



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

**DEBATES
and
PROCEEDINGS**

28 Elizabeth II

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LEGISLATIVE ASSEMBLY OF MANITOBA

Wednesday, March 7, 1979

Time: 2:30 p.m.

OPENING PRAYER by Mr. Speaker.

MR. SPEAKER, Hon. Harry E. Graham (Birtle-Russell): Before we proceed, I should like to draw the honourable members' attention to the gallery where we have 30 students from the Oscar Blackburn School under the direction of Miss Karen Cormont. This school is located in the constituency of the Honourable Member for Churchill.

We also have 6 students of Grade 5 standing from Montrose School, under the direction of Miss Labossiere. This school is located in the constituency of the Honourable Member for River Heights, the Minister of Government Services.

I believe we also have another guest in the Speaker's gallery who the Honourable Minister responsible for Sports and Recreation would like to introduce. The Honourable Minister of Sports and Recreation.

HON. ROBERT (Bob) BANMAN (La Verendrye): Mr. Speaker, I would like leave of the House to make a non-political statement at this time. It is a privilege to advise the members that the 1979 Canada Winter Games in Brandon were an outstanding success. Manitoba won 9 gold medals, 9 silver, and 12 bronze medals and placed fourth, the best standing we have had since the games were inaugurated in 1967. Congratulations are extended to the citizens of Brandon and to all the athletes, coaches, managers and officials who took part.

As we pay tribute to our athletes, it is appropriate that the outstanding athlete of the games has honoured us with her presence in the Legislature here today. Bonnie Wittmeier thrilled packed audiences in Brandon as she won four gold and one silver medal in the gymnastic floor routine, vault, uneven parallel bars, all-round and balance beam. She brought great honour to her parents, her coach and to the province. She obviously comes from a very athletic family as her sister, Robin, who is with us here today won a bronze medal in the Canada Games in Newfoundland and more recently won two gold and one bronze medal in the Canada-Mexico-U.S. International Diving Meet.

I had the privilege of seeing Bonnie demonstrate her magnificent gymnastic skills and confirm that she is the outstanding athlete of the games. We are all proud of her and thank her, her coach, Alfreda Gorman, her parents, Leanna and Lloyd Wittmeier, for guiding her to these achievements. I would ask the members to please welcome Miss Bonnie Wittmeier and her parents, her sister, Robin, her sister, Deanna, and her sister, Lynette.

MR. SPEAKER: Plus our visiting students.

The Honourable Leader of the Opposition.

MR. HOWARD PAWLEY (Selkirk): Mr. Speaker, I, too, would like to add, on behalf of our group, our warmest congratulations and welcome to our visitors in the Speaker's gallery.

MR. SPEAKER: Orders of the Day. The Honourable Government House Leader.

HON. WARNER H. JORGENSEN (Morris): Well, if we're on tabling of reports . . .

MR. SPEAKER: No, not yet.

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

TABLING OF REPORTS

MR. SPEAKER: The Honourable Minister of Consumer and Corporate Affairs.

MR. JORGENSEN: Mr. Speaker, on behalf of the Minister of Labour, I would like to table the

Annual Report of the Manitoba Labour Management and Review Committee.

Mr. Speaker, I should also like to table copies of Orders for Return, Nos. 8 to 20; 23 to 27; 31 to 34; 41 to 44.

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

MATTER OF URGENCY

MR. SPEAKER: The Honourable Member for Transcona.

MR. WILSON PARASIUK: Mr. Speaker, I beg to move, seconded by the Member for Winnipeg Centre, that pursuant to Rule 27(1) that the House set aside the ordinary business of the House to discuss a matter of urgent public importance, to wit; the public indication by the Minister of Health and Social Development of the imminent closing of necessary health centres prior to the consideration of the Minister's Estimates by this House.

MR. SPEAKER: Subsequent to Rule 27, the honourable member has five minutes to state his matter of urgency.

MR. PARASIUK: Mr. Speaker, two days ago in Question Period, the Minister of Health and Social Development refused to indicate whether funding would be cut off within three weeks for health centres in Winnipeg. Today, the Minister is quoted as saying, outside this House, that two health centres in Winnipeg would be either closed this spring or phased out, and that these health centres would find this out on Friday, March 9th, two days from today.

Mr. Speaker, the quality of health care of Winnipeggers is of vital and critical importance to all of us in Manitoba, especially people in this Legislature. We need the opportunity to debate this matter now, before the health centres are closed, before they are given a fait accompli. Mr. Speaker, this is a matter of critical urgency and we have no means of debating the matter in the House. The Throne Speech debates are finished; we have not yet got into the Minister's Estimates, we won't be into the Minister's Estimates by Friday. The budget has not been brought down, therefore this is our only opportunity.

I ask you, Mr. Speaker, to understand that the Minister of Health and Social Development is closing down these health centres which serve on active medical files, 6,000 patients, and that they have on their other files over 20,000 people in contact with these health centres receiving services from them. And, Mr. Speaker, the minister is closing them down because he says he is philosophically opposed to them, he favours the traditional services in the health care field through the use of doctor's offices. —(Interjection)— He's closing down these centres without a fair hearing because of his own political reasons, and he has not consulted the health centres; he has not consulted the people using these health centres; and he has not brought this matter here before the Legislature to debate this matter.

Mr. Speaker, we are talking about destroying sensible steps in preventative medicine, because the Minister is . . .

MR. SPEAKER: Order please, order please. May I point out to the honourable member that he is now attempting to argue his case, rather than the urgency. The member's remarks must be confined to the urgency of debate.

The Honourable Member for Transcona.

MR. PARASIUK: Yes, Mr. Speaker, I am indicating that the Minister's unblinkered philosophy is the matter of urgency, he will not let the matter be properly analyzed, he will not let the matter be properly assessed. He is abolishing these health centres whose basic aim is preventative health care; we can't let it happen, Mr. Speaker, without a fair hearing, that hearing should begin, it should be open, it shouldn't be secret, it should begin now here.

MR. SPEAKER: The Honourable Minister of Health will have five minutes.

HON. L. R. (Bud) SHERMAN, Minister of Health and Community Services (Fort Garry): Mr. Speaker, first let me say that I repudiate the allegations made by the Honourable Member for Transcona with respect to things I'm purported to have said outside the House. It's indeed true that since the Honourable Member for Transcona raised the question — he was the one who raised it in the House a few days ago — the press has approached me on frequent occasions for comment and opinion with respect to the future of the health centres, I have conscientiously and sincerely

avoided making any statements. As a matter of fact The Free Press reported me as being evasive on the subject because I acknowledge and recognize the fact that the subject has to be dealt with in this House. —(Interjection)—

So, sir, I reject those allegations out of hand. I don't care where he got them from, I am telling him that I made no such statements. I have said in this House for a year-and-a-half, I said during our Estimates last year, we were reviewing the Community Health Centre concept, that we don't necessarily agree philosophically with that concept. —(Interjection)— That is not news. But to charge me with stating that two, three, four, or any other number are going to be closed or that the decision has been made, or that I'm announcing that they are going to be closed at this juncture, is simply untrue. —(Interjection)— No, I won't tell you they won't be closed, and I won't tell you they will be. I told you that that sort of information will be announced and discussed in the House, it will be discussed with the health centres. Discussions are being held with the health centres; subsequent meetings are being held between the health centres and the Commission this Friday; those consultations and discussions are taking place. —(Interjection)— I've given no such indication as to closure, as that to which the Honourable Member for Transcona refers.

Now, on the matter of the specific motion of the honourable member, Mr. Speaker, and the urgency of the debate, I suggest that there is no urgency whatever to the question. He has got the Grievance opportunity available to every member of this House, prior to going into Supply; he's got Private Members' Hour and Resolutions there. There are only two or three resolutions on the Order Paper, so they can be absolutely guaranteed any resolution would come forward for discussion in a brief period of time, and further to that, Sir, he has no guarantee that we won't be into and through my estimates long before any conclusive decision is made on the Community Health Centres.

So Sir, let me suggest that the motion is contrived, the action is contrived, grandstanding, headline hunting, sensation-seeking on the part of the member and I suggest that if the Honourable Member for Selkirk has been considering him as a competitor in the leadership battle, he probably Sir, has nothing to worry about.

