of how far that mercury has progressed through the food chain system.

MR. RANSOM: First of all, Mr. Chairman, we have no indication that there are high levels of mercury in the water. There are some high levels of mercury in fish, but the tests do not indicate high levels in the water. This also is one of the areas where there is overlapping responsibility, or split responsibility, between the province and the federal government. The federal government is involved in the people aspect of it and we are undertaking some sampling of fish now and testing to determine the levels in the flesh of fish.

MR. COWAN: I'm wondering if the Minister, then, Mr. Chairperson, can indicate to us the results of that testing for mercury in fish in the Rat River system. In other words, are they indeed finding high levels of mercury existing in fish in the Rat River system and, in specific, in South Indian Lake?

MR. RANSOM: Mr. Chairman, the tests reveal that there are levels of mercury in fish that are higher than those that would be allowed in fish for commercial sale. My understanding is that it's not just in South Indian Lake.

MR. COWAN: Thank you, Mr. Chairperson. Well, I have been mentioning throughout the discussion the Rat River system, and the Rate Lake area, so it is my contention . . . I agree with the Minister that it's not only in South Indian Lake but also in the Rat River system.

Seeing that the hour is fast approaching, I guess I'll leave the questioning for the next . . .

MR. CHAIRMAN: In accordance with Rule 19.2, I am interrupting the proceedings for Private Members' Hour, and will return to the Chair at 8 o'clock this evening.

PRIVATE MEMBERS' HOUR

MR. SPEAKER: We're now under Private Members' Hour. The first order of business under Private Members' Hour is Resolutions, the resolution standing in the name of the Honourable Member for Transcona.

RESOLUTION NO. 2

MR. PARASIUK: Mr. Speaker, I beg to move, seconded by the Honourable Member for Inkster, that

Whereas the question of citizen access to governmental information is a matter of concern to all Manitobans, and

Whereas question has arisen as to whether means of access to such information are presently affected and,

Whereas this Legislature feels that the examination of this question is in the public interest;

Therefore, be it resolved that the matter be referred to a Committee of the Legislature to study the question as to whether or not there now exists sufficient availability of information desired by any citizen and to make recommendation to the Legislature as to how the Legislative process can be improved to make such information available where means of access are deemed to be unavailable or insufficient.

MOTION presented.

MR. SPEAKER: The Honourable Member for Transcona.

MR. PARASIUK: Mr. Speaker, this resolution is very straightforward. It is virtually self-evident. I don't even think it's very contentious. It calls for a natural evolutionary action by a Legislature and I would expect and hope that it receives the unanimous support of this House.

Mr. Speaker, in a sense the subject matter of this resolution is not a new matter before this House, but in another sense, this resolution constitutes a new and a distinct way of dealing with this matter. Namely, it is based upon improving the Legislative process to provide better access to information and it rejects using the courts as a means of doing so. It affirms the supremacy of parliament and it is one that I think constitutes a very dramatic difference from past approaches that have been taken.

Mr. Speaker, the initial decision regarding the provision of information is made in most instances by government, made by the staff, made by the Minister. Sometimes this decision is made by Cabinet. Now often, or occasionally, this decision not to provide information when requested is of concern to the individual requesting the information. It then becomes a question of who is this decision appealed to? Often it is appealed to MLAs, that's the process that exists right now. If you can't get information, you appeal to your MLA and you hope your MLA will use the Legislative process and we have a whole set of means at our disposal, to try and embarrass the government into providing the information, or individuals go to hot-line shows or they write letters to the editor or they do a number of things to try and draw public attention to their plight and they would hope that there would be a political resolution. I think that is a pretty good way of dealing with the matter but it is insufficient.

I think that the political process has to be improved upon so that it will work better on behalf of the individuals. I feel that as an MLA I'm really not prohibited or constrained from getting the information that I want. I feel that I have a whole set of mechanisms at my disposal to get information. I'm often not successful in getting that information but I feel the satisfied with the processes within Legislature, that I have had a fair hearing in terms of getting my information and often when the government has refused to give me the information, they have had to live with the political consequences of their rationale for not giving the information, and I am prepared to deal with it on that basis.

But the citizen does have some problems. The citizen does have some problems in terms of trying to contact their MLA, in terms of dealing possibly with government caucus MLA's, asking their government caucus MLA's to embarrass their own government in terms of providing information.