MR. SPEAKER: Order please. Order please. I have perused the motion presented to me by the Honourable Member for Transcona. It is true that he has complied with Section 27 (1) of our rules. I did receive a copy more than an hour before the House opened. I believe the member has complied with Rule 27 Sub (2), and that he put forward his argument in favour of the urgency within the five minutes specified. Subsection 3 of Rule 27, however, is in the Speaker's domain, and the subsection 4 applies only with respect to the Speaker's decision. I have checked subsection 5, the right to set aside the ordinary business. I find that the motion presented by the Honourable Member for Transcona, does indeed comply with subsections (a), (b), (c), (d), (e), and (f). However, in listening to the arguments that were presented today, and having read the Hansard on page 444, of the three questions asked by the Member for Transcona, and the answers given at that time, I do find myself in somewhat of a difficult position.

Just a minute, I know the Honourable Member for Inkster is very anxious. I do find a problem that exists in which I am going to ask the help of the House. —(Interjection)— Now, I know the honourable member is offering me help, but I haven't outlined the problem to him yet. There is a problem; I have the responsibility to carry out the affairs in a most expeditious manner. Now, whether or not that of the House. covers the field of whether we should be setting aside the ordinary business to deal with projected things, supposedly hypothetical things, I have not found any proof presented to me by the Member for Transcona, either in the copy of the press reports, which he gave me, nor in answers in Hansard. And I am asking advice of the House in whether or not it is in the interests of the House to set aside the ordinary business of the House to deal with hypothetical matters, and I would ask help from one member on the Opposition side and one member on the Government side. I'm asking them also to contain themselves to five minutes in their argument. The Honourable Member for Inkster.

MR. SIDNEY GREEN: Mr. Speaker, I believe that I can be brief, and I am trying to help and I don't wish you to make a mistake which we will be plagued with, and I thank you for inviting comment.

When we changed the rule, we did it expressly in such a way that the Speaker would only rule a motion out of order if it was clearly out of order. If the motion was in order, he would do exactly what you, Your Honour, have now said you would do, and the rule says that after each party has debated for five minutes, you shall say, "Shall the debate proceed?" You will ask the House. Each party has now come up — one party has said that it is urgent, the other group has said that it is not urgent. You are not going to be the one to decide whether it is urgent or not urgent. You are going to leave that to the determination of the House. The House will then vote; if a majority

of the members in the House feel that it is urgent, we will proceed with the debate. If the majority say that it is not urgent, the debate will not be proceeded with.

Now, Mr. Chairman, I know that the House Leader and myself and the Committee on Rules went through a considerable discussion to try to rationalize the previous rule which put the Speaker in a position of having to rule on urgency.

MR. SPEAKER: Order please. I believe the Honourable Member is straying away from the question that I asked him: whether or not we should set aside the ordinary business of the House to deal with what could be a hypothetical question.

The Honourable Member for Inkster.

MR. GREEN: Mr. Speaker, as to whether or not we should do that, it was decided by the Rules Committee that that would be determined in ten minutes with a vote. And the two people have spoken — we specifically said there would be no more speeches, which there used to be on this question. And we said that, one, there would be two speeches and the Speaker will have his problem resolved if he says, in the words that he has almost said in posing the question. The rule says, "Shall the debate proceed?" and there will be a vote, and that will answer your question, Mr. Speaker.

MR. SPEAKER: The Honourable Government House Leader.

MR. JORGENSEN: Mr. Speaker, the Member for Inkster has correctly interpreted the rule. The decision that is yours to make, deals only with the question of whether or not the motion is in order. If you have determined, I was unable to determine whether or not you had done that, that the motion is in order, and if the Speaker has determined that the motion is in order, then it's put to the House.

But I could tell my honourable friend right now that it is our intention to vote against the motion, simply because there is no urgency established, and my honourable friend has not in any way established a case. His entire argument is based onons, which hypothetical assumpti have been refuted by the Minister of Health and Social Development.

MR. SPEAKER: Order please. I thank both Members for their contributions, and I find myself not too much enlightened by the arguments of either Member. I do find myself in a rather difficult position of whether or not it is a matter of urgency to deal with a matter that is hypothetical as compared to the actual business of the House, so I am going to ask the House to render their decision to assist me.

Shall the debate proceed?

QUESTION put, MOTION declared defeated.

MR. GREEN: Yeas and Nays, Mr. Speaker.

MR. SPEAKER: Call in the members.

The Question before the House is, shall the debate proceed?

A STANDING VOTE was taken, the result being as follows:

YEAS: Messrs. Adam, Axworthy, Barrow, Bostrom, Boyce, Cherniack, Corrin, Cowan, Desjardins, Doern, Fox, Green, Hanuschak, Jenkins, McBryde, Malinowski, Miller, Parasiuk, Pawley, Uruski, Walding.

NAYS: AITMessrs. Anderson, Banman, Blake, Brown, Cosens, Craik, Domino, Downey, Driedger, Einarson, Enns, Ferguson, Galbraith, Gourlay, Hyde, Johnston, Jorgenson, Lyon, McGill, McKenzie, Mercier, Minaker, Orchard, Ransom, Sherman, Spivak, Wilson.

MR. CLERK: Yeas 21, Nays 27.

MR. SPEAKER: I declare the motion lost.

ORAL QUESTIONS

MR. SPEAKER: We're in the Oral Question Period. We have already used up 25 minutes of that time. The Honourable Leader of the Opposition.

MR. HOWARD PAWLEY (Selkirk): Mr. Speaker, can the Minister of Health and Social Development guarantee that the community health clinics will not be closed down prior to his Estimates being debated in this House?

MR. SPEAKER: The Honourable Minister of Health.

MR. SHERMAN: No, I can't guarantee that, Mr. Speaker.

MR. PAWLEY: A supplementary to the Minister of Health and Social Development. Is the Minister prepared to confirm reports, public reports to the effect that he is philosophically opposed to community health clinics in the Province of Manitoba?

MR. SHERMAN: Not in those general terms, Mr. Speaker.

MR. PAWLEY: A supplementary. Would the Honourable Minister be more specific?

MR. SHERMAN: Mr. Speaker, I've said in this House, I've said in my Estimates last year, I've said publicly that the question of community health centres, community clinics does not lend itself to a universal application, a universal judgement, or a universal criterion; that some community health centres serve very laudable and very demonstrable objectives. Some are not as easily justifiable.

MR. SPEAKER: The Honourable Member for Inkster.

MR. GREEN: Mr. Speaker, I rise on a point of order because I do not wish it to escape on the basis that no protest was made. You, Mr. Speaker, have said that there is five minutes in the Question Period. The motion that was put by the Member for Transcona was put before Oral Questions were called. It has never been the case that a substantive motion before the House has detracted time from the Question Period. And if you are ruling, Sir, that the Question Period has been hyphenated by virtue of a motion having been put before Oral Questions were called, I would want to know that you are so ruling because I want to deal with that question.

MR. SPEAKER: Order please. I called Oral Questions at 2:37 this afternoon. If there is a problem, I suggest that this be a matter to be taken up by the Rules Committee at the earliest possible opportunity. The Honourable Member for Inkster.

MR. GREEN: Mr. Speaker, that may well be, but by my count there is still 40 minutes in the Oral Question Period, and if, Mr. Speaker — I am counting and I am putting my position with regard to that count. And I am telling the Speaker that it has never been the case that a substantive motion — nothing that occurred to date up until the time that the Leader of the Opposition asked his question could be construed as part of the Oral Question Period and I would like to have that understood and if the Speaker intends to rule otherwise, then we want to deal with that question.

MR. SPEAKER: I think perhaps I should address my remarks to all members of the House. I have a responsibility to ensure that every member's right in this House is protected. I also have an obligation to ensure that the business of the House is carried out in a most expeditious manner. I had called Oral Questions at 2:37, it was not of my choosing that someone chose to intercede in the Question Period. If there is a problem in this area I suggest that the matter be dealt with at the earliest possible opportunity by the Rules Committee of this Legislature. At the present time I have ruled that the Question Period which started at 2:37 this afternoon will be over in about nine minutes time or eleven minutes time.

MR. GREEN: Mr. Speaker, I suggest if that is your ruling, I wish to speak against that ruling, if you will permit me to or if you are holding that you have already ruled and will not permit a discussion and that it is to be referred to the Rules Committee without hearing from both sides — because, Mr. Speaker, a motion of urgency can be brought at any time, it could be brought in the afternoon, it could be brought during the time of Bills, it could be brought during the Private Members' Hour and I suggest that it would not detract from time of the Question Period and I would accordingly,

Mr. Speaker, urge you not to pursue the ruling that you have made but if you do, then we will very respectfully have to request that the ruling be appealed and we will find the time and the means of being able to deal with the fact that the Question Period is being eliminated in this arbitrary fashion.

MR. SPEAKER: Order please. Order please. I have already stated that there is only ten minutes left in the Question Period. If the Honourable Member wishes to challenge my ruling, he knows how he can do it.

MR. GREEN: I do indeed, Mr. Speaker.

MR. JORGENSON: I don't think that challenging of a ruling of this nature is the best way of dealing with this particular situation. My honourable friend knows exactly what'll happen under those circumstances. I think that this is a matter — I think that this is a matter that does deserve the attention of the Rules Committee, because after the rules have been called — or after the oral questions have been called, then my honourable friends opposite or any Member of this House then takes it upon themselves to infringe upon the time that is allocated for oral questions. And if they choose to do that, then that's their responsibility. But I think that's a matter that should be clarified so that everybody understands that in the future. I would suggest, Sir, that rather than attempting to deal with this matter at this time that we go ahead with the question period in the normally allocated time and have this matter settled by the Rules Committee so that we can determine once and for all, without taking up more time of the House, whether or not this particular instance that occurs today should be repeated, or whether we should have a firm ruling so that there's a clear understanding on both sides. Whether or not Honourable Members are infringing on the time of the oral question period by introducing motions such as was introduced by the Honourable Member for Transcona.

MR. SPEAKER: Order please. I am now going to appeal to the House, then, is it then the wish of the House that the question period extend for forty minutes from this point in time?

MR. JORGENSON: No, Mr. Speaker, what I am suggesting is that you have made a ruling, and that ruling has been appealed. If my honourable friend wants to persist with it, then I have no more to say. If my honourable friend wants to persist with that, I have offered to him a suggestion that I think could get ourselves out of this difficulty, but he refused to take it.

MR. SPEAKER: The Honourable Member for Inkster.

MR. GREEN: Mr. Speaker, when the Honourable Member said the normal allocated time, I thought that that had some kind of a curve to it. What he is suggesting is that the time that you have allotted, which we entirely reject, Mr. Speaker, a member of the House has made a motion in accordance with the rules, ruled in order by the Speaker. My honourable friend says that that happening can curtail the other Members' time with regard to question period. I challenge most vociferously that ruling. I say to you, Mr. Speaker, that that could mean that any Member of that side of the House on a daily basis, could get up and infringe on the question period by making such a motion whether it is sustainable or not. And therefore, Mr. Speaker, I must — and I will leave out the word "respectfully" I must appeal your ruling, Mr. Speaker. — (Interjection) —

MR. SPEAKER: I thank the Honourable Member for Inkster for his advice and say that I will take the ruling under advisement.

MR. GREEN: How many minutes do we have today?

MR. SPEAKER: At the present time, I would have to say that there are six minutes left in the question period.

MR. GREEN: I respectfully — I then appeal, Mr. Speaker, your ruling that there are six minutes left in the question period.

MR. SPEAKER: The Honourable Member for Kildonan.

MR. PETER FOX: Yes, Mr. Speaker. I wonder if I can assist you in making a revision of the decision. You must recall that when you do have matters of privilege, they take precedence over other things.

I'm sure, you would not consider that as part of the question period time. In this instance there was a substantive motion made, which had nothing to do with the question period. I would suggest that that too has to be considered in the same light as a matter of privilege and not as a question. So therefore I really suggest, Sir, that you have a good look at what you are going to determine at this particular moment and give us our thirty-five minutes of question period.

MR. SPEAKER: Order please. I would hope that this matter will reach the urgent attention of the Rules Committee. At the present time, I'm charged with the responsibility of expediting the business of the House and I would hope that the question period which has two or three minutes left in it will soon be completed.

MR. GREEN: Mr. Speaker, I again, and I will do so every time you announce the Dutch auction of the time going down, I appeal your ruling that the question period has two or three minutes left. And I'm glad, Mr. Speaker, that the people of the province of Manitoba have an opportunity of seeing what amounts to freedom and open government, Mr. Speaker. I appeal your ruling.

MR. SPEAKER: The ruling of the Chair has been appealed. Shall the ruling of the Chair be sustained? All those in favour please say aye. Those opposed please say nay. In my opinion, the nays have it.

A MEMBER: Yeas and nays, Mr. Speaker.

MR. SPEAKER: Call in the members. The question before the House is shall the ruling of the Chair be sustained? A STANDING VOTE was taken, the result being as follows:

YEAS: *Messrs. Anderson, Banman, Blake, Brown, Cosens, Craik, Domino, Downey, Driedger, Einarson, Enns, Ferguson, Galbraith, Gourlay, Hyde, Johnston, Jorgenson, Lyon, McGill, McKenzie, Mercier, Minaker, Orchard, Ransom, Sherman, Spivak, Steen.*

NAYS: *Messrs. Adam, Axworthy, Barrow, Bostrom, Boyce, Cherniack, Cowan, Desjardins, Doern, Fox, Green, Hanuschak, Jenkins, McBryde, Malinowski, Miller, Parasiuk, Pawley, Uruski, Walding.*

MR. CLERK: Yeas 27, Nays 20.

MR. SPEAKER: I declare the motion carried.

MR. SPEAKER: Orders of the Day. The Honourable Leader of the Opposition.

MR. PAWLEY: Mr. Speaker, on a point of order. In view of the utmost importance of the matters that we've just dealt with and also in view of your indication that those issues should be dealt with by the Rules Committee, it's our view that this should be done at the earliest available time. I now, therefore, move, seconded by the Honourable Member for St. Johns, that the House now adjourn.

MOTION presented and declared lost.

MR. GREEN: Yeas and Nays, Mr. Speaker.

MR. SPEAKER: Call in the members.

Order please. The question before the House is that the House adjourn. All those in favour of the motion please rise.

A STANDING VOTE was taken, the result being as follows:

YEAS: *Messrs. Adam, Barrow, Bostrom, Boyce, Cherniack, Corrin, Cowan, Desjardins, Doern, Fox, Green, Hanuschak, Jenkins, McBryde, Malinowski, Miller, Parasiuk, Pawley, Uruski, Walding.*

NAYS: *Anderson, Axworthy, Banman, Blake, Brown, Cosens' Craik, Domino, Downey,*

Einarson, Enns, Ferguson, Galbraith, Gourlay, Hyde, Johnston, Jorgenson, Lyon, McGill, McKenzie, Mercier, Minaker, Orchard, Ransom, Sherman, Spivak, Steen, Wilson.

MR. CLERK: Yeas 20, Nays 29.

MR. SPEAKER: I declare the motion lost.

Orders of the Day. The Honourable Member for Fort Rouge.

MR. AXWORTHY: Mr. speaker, as the minutes tick away, we might ask now the Minister of Health and Community Services, in light of the statement he made in answer to a question, Friday, that no decision would be taken on the Health Sciences Centres health sciences centres until there has been proper opportunity to consult . . .

MR. SPEAKER: Order please. To the Honourable Member for Fort Rouge, we're dealing with Orders of the Day. Is the honourable member . . .

MR. AXWORTHY: Mr. Speaker, we have two minutes left. I've been counting very carefully during all this time.

MR. SPEAKER: Orders of the Day. The Honourable Government House Leader.

MR. JORGENSON: Mr. Speaker, would you call Bill No. 13, please.

ORDERS OF THE DAY

BILL NO. 13 — AN ACT TO AMEND THE HIGHWAY TRAFFIC ACT

MR. SPEAKER: The Honourable Minister of Highways.

HON. HARRY E. ENNS (Lakeside) presented Bill No. 13, An Act to amend The Highway Traffic Act, for second reading.

MOTION presented.