So I think, Mr. Speaker, we can improve upon our legislative process. I prefer using the legislative process to the courts. I think it is more practical and I think it is more practical because we already have a cabinet parliamentary system of democracy. I don't want to hybrid this system, I don't want to bring in a congressional presidential system. I'm quite pleased with our cabinet parliamentary system. What I want to do is reinforce it, I want to make it work better. And I am quite certain that the members of this Legislature feel the same way and now is their opportunity to get up and speak on this particular matter and show that they, too, have faith in the ability of the legislative

process to provide sufficient means to provide access to information for the general public.

Mr. Speaker, government acts as an instrument of the people. We all talk about government acting for the people, by the people. But if it is to operate efficiently in a democracy it must be a government of the people. And that means that those people for whom government is acting have to feel that they know what's going on as it affects their individual rights and liberties and government can act against individual rights and liberties, and they should have the means of finding out what is happening in that respect. So we are talking about individual rights and liberties. But also beyond that I think it's important for people to be involved as participants in the policy making process of government and the decision making process of government.

Indeed I think that certainly members on this side of the House strongly believe that people should be heavily involved in decisions that affect their lives, be they political, economic or social. And on the political side I think it is very important for the public to be involved, to participate in that decision-making as fully as they can and to be knowledgeable of what's going on and how various actions may affect them. And this is increasingly important, Mr. Speaker, as we have all been to the latter part of the twentieth century, society is becoming increasingly complicated, the role of government within society is becoming more complicated, and although we may debate on both sides of this House as to the size of government or whether the role of government should increase or decrease, I certainly don't think that we will debate that the role of government is already large and varied, and that people need more information, better information in order to be effectively dealing with government and effectively dealing with each other.

If we want to encourage more participation by people, we have to determine ways in which they can get better information. And I don't have all the answers to this particular problem. I think though it is a problem. I think that citizens have felt that they don't get enough information. I think they often think of government as being a monolith when in fact they are dealing with three levels of government in Canada; they are dealing with the municipal level of government, they are dealing with the provincial level of government, and they are dealing with the federal level of government.

And in terms of finding answers to the problem of providing better access to information, I confess that I don't have a final, absolute answer. And I would think that the seconder of my motion doesn't have a final, absolute answer, and I would think that the Member for Morris doesn't have a final, absolute answer. I would suggest that although he's raised this matter in the past, the Member for Fort Rouge didn't have a final, absolute answer, although his private member's legislation in the past provided for a type of final, absolute answer which in a sense was an abdication of parliamentary responsibility to the courts.

So what I want Mr. Speaker, is to establish a system that recognizes that the means of providing access to information can't be absolute, that in fact the means is relative' that it varies with the times, it varies with the substantive content of the matter and that it is important, Mr. Speaker, to be able to establish an explicit process, not an answer, but an explicit process by which the whole question of access to government information is continuously dealt with. And what better mechanism to establish that continuing process, Mr. Speaker, then the Legislature itself.

I would prefer the Legislature dealing with this in an organic, evolutionary way, than turning this matter over to the courts and having a judge deal with it from time to time, having a judge get caught up with the whole debate between lawyers as to what constitutes information and what does not constitute information, what is classified and what isn't classified. Why not have that process established within the Legislature. It's a matter, Mr. Speaker, which I don't think is partisan, I certainly don't think it is partisan and I hope that we can deal with it in a non-partisan manner, because frankly it's a mechanical one. It is a mechanical one that I think the Legislature is sufficiently able to come to grips with. Without doing the analytical work of the committee, Mr. Speaker, I think it is possible to raise some questions that I hope the committee, once established, would address itself to. We have the question of who needs information. Obviously citizens do, citizens that may be affected by government actions. I think there are people whose livelihood relates to analyzing government activity, these are researchers. They, as well, need access to information. Interest groups need access to information. And I think citizens, just by the fact that they are citizens, need access to information because they are interested and because they want to participate in the decision-making process.

Now the type of information needed will obviously vary. It will vary with the people who want it, it will vary in terms of the type of information that might be available within a government department or a government agency, and the point about this is that it isn't black and white. One can't state that this is information and that isn't information. That is a relative thing that is always changing. You can also ask questions as to what type of information can and should be provided, by whom should it be provided. We've had instances in this House, just in this session, where people have requested information which in the past had been provided and now requires the signature

of a Minister or the release of a Minister in order to go out. That's more uncertainty when less uncertainty existed last year. It's a very simple area that should be cleared up very quickly.