MR. SPEAKER: The Honourable Minister of Highways.

MR. ENNS: Mr. Speaker, all the amendments in this Bill are of a housekeeping variety. Many are of a technical nature, correcting incorrect references, re-numbering subsections and other similar tidying amendments. However, the bill contains several amendments which, while they do not introduce new principles, they may be of interest to the Members of the House. Members will recall that last year we introduced an amendment defining back lanes. This was done to permit cities and other municipalities wishing to do so, to enact by-laws limiting the maximum rate of speed on back lanes and allowing them to post the speed on back lanes on the roads leading into or out of such cities or municipalities, rather than signing each back lane. It has since been discovered that there are a few back lanes with a greater width than six metres — apparently that was in the original regulation and so we now have to amend the Act to provide for back lanes having a width of nine metres, without including any highway.

Problems have been experienced with the definition of motor homes, particularly as it relates to insurance matters, and the Act being placed before you clears up some of these ambiguities. Manitoba Safety Council has developed a new and improved version of the defensive driving course, which has been called A Performance Driving Course, and the Act is being amended to authorize the Registrar to refer drivers with poor driving records to attend either the defensive driving course or the new performance driving course.

The term "emergency vehicle" is being amended to include motor vehicles carrying rescue equipment. Presently such vehicles are not covered by the provisions of the Act, which authorizes ambulances and other emergency vehicles to travel at speeds greater than permissible or to be equipped with flashing red lights and sirens, as these vehicles are often required, even before an ambulance, in order to extricate victims trapped within a damaged vehicle, it is imperative that they be afforded the same status as other emergency vehicles. Amendment to that effect is contained in this Bill.

The Bill also contains an amendment, Mr. Speaker, which would reduce the minimum amount of tire thread from 1.6 millimetres to .8 millimetres. Comprehensive tests conducted by Transport

Canada indicate that, particularly in the case of moped or motorcycle tires, there is no significant increased risk of tire failure having the .8 millimetre or more of thread remaining.

Currently there is no specific authority under the Act that would allow us to exempt certain trucks from having to stop at weigh-scales. I believe some of the rural members would be interested in this amendment; it was discussed but never acted upon last session. In the case of light trucks, particularly farm trucks, there is no apparent need for such trucks to stop for inspection and weighing, and an amendment is contained in the Act which would allow certain trucks to be exempt from stopping by regulations.

The Act currently requires vehicles equipped with a right-hand drive to display a sign at the rear indicating that the vehicle is a right-hand drive vehicle. This provision was placed in the Act, Mr. Speaker, many years ago before vehicles were required to be equipped with signal lights. As all motor vehicles are now required to be equipped with signal lights, even vintage cars, the need for such provision has long out-lived its usefulness, and accordingly it is proposed to repeal this particular provision.

The Bill also contains a number of amendments to the roadside screening and suspension law. Presently the law becomes operative if the proportion of alcohol in the person's blood exceeds 50 milligrams of alcohol in 100 millimetres of blood. The original intent was to have the law become operative at 50 milligrams rather than in excess of that amount; so it's a small uncertainty here, which is being cleared-up with an amendment that will make it very clear that at 50 millimetres of alcohol content per 100 millimetres of blood, the full weight of the law will be exercised.

Finally, there are provisions dealing with the registration of antique cars. They are being expanded to include similar registration of antique trucks and motorcycles. The members of the Manitoba Antique Car Club advised that certain of their members have acquired antique trucks and motorcycles and wish to register them as antique vehicles. The provision in the proposed amendment will allow registration of such vehicles as antique trucks or motorcycles.

Mr. Speaker, these are the nature of the amendments proposed in Highway Traffic Act No. 13, that I've put before the House.

I should indicate to the honourable members that it would be my intention to introduce another Highway Traffic Act No. 2, that will deal with some more substantive changes to The Highway Traffic Act, where new principles are in fact being introduced that will appear at a later time. The Act before you contains essentially housekeeping measures, and I commend it for passage to the House.

MR. SPEAKER: The Honourable Member for Kildonan.

MR. FOX: Thank you, Mr. Speaker. I would like to move, seconded by the Honourable Member for St. George, that debate be adjourned.

MOTION presented and carried.

MR. SPEAKER: The Honourable Government House Leader.

MR. JORGENSEN: Mr. Speaker, will you call the Adjourned Debates for Second Reading starting with No. 4.

**ADJOURNED DEBATES ON SECOND READING
GOVERNMENT BILLS — SECOND READING**

MR. SPEAKER: Bill No. 4. The Honourable Member for Kildonan.

MR. FOX: Thank you, Mr. Speaker. Could we have this matter stand, and all the other Bills in my name? (Agreed)

MR. SPEAKER: The Honourable Government House Leader.

MR. JORGENSEN: 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 St. George.

MR. BILLIE URUSKI (St. George): I rise at this time, Mr. Speaker, in order to bring a matter to the attention of the citizens of this province and of the government of the day.

Had the Question Period been allowed to continue by the Government's side, we would have been able to at least receive answers and at least hear the position of the Minister of Finance, who was not here yesterday, with respect to a program, Mr. Speaker, that has lasted from the day that the tax credit program has come into being in this province; a program to assist the elderly in rural Manitoba, to assist them to file their property tax credit in their income tax, to be able to receive the moneys that are rightfully theirs.

Mr. Speaker, this year this government has curtailed that program, and has advised that there will be no more service going to rural areas, that no more will the elderly in rural areas be given the opportunity of assistance in filing their tax reports.

This Question Period today, Mr. Speaker, would have given us an opportunity and given the government an opportunity to stand up and tell us whether they're prepared to reconsider their position, because there is only seven weeks before the deadline time of filing income tax, whether they are prepared to reconsider their position in not allowing the pensioners of rural Manitoba to receive the assistance that they require, Mr. Speaker. Because of those pensioners are not able to fill out the forms, and claim the tax credits, the property tax credits and the cost of living tax credits, and even those few — even the one person in my municipality who qualified for the Tory property tax credit, because there was only one person who qualified in my municipality for that, he might even want that assistance to file his income tax return, but they have curtailed that program, Mr. Speaker.

They are not prepared to say that they are, by this curtailment, intending to at least — or it's possible they could save their treasury by neglect, Mr. Speaker — save their treasury approximately \$20 million, Mr. Speaker. It could be as high as that.

The fact of the matter is, Mr. Speaker, when you look at the population of Manitoba, that approximately 11 percent of our population, is elderly, which gives you a population in excess of 100,000. There are more elderly in rural Manitoba than there are in the City of Winnipeg. When you go by those figures and you look at approximately 50,000 to 60,000 pensioners in rural Manitoba, who are being denied by this government, a program to assist them in receiving an average of anywhere from \$300 to \$400 per pensioner of income redistribution that was brought home by the New Democratic Party government, Mr. Speaker, that is neglect. That taking away of money from pensioners pockets is really bordering on a licence to steal from pensioners, Mr. Speaker.

This Question Period that we have had curtailed today, would have at least given the government the opportunity to answer the questions that I posed yesterday, and members that wanted to pose questions on this side. We have been prevented from doing so.

Mr. Speaker, I rose at this time, in the hope that the Minister of Finance, who is here today, is prepared to admit to us that they have in effect cut the program, because their staff — I have made phone calls to their offices, Mr. Speaker, I have had phone calls to pensioners; this is how it happened — I had phone calls from pensioners in my own constituency asking me if they could receive assistance. I said, look, just hold on. The regular routine of the Department of Finance and their community assistance to your area, watch for the notices and they will be in your community to assist them. But, Mr. Speaker, this has not happened.

Mr. Speaker, this government, by doing what they are doing, are able to save themselves upwards to \$20 million, that is, if no one files their income tax returns. The Minister of Finance should get up in this House today, and tell us that he is prepared to reconsider their neglect of rural areas and of the pensioners of this province and reinstitute the program that they had.

This government, Mr. Speaker, went to the people in 1977 and indicated that they were supportive of all the good programs that the New Democratic Party brought in. They went to the people saying the New Democratic Party was not doing enough; we will build on those programs, we will expand those programs, and we will continue those programs. What have we had, Mr. Speaker? We have had, I have to say, one pledge that has been kept by that government; the pledge of acute protracted restraint. We have had a total freeze on senior citizens and personal care home construction in this province. The Minister of Housing has enough programs for five years that he curtailed. It will take him five years to build a one-year program under the New Democratic Party government.

I want the Minister of Housing to get up and tell me that he hasn't frozen a \$70 million program; that he is now trickling out to the pensioners at \$5 million and \$10 million a year. That is the way the Tory government will carry on over the next four years in terms of the pledge that they made to continue and build upon the good programs. They will trickle it out to the elderly and the low

income people of this province.

Mr. Speaker, they have stopped personal care home construction. Mr. Speaker, within the Interlake region, they are now attempting to pit community against community for the construction of a personal care home rather than getting on with the job and proceeding with the job and proceeding with those tenders that were stopped by their government when they came into office. That is the type of sincerity that this government portrays. It is a callous, heartless, arrogant government that we have here in this province, Mr. Speaker, and the Minister of Finance better get up today and tell the pensioners of rural Manitoba what he intends to do with the assistance that they require.

Is he able to get up and tell me that every pensioner in rural Manitoba is able to file their own tax reports? Or is he able to get up in this House and tell the pensioners — look, you can phone our office and fill out the form over the telephone? Has he ever attempted to fill out a form over the telephone, Mr. Speaker? Does he know what that program means to the pensioners? I doubt it, Mr. Speaker, I doubt it.

Mr. Speaker, the Premier yesterday conveniently took the question as notice. He took it as notice, Mr. Speaker. I believe that he is at the heart of the problem of the heartless government in Manitoba. He took that question as notice, Mr. Speaker, in an endeavour to make all the fault fall on his Minister of Finance, when the real culprit in this whole scheme, the fellow who really calls the shots is the Premier of this province, he is really the one that has to get up and answer to the people of this province, but he will not, Mr. Speaker. He will fault the Minister of Finance and let him take the rap for the program of assisting the pensioners.

Mr. Speaker, there is only seven weeks, as I have stated, left before income tax filing time. Today is an opportune time, and was an opportune time of the Minister of Finance to get up in this House and indicate that he has reconsidered the program and he will reinstitute it, and get the staff going. No, Mr. Speaker, they are so blind to their philosophy of providing jobs to the private sector that they will not hire part-time help in this province to help the elderly file their income tax returns to claim — and they could claim, Mr. Speaker, I will repeat that again — upwards to \$20 million, because if those pensioners, Sir, do not file those returns, that is how much the Tories will save through their neglect, through their apparent neglect, of taking money out of the pensioners pockets, a licence to steal, Mr. Speaker. That is really what it is, Mr. Speaker.

Mr. Speaker, this elimination of the Question Period today prevented members on this side from pursuing the questions on this very important issue as well as the issue that was raised by the Member for Transcona. The issue of the blind ideological bend of the Minister of Health and Social Development in this House, of saying that he will close the community health clinics within the urban areas, regardless of what happens, indicated that there was an internal study, Mr. Speaker. The Minister of Health indicated that there was an internal study. We have not seen the internal study. I venture to say that those community health clinics have not seen that internal study either, Mr. Speaker. —(Interjection)—

Mr. Speaker, we now hear the Minister of Economic Development talking from his seat and saying they were told that they would hear on Friday, Mr. Speaker. Mr. Speaker, we were told that they would hear on Friday. No member in this House has had an opportunity to question the Minister of Health on the basis of his contradictory statements that he has made over the last couple of weeks. That is the argument here, Mr. Speaker. Now he goes out in the media and he says that the centres will close by Friday. —(Interjection)— You know, the Member for Pembina says, don't be silly. It is the Member for Pembina who is silly in this House. He is the member who has not got the intestinal fortitude to go into his rural area and tell his pensioners how silly was the program to assist pensioners in filing their returns. He is the member who is silly, not getting up in this House and indicating . . . —(Interjection)— All the rural Conservative members, Mr. Speaker, are saying, "Don't be silly." You know, Mr. Speaker, that is the kind of attitude, Mr. Speaker, that they have towards the elderly community, "Don't be silly." They first freeze the housing programs, the Member for Wolseley should listen very well. They froze the elderly persons' housing. They froze personal care home construction; they are now allowing both of those just to trickle out a little at a time, so that they can say to people, "Look, we didn't freeze the program, we are constructing, what do you mean, we are freezing the program, we are allowing some homes to be built." Mr. Speaker, where is the hospital of the Member for Dauphin? The hospital in his area, Mr. Speaker. The Minister of Health has received letters from my constituency about the rebuilding of the Arborg Hospital. We don't hear anything about that, Mr. Speaker. Those are the . . .

MR. SPEAKER: Order please. May I suggest to the honourable members to give the member the courtesy of listening to his address.

The Honourable Member for St. George.

MR. URUSKI: Mr. Speaker, today's elimination of the Question Period through the, I believe, Mr. Speaker, of the arrogance of the provincial government. A government who spoke about "free Manitoba, free Manioboba," Mr. Speaker, as long as you keep your mouth shut; as long as you can't ask questions in this Legislative Assembly, you are free to do as you like. That is the attitude of the present government. Muzzle the people into silence, Mr. Speaker, and everything will be fine; we can go about doing our thing, don't bother us, don't ask us any questions — that is the way that the Government of Manitoba today has presented itself, to the people of Manitoba. It is so free, Mr. Speaker, that they cut out the Question Period. They cut out the Question Period, Mr. Speaker . . .

MR. CHAIRMAN: Order please, order please, order please. All Members of the Chamber have the right to speak when they are recognized by the Chair. The Honourable Member for St. George.

MR. URUSKI: Thank you, Mr. Speaker. We would have had the Question Period; the Honourable Minister of Housing peeps up and says, "We wouldn't have had a chance to speak if we would have had our Leader's motion." Mr. Speaker, the Question Period was curtailed by his government. We would have had the 40 minutes of Question Period, and you would have had no motion from the Leader of the Opposition. And, he voted against that very motion, Mr. Speaker. Talking about hypocrisy, Mr. Speaker, the minister . . .

MR. SPEAKER: Order please. May I suggest to the Honourable Member that he check his Rules, and it is not parliamentary to refer to a vote that is taking place in this House, other than to rescind that vote.

The Honourable Member for St. George.

MR. URUSKI: Mr. Speaker, we know very well that once the vote is taken, once the vote is taken, it is complete, it is a fait accompli. It is a fait accompli. —(Interjection)— Now we have the Minister of Highways chirping from his chair, Mr. Speaker.

Once the vote is taken, Mr. Speaker, we know that we cannot go back on that motion, but we certainly are not prevented from commenting on that motion; and commenting on the attitude and the position of the government of the day. And, it is this grievance that I am using up, Mr. Speaker, on the very nature of the curtailment of the Question Period — in not being able to allow members of this side to place the questions of extreme importance to this House, but for the urgency and the need of the people, the elderly and the sick of this province. They do not want to have those questions posed to them. The Minister of Health has been hit time and time again on the very issues of health care and the needs of the Province of Manitoba. He cannot sustain himself any longer with respect to the barrage that he has received from this side, Mr. Speaker, so they will use any means at their avail to curtail the Question Period.

Mr. Speaker, this action today will go down, Sir, if it is not in time remedied, and I don't believe that the actions today can be remedied. The only thing that can happen is that you, Sir, receive a clear direction from the Rules Committee as to the actions that were undertaken here today, Sir. It is a Wednesday afternoon, Mr. Speaker, that will go down in Manitoba's history as the curtailment of the freedom of speech in the Legislative Assembly, of allowing a five minute Question Period. That's what we had today, Mr. Speaker, a five minute Question Period. That is the extent of debate that we have had in this House in order to allow members on this side to place questions to the Treasury Bench. We have not been allowed that.

A substantive motion was placed before the Question Period, Mr. Speaker, you accepted that motion, a vote was taken, Sir, and then the government indicated through their position that that was the end of the Question Period, because of the time had expired. There was a few minutes left afterwards.

Mr. Speaker, this is the type of arrogance that we have in a free Manitoba — that the Conservatives were elected in 1977. On this basis, Mr. Speaker, I give the opportunity to the Minister of Finance to get up and tell the pensioners of Manitoba whether he's prepared to reinstitute that program. Whether he has figures from his department that will challenge my figures of \$20 million if the pensioners do not file, because I venture to say that the figure is even higher than that, if no pensioner files from rural Manitoba. And by their neglect that's what will happen.