We then get into other questions relating to should personnel files be opened; should financial matters be open as well to other people so that they can analyze what the income tax statements of somebody are. I think those are things that should be looked at by the committee, I hope they would look at them in great detail.

And I would hope that the committee would open its doors to the general public of Manitoba and ask people who feel strongly on this matter to send briefs to it, and to have public hearings on this matter so that individuals or groups or various associations can come forward before the Legislature and present their views on this matter. Because I think that generally the public does want better information, they want better access to information. They have to look at the various constraints that may exist with respect to information. Sometimes it may be nice to get the information but it costs a lot of money to provide. Should the public spend a lot of money to provide information that possibly isn't that serious or isn't that necessary and basically deals with frivolous requests.

These are questions I think Mr. Speaker that the House has to address itself to. And I think often we've gotten involved in debating in some depth, the instrument itself, we spend all of our efforts saying no, no to the court system when I think that was the proper and correct thing to do. But I think now is our opportunity, Mr. Speaker, to deal with the future and that is to talk about using the proper mechanism, namely the Legislative mechanism, to set up a set of procedures. And we can do this very quickly, we can do this, I would think, Mr. Speaker, in this particular city, in this particular session. There is no reason why a committee couldn't be struck or we couldn't use one of the existing committees and very quickly ask for material from various interested groups in society. And there is no reason why we couldn't have hearings soon.

As a newly elected member, Mr. Speaker, I have been very impressed by the way in which the Law Amendments committee process operates. I think it provides an excellent means for people to come in, use the Legislative process in a very constructive manner. I think that the briefs that were presented last year, for example, on family law were excellent and I think I, as a legislator who sat in on those hearings, learned a great deal from those people coming in and presenting briefs. I think further that the briefs themselves provided the basis for debate and provided for some improvements in the legislation. And I think that same process can hold true within the Legislature.

Now I don't want to preempt the conclusions of the committee but I want to put forward at this stage a very tentative proposal that I think is practical and I hope that the committee itself considers. I would hope that the committee would establish what I'd call an Ombudsman Legislative Committee system of dealing with the whole matter of access to information. And that means where information was requested from a government agency or department and was refused the matter could be referred to the Ombudsman who would then ask the government for reasons why this was so done. So you have an automatic repository of turned down requests which is namely the ombudsman. The ombudsman would then try and get clarification from the department or agency concerned. If there was no resolution the matter would be referred to the Legislative committee which I think should meet at least four times a year, should meet quarterly but I think it is before this Legislative committee that the appeal should finally take place and I think before this committee the affected individual could come or state his or her case by mail.

The concerned department or agency or Minister could present his or her case, and it could be discussed then, as it often is discussed here, as to why in fact the information is not being provided. It then is the responsibility of the government to rationally present its views. It surely will be the position of the Opposition to make sure that the government is doing its best in terms of presenting that information.

In summary, Mr. Speaker, greater access to information is needed. There will be disputes between government and individuals regarding information; let's use the Legislature not the courts as the vehicle to resolve these differences to the extent that they can be. And let's have a system that actually does make a decision with respect to the provision of information. I think it's wrong often to let the matter hang and hang and hang for two or three years. And having a decision, as my colleague from Inkster indicates, is a very important thing in terms of further action. So let's use the vehicle of the Legislature. If we can't do this, Mr. Speaker, and we have to abdicate this task to the courts, then surely we abdicate from our roles as members of this Legislature. Thank you.

MR. SPEAKER: The Honourable Government House Leader.

MR. JORGENSEN: Mr. Speaker, the resolution that is before us is pretty much the same, or at

least will provoke pretty much the same kind of debate that has taken place over the period of the last two or three years with respect to this question of freedom of information. Although my honourable friend has couched his resolution in such a way, and I commend him for it, that it is the kind of a proposition that does afford some opportunity to achieve the results that I think all of us would like to see in this Chamber.

In the previous bills that were placed before us we could tell pretty readily that the opposite conclusions would be reached. That indeed, as my honourable friend, the Member for Inkster said on several occasions, would create more secrecy than it would reveal. And so I say I commend my honourable friend for at least having the initiative to couch his resolution in such a way that there is a possibility that the resolution might find acceptability to the members of this Chamber.

However, in my view, it did not go quite as far in achieving that acceptability as I think it should have. My honourable friend, on two or three occasions, cited his respect and his regard for the parliamentary system. And the cornerstone of that system is that the government accepts the responsibility, and indeed he mentioned that. He did say during the course of his remarks that the government has to live with its decisions. And the whole system implies that the government has the responsibility for making decisions. Subsequently, those decisions are examined in this Chamber, and that's really the process that takes place, is the examination of government decisions. Along with it, of course, we have members of the Opposition, quite properly in their role as Opposition, attempting to get the government to accept recommendations, and to try to force the government into accepting decisions that they would like to see accepted. That's all part and parcel of the legislative process.

But I do submit that if this resolution is passed in its present form, then it, Sir, imposes a decision on the government that I'm not too sure that this House should be imposing on the government. It seems extremely unlikely that a consideration of this matter by a committee can be done during the course of the sittings of this Chamber while the House is in session.

It would seem to me that we're always struggling to find enough time to have the existing committees that are in this Chamber meeting and conducting the business of the House without attempting to impose the proceedings of another committee. And so that leaves the very distinct possibility that if the resolution is accepted, that the committee will have to meet between sessions. - honourable friend has nodded his head and I presume that that's what he had in mind. If that being the case, Sir, then of course it implies an expenditure of money. The sittings of a committee always imply an expenditure of money when the House is not sitting. Members are paid, expenses are paid, and that is a charge on the treasury that only the government has the responsibility of determining. Now, if my honourable friend had couched his resolution in its proper form, in such a way as to leave that final decision up to the government, then I think it would have been somewhat more acceptable.

In its present form, and my honourable friends opposite, they've had sufficient experience in this Chamber to know that resolutions, which do imply an expenditure of money, are couched in the abstract in order to ensure that it is not in violation of a longstanding tradition of parliamentary governments, the imposition of a charge upon the taxpayers that is not first of all approved by the government.

Now, I had a choice of raising that matter as a question of order, or I had the alternative of speaking to this particular point during the course of my remarks, and then proposing an amendment, which is precisely what I intend to do. An amendment is not going to be a rejection of the proposition before us. The amendment is simply going to couch the resolution in the abstract in order to confirm what I believe is a long-standing practice of this Chamber, and one, indeed, that on numerous occasions when we were on the other side of the House, the Government House Leader and members on this side of the House were quick to draw to our attention and on several occasions resolutions were tossed out and had to be reworded in order to conform with that particular practice. And so, without debating the subject matter of the resolution, without indicating whether or not the resolution has that degree of merit that my honourable friend claims it has, and I am not in disagreement with many of the comments that he made. I do believe that in order to conform with the well-established practices of this House, that the resolution should be in its proper form.

Therefore, Mr. Speaker, I would like to move, and I might say that, having moved the amendment, if there is further debate on the matter that then the House will make a determination; after all I've held to a belief for a long time that Private Members' Hour is precisely that, and whatever decision that the House makes with respect to a private member's bill, as long as it imposes no monetary charge on the taxpayers, is perfectly in order and members can make whatever decision they choose to make. But I do believe, Sir, that the resolution should conform to established practices of this Chamber. So therefore I move, seconded by the Member for Gladstone, that the words "the matter be referred" in the seventh line of the resolution be deleted and the following substituted:

"the government considered the advisability of referring this matter", which would then have the resolution read: "Therefore, be it resolved that the government considered the advisability of referring this matter to a committee of the Legislature to study the question, etc., etc." It is simply a substituting of an order of this House to one that gives the government a right to make that determination, which I think is consistent with our practices.

MR. SPEAKER: It has been moved by the Honourable Government House Leader, seconded by the Member for Gladstone, that the words "the matter be referred" in the seventh line of the resolution be deleted and the following substituted: "The government considered the advisability of referring this matter". The Honourable Member for St. Johns.