Thank you, Mr. Speaker.

MR. SPEAKER: The Honourable Minister of Finance.

HON. DONALD W. CRAIK (Riel): Mr. Speaker, I think it's questionable whether it demands urgency to use a grievance in reply to this, and perhaps it could wait until tomorrow, or could have; the member may well have waited until that time, but since he's raised a number of issues, I think probably it is important to answer them at this time.

What the member is referring to, of course, is the assistance that was by way of the number of people who, I've forgotten the exact number, but were assigned to go throughout the province and assist in the filling out of forms to apply for tax rebates, but, of course, it was expanded beyond that to assist them with filling out of income tax forms and all sorts of things, which is an indication, Mr. Speaker, of the complexity of the system and the question has to be raised as to whether or not a system should be that complex.

I can assure you that that's one of the reasons why the current study is under way — having a re-examination of all of these different tax rebates that's now under way. And, this includes, of course, the rebate that the federal government is now talking about, although it doesn't apply to the senior citizens.

Mr. Speaker, I want to assure the member that there isn't the type of savings involved, unless that he's referring to. I don't know where he gets these millions of dollars of savings.⁹²

Well, Mr. Speaker, in fact the number of people involved in this program last year were about half the number of people that were involved the year before and there was no reduction in the amount of money distributed. As a matter of fact, I think the amount of money distributed through the program was higher than had been budgeted on a logical progression basis just as a result of the natural application.

So on the basis of that experience there is every evidence that in fact people are not missing the opportunity to do their collections. There was no saving to the government in terms of people not applying. There is a saving of course in terms of the Manpower requirement of the government sending these people by the dozens through the various institutions to have them fill out forms. And the experience was and is, that in most cases, nearly all cases, they were filled out, either by nursing homes or supervisors or whatever is. It is a fairly mature program and when you do it in the first year that's fine. People can perhaps use some assistance but as the program goes on such as — the filling out of this I suppose is analogous to filling out an income tax form — and I think the suggestion that it has been necessary for people to get their income tax done by anything other than the normal interest that a person has in ensuring that they either get back what they shouldn't have paid or pay what they are obligated to pay.

So what has been done is that everybody in the province is provided with a reminder on the income tax form and the forms that go out with them that if they have any questions they can telephone toll free to a Zenith number — it's Zenith 3-6400 and in the city the number is 943-3401 and in actual fact that procedure is working very well.

Mr. Speaker, maybe we should take the opportunity to remind the members opposite and all members of the House that anybody that has a question about these things can telephone from anywhere in the province to this Zenith number. It's not like that number is hidden. That number is published and it goes out with tax forms. It's there for them to read. My gosh, the Federal Government doesn't offer anything of that order of service, if you have any questions telephone anywhere to such and such a Zenith number if you want help on your income tax. Here it is done. And so what is happening is through the tax office and the free Zenith number, that people are telephoning in not only to get assistance on the rebate programs but are telephoning in to get information on income tax as well in the filling out of their income tax form.

In terms of the actual cost, on Page 36 of your Estimates you will see that the tax assistance office budget is up about 4-½ percent for 1979-80 over last year. The actual numbers of people on this particular program we felt were not as effective as providing good tax assistance through the tax assistance office with the publication of the Zenith number and otherwise to telephone in. It is working effectively, I can remind the member opposite I haven't heard any complaints. I've asked, I've checked and I've checked in the odd place I've dropped into personally, I've never had one yet. It's the first I've heard of a problem of that actually happening, Mr. Speaker, it's the first one I've heard of. Now I think if it were in fact a problem, that we would have heard last year . . . —(Interjections)— we would have heard, Mr. Speaker, it isn't something that has occurred over night as I repeat again.

The number of people that were sent flocking throughout the country to do this sort of thing last year was only half from what it was the year before and every evidence there, is that there was no falling off in applications whatsoever. And this \$20 million figure the member is coming up with, must be a clearly speculated stab in the dark.

There is not an intent to reduce the benefits of the program, there is a move into economizing the amount of manpower that is applied by the provincial government. But in overall effort the change is not all that significant as I have pointed out, the tax assistance office is up by 4-½ percent over

last year.

So, Mr. Speaker, I want to assure the member that there is no evidence and has not been any evidence last year or this year thus far of any problems being encountered and it's not that we haven't taken some care in trying to determine, but I want to reverse his argument on him somewhat and say perhaps the system could undergo some re-examination. If in order to require this sort of assistance perhaps there is a better way of doing it, if there is in fact a problem. And that is of course is what we are searching for in the review. Whether or not we come up with it remains to be seen but I agree with them that the system is somewhat complicated.

The evidence is that they are filling out the rebate forms along with their income tax forms mainly because the program is somewhat mature and I don't think that people are going to be overlooked. But however, I can't object to him raising the question certainly. That is his right and that is what we expect to hear. But I think he is overstating the case somewhat. The reminder is there for everybody, the numbers are well published, there are ads in the paper as well for them to telephone this number for the information on top of that, there are brochures available and the assistance can be given to them just as readily as possible and when there is assistance available people certainly seek it out.

There's no evidence that the people that were being sent out were in fact getting to any more people than are actually coming in by natural means through the Zenith number and the other number that is available in the City of Winnipeg for application of these things. There is no evidence of that at all. There is no evidence at all that the amount of money that is sent out through the rebate system is in fact reduced as a result of this slight change in procedure. Whether he realized it or not, the number of people that went out last year was less than the year before. And this year it's reduced down, Mr. Speaker, to this point here where it's entirely a telephone service.

Now to repeat, most of the assistance that is required goes through homes and so on, where people are in nursing care and our experience is that the people in there with the program now being in whatever year it is of its operation, these people are pretty well versed in the bit of help that is required if somebody needs it on sight. It's most important though that if they do have a problem they know where to telephone. That number is there and between the two of them the problems are solved.

So, Mr. Speaker, I don't think there is anything further to say. I don't want to deal with the other questions the member had that were bothering him and I don't really think he wanted to do anything other than get his objections on record. But I appreciate his comments. I think he perhaps has maybe overstated the case a bit, but that's not uncommon for that to happen in this Chamber, Mr. Speaker, from time to time and I hope that the member is somewhat satisfied with the questions I have answered for him today.

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

MR. SAUL CHERNIACK: I wonder if the Honourable Minister would permit a question? I'm wondering if the Honourable Minister could in due course and certainly before his Estimates are dealt with, give us information as to the number of tax forms that have been completed in the various localities of the province under the previous system of making available to people the opportunity to have assistance provided for the filling of forms for the last few years. I understood from him that that has been discontinued now and replaced with a telephone service. I would appreciate if he could give us the information as to the number of calls that have been received and that have been dealt with in a helpful way.

MR. SPEAKER: The Honourable Minister of Finance.

MR. CRAIK: Yes, Mr. Speaker, I know the size and amount of money that went out through the programs last year was somewhat higher than budgeted. That was accommodated for in the last special warrant that went through at the end of the year. So I can tell you in global terms that the amount that was spent on the program was somewhat higher than had been anticipated and there had been no anticipation of reduction in the program as a result of this economy measure that was applied in the administration of it.

Now, in terms of numbers of applications, I haven't seen the number of applications but in due course it may be possible to get that kind of information and in due course we will deal with it. As far as the number of telephone calls are concerned most of the telephone calls now that are coming in are with regards to this new Federal program for the child assistance programs, so the office is answering more questions on that right at the current time I think than it is on the other one, however they do get the calls. But the former program as I referred to it as being a reasonably mature program had a continuity of assistance going that was solving most of those problems with

regard to the senior citizens. Maybe it didn't solve them all; it will never solve them all, even the assistance program is not going to solve them all but there is no evidence of anything close to what you are suggesting in your comments earlier.

A MEMBER: Would you permit another question?

MR. SPEAKER: We're into a rather odd situation here, we're into grievances. Does that entitle a person to questions and answers? The Honourable Member for St. George.