MR. CHERNIACK: Thank you, Mr. Speaker. I was most interested to hear the Minister of Consumer Affairs deal with this problem; and deal with it, I suppose is the correct term, because he didn't address himself to the principle of what was desired. And I would predict, Mr. Speaker, that this amendment, of course, will pass. Now that's an easy prediction. But that having passed, it will receive the same consideration that many other decisions of this government have had in the short 15 or 16 months of its existence. We have started to laugh on this side of the House at all the expressions of interest by members of the Treasury bench, which have ended up by saying, "We are monitoring, we are studying, we are looking at" and knowing full well that decisions are being postponed by this government, especially if they involve the expenditure of money. In this case, the Minister of Consumer Affairs with his amendment is indeed inviting the next step, which will be, since we have to consider the advisability because it cost money, because it must be an inter-sessional committee, therefore in these days of restraint and budgetary difficulties, we cannot afford the money, much as we would like to study the question as outlined in the motion itself, we just cannot get around to it. That will be the next logical step. It's a logical step, because there's nothing that would prevent the government accepting in the government caucus, accepting the resolution as it was presented, and at its discretion, setting up the committee, calling the meeting, during the session or after the session. The fact is that we could have held a meeting tomorrow morning, but since it might be considered insufficient notice for the public to attend and participate, it could be held next Monday morning for all I know, or Tuesday morning, or Wednesday morning, or Thursday morning, without interfering with the business of the session, and without attributing to the decision any cost that would negate the principle of this Legislature being able to discuss matters of concern.

Mr. Speaker, in its very essence the amendment results in proving the points which are being made by this resolution, and that is lack of opportunity to investigate, in this case the question of citizen access.

I don't accept the principle, Mr. Speaker, that we members of the Legislature can do all that is necessary to attempt to obtain access on behalf of citizens. I believe that citizens, that many of them, don't have the slightest idea that they could appeal to an MLA, that they can have their problem presented in this House or in a committee of this House, to the extent where they can feel that their interests are protected. And therefore, Mr. Speaker, I would think that the importance of a committee of this nature would be to hear from citizens, to invite citizens to come to the committee to present their point of view to indicate the problems they have run up with and then to ask the Legislative Committee to make recommendations to the House as to how to improve the process whereby information may be made available.

Earlier this afternoon, Mr. Speaker, I re-read the comments made by several of the members of the Legislature last year when the bill, I think it was No. 6, was being discussed, the Freedom of Information Act. Amongst the speeches that I read in Hansard was the one that I, myself, had made. I indicated then that I did not believe that there was ample opportunity for MLAs to obtain the information that is needed, either by them or by members of the public, through the Legislative process as it existed. I believed then that the system of Parliament was cumbersome and was not perfect, and nobody would deny that it is not perfect.

But, Mr. Speaker, I'm not thinking alone of access to information by citizens generally, I'm thinking of access to information by members of the Legislature, duly elected members. The Minister of Consumer Affairs, who happens to be the House Leader as well, and was last year, suggested that government, in making its decision is responsible for it. That's true. I don't suppose anybody is going to get very exercised and go to the next election campaign with a strong attack on the government for refusing to give certain information.

Last year, I referred to the fact that for some years in the late 1960s when the Conservatives were in power, I was trying to obtain access to a document entitled "Transition of the North," and failed, failed absolutely. I tried in various ways; I tried by correspondence; I tried by phone calls; I tried by coming into this House and asking for it; I did not get it. I pointed out last year that it was only when the NDP government was formed that we found out what that document was

about and filed it as soon as we located it so that it would be public, and indeed, it had a great deal to say about the proposed hydro development in the north. The failure to provide that information did not bring down the Conservative government in 1969. There were many other reasons. But the fact that they refused, blocked, and absolutely refused to give that document, which was paid for by taxpayers' money, which was not an in-house document in that it was not prepared by members of government staff, it was rather a document that was contracted for outside of the administration of government, that that was blocked was wrong and was still denied in spite of the parliamentary process.

And I wanted to say also that when I spoke last year I suggested that I did not favour the principle of going to the courts to have the courts decide whether or not government should give up certain information. I was not prepared to leave it to the courts to do that because the courts carry their own bias and the courts carry their own lack of opportunity to assess the essence of deciding what circumstances there are where information could justifiably be denied by government. At that time, I suggested that there should be a committee, that there could be — I'm not saying there should be, that there could be — a committee of the Legislature which is designed to sit every year to hear citizen complaints and applications by citizens and by MLAs for disclosure of documentation, and that that committee could possibly provide this kind of an opportunity.

But I did suggest, and agree, with this resolution which says, "Even before that step, let us explore what are all the ramifications of the problems so that we could make recommendations which would be of use to lawmakers in order to improve the process of government, and there's no question that there can be improvement, and I believe there has been improvement in the process of government in the 16 or 17 years that I have participated in it in this House.

Mr. Speaker, I became interested just recently in the last week or so, in looking at Orders-in-Council, and I discovered — about a week ago, I'm not sure just what day or date it was — that there were about six or seven Orders-in-Council that had been given a number, assigned a number, and which were not filed for public access, just not available for public access. I remembered that back in the late 1960s when I was in Opposition, I used to make it a practice to go into the office of the Clerk of the Executive Council and look at a large book, a ledger type book which had all O-Cs listed in numerical order and had opposite that a one- or two-line title indicating the nature of the O-C. I discovered last week that I was denied the opportunity to see that index ledger, that that was no longer available and frankly, I don't know when that decision was made, whether it was made by the previous NDP government or the current Conservative government, but regardless of who made the decision, I can't say I agree with it. But the fact is that there were O-Cs that were not available, some six or seven.

On Friday, I think it was, I went again to look and I found that most of them had been filed. Interestingly enough, one of them which passed a law of this province that determined that persons who had to pay a per diem rate to a hospital or to a personal care home would be raised to \$7.75 effective, I think it was March 1st, or April 1st, I think, and that, in the same O-C, that as of October 1st, the rate would go up again to \$8.25. Well, it was a law; it was passed; it was signed by the Lieutenant-Governor, but it was not filed, so nobody knew that they had secretly passed a law in Cabinet making that decision. That was held for a week or so and then a new law was passed rescinding that old law and saying simply that the rate had gone up to \$7.75 effective as of the same date — I think it was April 1st — and the mention of the October 1st increase was deleted — not deleted, but rescinded — because the Order had been passed. I do not approve of that kind of activity. If they wanted to pass a law and passed it, then okay, pass it, file it, make it available to the public to know what you did. You want to change it, debate it in private in Cabinet, then change it, rescind it, as indeed they did do.

Now, this morning, I checked and for some reason that . . . You know, there are times I think when an O-C can be justifiably held back for a period of time. I think it has to be limited because it is a law, but there might be a reason. But the one that was filed this morning that had been passed, I think on the 21st of February, was one that dealt with payment to the Museum of Man and Science matching private contributions on a 2 to 1 basis and granting up to \$100,000 to the Museum. Why that was held up, I don't know, but the fact is that according to the face of it, the Cabinet passed it and signed it on February 21st, the Lieutenant-Governor passed it and signed it on February 21st, and why it was not available until this morning, I don't know. I'd love to know why because it doesn't make sense to me.

I want to conclude by pointing out that this government had the — I think it's the affront to pass motions, a number of motions, in this Legislature and then proceed to, I believe, ignore them, or if it didn't ignore them, I don't understand any excuse for making the decision to make information available and making that decision on March 31st of 1978, and still deny that information to the people of the Legislature or of the province. On March 31st, a resolution of this House was adopted to the effect that correspondence would be filed between the department and one Joe Jarmoc

with condominium development. I am guessing, Mr. Speaker, that it may be that there is a reason. Maybe they are in court over it; maybe there's a reason. But I do believe that the people are entitled to have a reason, an accounting for the failure to respond to an Order of this Legislature which, Mr. Speaker, I believe takes precedence over any individual decision of any Minister or of the courts. I believe that this Legislature, having made a decision, that the Ministers are bound to carry it out. Therefore, I don't understand any reason for the failure to do it.

Mr. Speaker, I think there were some 39 Addresses for Paper and Orders for Return that were approved in the month of April and at the beginning of May, 1978, and the information is still denied to us. So I have to ask those who support the Parliamentary system and the fact that it makes it accessible to the public to obtain information, where do we stand when this Legislature has made a decision, passed resolutions, unanimously it so happens, because they were accepted by the government without question, and continues to sit on the information and not file it? Well, yes, one can say: but that puts the Conservative government into disrepute and therefore they are accountable for their actions, or for their failures in this case, and are accountable to the public. Mr. Speaker, that may be a good argument, but I don't think it is one that satisfies the principle in the resolution before us which speaks of accessibility and availability to citizens of information which has been denied to them.