MR. URUSKI: Yes, Mr. Speaker, I'd would like to ask the Minister to indicate from his remarks — and I don't believe that he mentioned the number of staff and the duration of time that the staff travelled the rural areas in order to handle the applications in previous years, or the last year even — could he tell me how many persons were on staff in the duration of time that they worked for the Province in assisting people to file out the income tax forms?

MR. SPEAKER: The Honourable Minister of Finance.

MR. CRAIK: Well, Mr. Speaker, I don't recall the numbers but that's the sort of information that comes out of Estimates and certainly we can provide that information at that time.

MR. URUSKI: Thank you, Mr. Speaker, is the Minister indicating that he is not prepared to reconsider the government's position and have that program re-instituted for the balance of the seven weeks?

MR. CRAIK: Well, Mr. Speaker, I think that was answered earlier, there is no evidence of its requirement.

MR. SPEAKER: The Honourable Government House Leader.

MR. JORGENSEN: Well, Mr. Speaker, its five minutes to the normal time of adjournment for the Private Members' Hour and I wonder if my honourable friend, the Opposition House Leader could tell me whether they wish to proceed with Private Members' Hour now and perhaps quit five minutes sooner and . . .

MR. GREEN: Go back to Oral Questions for five minutes?

PRIVATE MEMBERS' HOUR

MR. SPEAKER: We're now then under Private Member Hour. The first order is proposed resolutions, the resolution of the Honourable Member for Transcona. The Honourable Member for Inkster has ten minutes.

RESOLUTION NO. 2 — ACCESS TO GOVERNMENT INFORMATION

MR. GREEN: Mr. Speaker, when we left this subject I was discussing an amendment that was put by the Member for Morris, the Government House Leader, which essentially says that the government should consider the advisability of referring to a legislative committee the question as to whether there exists sufficient information. I want to repeat, Mr. Speaker, what I said when the House last met, that the government should not reserve to itself the right to say when legislative committees are set up, that it does not require a message from His Honour, or that a referral to a legislative committee does not require an abstract motion.

I refer you, Mr. Speaker, although we're not dealing with the question of order, to the fact that on second or third readings of a bill and the citation is in Beuchesne; I don't have it immediately before me, that a motion by a Member that the subject matter of the bill be referred to a Legislative Committee has always considered to be in order. And that involves the sittings of a Legislative Committee and involves even the subject matter being sent to a committee to deal with the

It's true, Mr. Speaker, that a government, even though a majority of the House has decided in favour of such a motion, may not set up such a Legislative Committee. I don't know that any government has done that in the past, but I wouldn't bet that this government wouldn't, because I've seen this government do unusual things. The fact is that this government — this cannot go to a Legislative Committee unless a majority of the House votes for it. And if a majority of the House votes for it, if the government doesn't want to provide expenses for it or put it in its estimates, I suppose the Committee would have difficulty meeting. I suppose this government, which tries to eliminate question period or tries to intimidate the Opposition into either asking question or moving subject of urgency, could do anything.

I mean, we haven't heard the last of what the Free Manitoba Party will do. But we had an example of it the other day, and we have an example of it today. I don't know, Mr. Speaker, how we are going to vote on this motion because I am inclined to think that the government would refer this subject to a Legislative Committee. But on a question of principle, as to whether that's the way a matter should be referred to a Legislative Committee, my sympathy would be to vote no on the grounds of principle. And then if the motion doesn't pass, to vote no and have the government set up a Legislative Committee and still be on principle against it. But why should not the House be able to refer something to a committee of the Legislature? If a majority are opposed to it, it won't go. If a majority are for it, and sometimes that can even cross party lines, then the government should set up the Committee. It is a motion which has never required a statement in the abstract. It is a motion which is quite in order to amend a bill on second reading without a statement in the abstract. I really would hope that there is some way out of dealing with this amendment which is totally unnecessary. If the government wants to oppose the Committee, they can oppose it. They will be able to muster, I'm sure, from their back benchers, enough votes of support that this Committee not be proceeded with.

If the Committee is proceeded with, which I sincerely hope it will be, then I want to tell Honourable Members that I am not at one with many of the people who say that there is required a complicated or otherwise involved way of obtaining information from the Legislature. My statement that I made last year on the Member for Fort Rouge's bill, I do not take back one word of it.

Furthermore, Mr. Speaker, when I was questioned about this matter, I was reported in one of the papers as saying that the reason that I am voting for this is because when we were in power, there was no problem with getting information. I want to indicate, Mr. Speaker, that I never made that statement. I don't want the Members of this House to misunderstand. I was asked by a reporter if I'm in agreement with this, why was I not prepared to do it when I was in government. And I said, "When I was in government, I was not aware that there was any problem in the getting of information." And if someone would have proposed this type of resolution when I was in government, namely that the Committee examine whether citizens have access to information, I would have been prepared to examine it.

I am certainly not with those who take the position that a freedom of information act or, as it is more properly to be designated, a secrecy of information act would provide better access to information. I would welcome hearing, because you know, there are all kinds of talk about the information that can't be gotten. I don't know what cases that they are referring to. As far as a report on interdepartmental memorandum, I would not say that the citizen has access to that information.

A report's in the process of being made; I'm not sure that a citizen should have access to that information. If a citizen has a claim with the government in which litigation is involved, he has access to the information. There are problems, Mr. Speaker, which I don't know how they can be resolved. A citizen applies for a job; the department asks for a reference. A very unsatisfactory reference comes in. A question has arisen as to whether the citizen is entitled to know what that reference was. And, on the one hand, I sympathize, that a person is dealt with on the basis of information which is not available to him; on the other hand I wonder how you correct it. If the person from whom reference is sought is told that the reference may be something that is available to the court or through some type of proceeding, then I don't know whether you're going to get the reference, and perhaps that is the better way. Perhaps if a man is not prepared to have his comments about somebody available to that person, perhaps it is better that the comments not be given, rather than that the person be affected by them without him knowing what they are. Those kinds of things, Mr. Speaker, certainly don't readily provide the information. But they may do some good. They may do some good.

I think that if the Member for Morris would consider it, that if a person who intends to wrongfully slander somebody in a request for a reference, knows that that might come out and he might be sued thereby, it is possibly the better part of justice that he not send the reference, or send it knowing that he may have to stand behind it. Now that's the kind of thing that will happen; it may be that you will close up that kind of information. Maybe people won't send in what they think

about somebody, that they will talk on the phone, and I suppose if we carry this to its ultimately ridiculous conclusion, somebody will say that all phone calls should be wire-tapped and the tapes of the phone calls should be made available to the citizen about whom somebody was talking when the phone call took place.

So, now we have two questions of civil rights affected. One is the right to privacy of telephone conversations, the second is the right to information. I'm not posing this as a facetious question. I'm saying that it is far more complicated in terms of what this kind of process would reveal. Certainly it would, depending on the kind of information that subsequently comes out, you will go to the process — and

I mean, as sure as we are sitting here, there will be a meeting which will take place around the restaurant table or at somebody's home where things will be discussed, and then there will be the next meeting, which is held publicly.

MR. SPEAKER: The honourable member has one minute.

MR. GREEN: I, Mr. Speaker, do not look for the simple solution; I do not believe — I am opposed to the court solution and I made that quite clear last year, but I do think and am prepared to consider in a substantive way what the problems are and if and how they can be corrected within the legislative process. And therefore, Mr. Speaker, somebody said that Mr. Parasiuk is getting on the bandwagon by proposing this, I in my speech last year said I would support this. Those who now support this who didn't like the idea last year are apparently climbing on the bandwagon.

MR. SPEAKER: The Honourable Leader of the Opposition.

MR. PAWLEY: Mr. Speaker, I would like to just make a few comments in regard to this matter. First, of course, I am disappointed that the government has seen fit to amend the resolution by the Member for Transcona, in order to rather provide for the referring of this resolution to a committee of the Legislature to study the question, a referral of the matter so that all members of the Legislature may deal with this matter; that instead, Mr. Speaker, there is the intention to relate this to the government, and giving the government only the opportunity in order to consider the advisability of referring the matter. Mr. Speaker, I have to, of course, ask why the sensitivity? Why the nervousness across the way? Why the defensiveness across the way? Surely, Mr. Speaker, if we all believe in openness of government and the more and more availability of information, then it should be the Legislature as a whole that will deal with matters pertaining to the availability of information and communication.