Therefore, I feel that the government by taking this cute method of getting out of debating the principle of establishing a Committee of the House to deal with the question of accessibility at best means is getting out of recognizing that there is need for that kind of investigation.

Now, of course, I will be shown to be cynical if indeed such a committee is held, and I would say if it is held within the next year, I will be shown to have been overly cynical and that the government had every intention of seeing to it that there would be such a meeting held. Mr. Speaker, knowing full well that I can be charged with cynicism, I will of course come back and refer to the Orders of the Day of February 28th, 1979, and point out how this government has been dealing with its own orders Orders, Orders it has approved of, granted last April, and last March, and last May — of course a year has not yet gone by so that maybe we'll still get it in within a year.

But, Mr. Speaker, it satisfies me that I am right in suggesting that this mere amendment is going to make it absolutely, not possible but easy, for this government to deny the creation of a committee. I want to stress that I do believe that one of the important features in our parliamentary system is the referral to a committee of a problem for study and recommendation and outside of the House where anybody has the right to appear and make recommendations. I think it is a foundation stone of the Parliamentary system as it has become improved over the time and one which, I think, should be encouraged rather than denied.

So, I want to conclude, Mr. Speaker, by saying that I assume this amendment will pass, the resolution as amended will pass, and then I would like to appeal to the government to make sure that it does not ignore the then decision that the government shall consider by actually calling a committee at the cheapest possible time which may well be during this session.

MR. SPEAKER: The Honourable Member for Inkster.

MR. GREEN: Mr. Speaker, there are various differences of opinion with respect to the provision of information by the government or through the legislative process, and may I say to my honourable friend, the Minister of Consumer Affairs, that I haven't changed my mind on this question whatsoever. I said last year that if there are people who think that there is a problem, I would favour the setting-up of a Legislative Committee to see whether in fact there is a problem, and to see whether that problem should be resolved in any particular way — that I would choose the legislative process rather than the courts — and I think that that's what the Member for Transcona has said.

But, Mr. Speaker, what annoys me about what has happened here this afternoon is that there has been a specious suggestion that the resolution as presented was contrary to the parliamentary process and, Mr. Speaker, interestingly enough the suggestion was so specious that my honourable friend wouldn't even trust you to decide upon it, because if he was correct, he would have said, "Mr. Speaker, I raise a Point of Order," as soon as the member had introduced the resolution. His Point of Order would be, Mr. Speaker, that the Legislature can't refer a Legislative Committee a question, and do you know how long that Point of Order would have been in your mind? Not one second.

There is no question that the Legislature can refer to a committee the consideration of a problem, and as a matter of fact, Mr. Speaker, if I was going to be a little bit tough on my honourable friend, I would say that the government does not set up Legislative Committees, and there is absolutely no provision in Parliament for the government to set up Legislative Committees. Legislative Committees are set up by the Legislature, and my honourable friend can go through every Legislative Committee that has ever been set up, and you will not find the government setting up one, so

my honourable friend introduces a motion that the government consider the advisability of forming a Committee of the Legislature. Mr. Speaker, how far have we removed from Parliament? The great defenders of Parliament now say that the government sets up Legislative Committees. That is absolutely unheard of. Is that where the Conservative government is going? Is the Conservative government now reserving its right not only to govern, to be the executive, but also to be the Legislative Branch?

Mr. Speaker, that's what this Amendment says, and I, Mr. Speaker, am by no means satisfied that this Amendment will pass. If it passes, it represents a considerable departure from the process of setting up committees, and this says that the government consider the advisability of referring to a Committee of the Legislature.

Now my honourable friend says that it has to be outside the Session — it does not have to be outside the Session — it could be immediately while we are in Session, and therefore need not be a Treasury Bill in that sense. And I don't think, Mr. Speaker, that there is anything, ever, that prevents the Legislature referring the subject matter of a Bill to a Legislative Committee, or the Legislature referring any other question to a Legislative Committee, and therefore, Mr. Speaker, I don't agree that the motion was out of order as presented. As a matter of fact, I am inclined to think that it may be out of order as it's now submitted, but I suppose nothing will be out of order if it's voted upon by a majority of the members of the Legislative Assembly. But I don't agree, Mr. Speaker, that this Amendment was necessary. My honourable friend is looking for a precedent whereby the government set up a Legislative Committee.

If, Mr. Speaker, that occurred, and I'd be interested to see it, I would have said that it was mistaken at the time and somebody should have raised it. I'm not sure that he'll find one, but in any event, I say that the Legislature sets up committees, not the government. They are voted upon in the Legislature, and matters are referred to the Legislative Committee by the Legislature.

In any event, Mr. Speaker, why should we be debating moot points. If the government, or a majority of the members of the legislature, want to discuss this matter, the vehicle whereby it could be discussed completely in order is presented by the resolution of the Member for Transcona.

Mr. Speaker, that vehicle and the wording of the motion clearly indicates that no direction is taken with regard to this particular issue. The question has arisen, that is correct; the fact that the question has arisen should cause us all concern, that is correct; that concern should be referred to a Legislative Committee to see whether in fact the means of access are or are not available, I think that is a useful way of dealing with it in view of the fact that it has been raised; and that committee should make recommendations as to better access, if they determine that the present means are insufficient.

Now, Mr. Speaker, I am not certain that the present means are insufficient, it may be that they are. I'm prepared to look at that, but I'm not certain. What I am certain of is that last year's Bill would have provided for secrecy. It would have provided, Mr. Speaker, for exactly the state of affairs that I got into this year when I got the information that I wanted within twenty-four House hours — that's how well the Parliamentary system worked.

On Friday at 10 o'clock — well not twenty-four, make that thirty-six — on Friday at 10 o'clock I asked a question. I told the Minister that the Deputy Registrar refused me certain information; I provided him with information which I had been able to gather, and on Monday at 2:30 — is that thirty-six hours if one took it over to the next day, yes, it would be about thirty-six hours — on Monday at 2:30 the Minister provided me with the information, the correct information.

Now, Mr. Speaker, what would have happened if there was a Secrecy of Information Act such as proposed by the Member for Fort Rouge? That Secrecy of Information Act would have said exactly what the Minister said to me, that a person seeking information can ask the Minister to give it to him, or can ask a department official to give it to him, such as the Nova Scotia Act said. If the departmental official doesn't give it to him, he can ask the Minister to give it to him. If the Minister doesn't give it to him within four weeks or thirty days, or whatever the period is, he can go to court, hire a lawyer, and ask the court to give him the information that the Minister refused to give to him; and the court could then decide that that information is privileged.

Mr. Speaker, I got the information within thirty-six hours by use of the legislative process, and I have not been shown a better way. My honourable friend has had it explained to him by the Member for St. Johns that there are a whole bunch of Orders for Returns that have not been processed, and indeed there are, and I say, Mr. Speaker, that as those things pile up this government will be discredited. No-body loses an election on one point, but if the public comes and the more Orders that are outstanding, the more people are affected by them, and the more people that are affected by them the more it gets out to the general public that the government is behaving arrogantly and that's what brings governments down, Mr. Speaker.

The fact is my honourable friend, the Member for St. Johns, indicates he tried to get transition from the north, and he failed. He succeeded in getting transition from the north, and it was tabled

in this House and, Mr. Speaker, it's impossible to say which of the blunders of the previous Conservative administration brought them down, but I'll tell you that was one of them, coming to the House asking us to pass a Bill which was an administrative Bill without giving us the information which the administration normally has available on which to act. And that was one of them, Mr. Speaker.

So we are dealing with a question upon which wish to emphasize because my colleague, the Minister of Consumer Affairs said that I'm preparing my way for a change — no way, Mr. Speaker. You know there are some issues on which you do not change. Someone says to me, "I want a constitutional Bill of Rights entrenched," I tell you, Mr. Speaker, there's no way I could vote for that. That is the kind of make or break issue on which you do not change — you believe one way about it, or you believe the other way about it — and when I know that the constitutional Protector of Rights in the United States built in, which could not be changed except by a complicated means, was used to entrench slavery in the United States, was used to prohibit a graduated income tax, was used to prohibit a minimum wage, I know that I'm better off leaving my rights to the elected representative of the people, however imperfect that is and it is imperfect. Because one thing, Mr. Speaker, and I'm in danger of becoming the professor who said, "Nothing is absolute, everything is relative," and a student said to him, "Are you positive of that?"

MR. SPEAKER: Order please. Maybe I'll save the Honourable Member, the hour being 5:30. I'm leaving the Chair, the House will resume at 8 o'clock.