Mr. Speaker, I suggest that the reason that there is the sensitivity and the nervousness is so evident as a result of the continued bankruptcy on the part of the government of the day insofar as their policies and their programs and how those policies and programs are beginning to affect Manitobans. So that we have a government now that is becoming more and more defensive. More and more inspired by the desire to conceal and to hide, just as the Roblin-Weir government did prior to 1969, whether it was relating to CFI, whether it was relating to Hydro, whether it was relating to a score, two score other matters during that period of time. We see the growth in sensitivity, nervousness and defensiveness on the part of this government. Of course, the most obvious example was the example only this afternoon. Community health clinics are causing the government of the day some concern. Rather than deal openly with members of this Legislature as to the intentions of this government, this government does everything that they can — they do everything that they can in order to avoid dealing with questions pertaining to community health clinics.

So that we have a situation, Mr. Speaker, where the Minister of Health and Social Development — Mr. Speaker, a very fine, honourable man, yes, discussing community health clinics to the public at large, as per today's publication of the news media, indicates that he has difficulty philosophically in accepting community health clinics, and furthermore indicates that he would prefer that patients deal through the traditional means, through the doctor's office, as though there is an inherent conflict between a position of supporting the community health clinic with its emphasis upon prevention on the one hand, and dealing with the need to provide medical services through the doctor's office.

The minister, rather than wishing to deal with that matter in the Legislature and disclose the information by which he bases the present direction of his policy upon, wishes to avoid the answers to questions. So when the matter was first raised in this Legislature, the Minister of Health and Social Development exposed an evasiveness on his part. Today, Mr. Speaker, we see more of that, and very, very regrettably, the Legislature was unable to pursue the matter of community health clinics with the minister, despite the fact that on Friday next it may be too late in order to have a proper discussion as to what the minister intends to do pertaining to two very important health

clinics in the City of Winnipeg.

That same minister, only the other day, showed a rather interesting reluctance to present certain menus to this House that I requested that he present. You recall the situation involving the Institute of Mental Diseases, the menus pertaining to the meals at those institutions; quite ready and prepared, Mr. Speaker, to table the menus of 1979, in this House. His answer to filing the menus pertaining to 1977, that in his own good time — that in his own good time — he would make available those menus to members of this Legislature.

Mr. Speaker, the material which the minister filed the other day, a letter to the Assistant Deputy Minister, R.H. Tavener from M.C. Kovacs, Mr. Speaker, basically supports the contentions that have been made of a decline in the standard, in calibre, the quality of meals in our mental institutes.

The minister saw fit not to answer the question as to whether less bacon, for instance, was being served at the institutions. This menu, Mr. Speaker, that he tabled in this House, I submit, proves that in fact that less bacon is being served. This menu discloses, Mr. Speaker, that there is more hamburger being served at the institutions. It discloses that there is less soup being served. It discloses that there are less vegetables being served, and all we need, Mr. Speaker, is for the minister to table in this House as quickly as he can, the 1977 menus, because I say unequivocally, Mr. Speaker, that if the minister screws up the courage and tables those 1977 menus, he will have substantiated the charges by the cooks at the Selkirk Mental Hospital. And the reason that the minister is hesitant to come forward in this House and to table those menus, he knows, he realizes, that the tabling of those menus will expose the fact that the allegations that have been made and which he has so weakly attempted to defend, will in fact expose the bankruptcy of his position in connection with that.

So, Mr. Speaker, we now require more than ever before, an openness of information, availability of information, when we see across the way a government that is so blind as to the needs to share information with Manitobans; a government that is so defensive in its attitude, a government that is so sensitive that even after the period of some eighteen months, eighteen months only, in government, you would think, Mr. Speaker, that it already had clogged arteries insofar as its dealing with the problems of Manitobans and its desire to conceal and to hide information from Manitobans.

Mr. Speaker, I can understand full well the desire of this government to duck a legislative committee in order to deal with freedom of information. I can understand fully, Mr. Speaker, why the government of this day wishes to hide behind its own means in order to try to block freedom of information. Let them be forthright and honest in this Legislature, and indicate that they don't believe in freedom of information, that there is certain information that they would prefer to keep close to their own selves. Let them be open. I challenge the Minister of Highways and Transportation to acknowledge his own convictions in respect to this. Let the Member for Minnedosa, rather than continuing to banter from his seat, participate in the debates in this Legislature in connection with freedom of information. Let the Member for St. James, who rarely sits in his own seat, get up and debate in this Legislature, the entire question of freedom of information. Let's hear from the members across.

But, Mr. Speaker, what we have is a growing trend in evidence, the party across the way, a government across the way, that after only eighteen months in government, not eighteen years in government, is already displaying the symptoms of a disease that I would call clogged arteries. It's regrettable, but that is what is happening.

I challenge the backbenchers across the way, the Member for Pembina, the Member for Dauphin, the maverick from Wolseley, to vote according to their own convictions on this matter. I know the Member for Wolseley is always skirting around with the Minister of Transportation, trying to obtain all the information he can that might supposedly embarrass the former Minister of Public Works. You know, he loves to do that. Let him demonstrate some courage of his convictions on this resolution and support the Member for Transcona, and to reject the attempt to amend this resolution so that's a nothing in this Legislature. I challenge the Member for Wolseley for once to get up on his feet and to demonstrate some independence of thought, to disassociate himself from the actions of his colleagues across the way.

MR. CHERNIACK: Do you know they have cut him off. They have denied him information from the Department of . . .

MR. PAWLEY: Oh, well then, if the member in fact has been cut off, has finally been cut off from obtaining information, then I would think that the Member for Wolseley would even be more desirous of demonstrating some support for this resolution. Let him get up and speak in this House and disclose his thoughts. So, Mr. Speaker, if we speak with conviction and concern about this matter

on this side of the House, it's because of what we see pertaining to this.

I would refer the Member for Fort Rouge to the speeches of the years when we were in government, and many of us, I say to the Member for Fort Rouge, many of us at that time supported a legislative committee, not the courts, as the Member for Fort Rouge repeatedly urged upon this House, but we placed on record of this House our support for a legislative committee, so that our position is consistent now with the position that was taken several years ago when the Member for Fort Rouge would introduce his motion.

Mr. Speaker, I challenge the members across the way to show a little gumption, to take some remedy for the clogged arteries that they are suddenly confronted with, to demonstrate — at least some of them — to demonstrate some independence on this resolution and to reject the nonsensical amendment that has been proposed by the government across the way.

MR. SPEAKER: The Honourable Member for Fort Rouge.

MR. AXWORTHY: Mr. Speaker, I don't intend, on this resolution, to spend a great deal of time on menus, or recipes, or other culinary items. I would prefer to get more to the essence of the issue, and the essence of the issue is that I had hoped after several years of trying to bring to the attention of members of this House, an ever-growing concern about the availability of information, that we would have made some progress.

Unfortunately, I see this resolution as a step backward, not as a step forward. I say that with some degree of concern, because I feel that there are some fundamental weaknesses and, in fact, degrees of hypocrisy in the present resolution which really were not necessary at this time and really do set back the cause of acquiring more information and of opening up the channels of government. I say that after having looked carefully at the resolution and say, really in fact could I support it or not in comparison to the procedure of following a substantive bill, similar to those which I have introduced for the past two or three years. And on reading it, I simply find this is a way of obscuring and hiding the issue, following probably, in the time honoured tradition of setting up a royal commission, finding another study group, in other words, delaying ad infinitum the actual implementation or introduction of measures to require information to be more easily obtained in the Province of Manitoba.

This is not the establishment of a legislative committee that would undertake applications, where people think there have been restrictions of freedom. It's simply a committee to study the question.

And, Mr. Speaker, I have sat in this House now for two or three weeks, and I have heard many, many times complaints from members of the NDP Caucus that there was far too much studying going on, too much monitoring, too much supervising, too much examination, and now what are we being asked to do upon an issue which has been adequately discussed here for four years? We're going to study it one more time. Well, if they want to study it, there are ways of studying it, that is to pass a bill in principle and then ask for representations by people on second reading through the Law Amendments Committee, to examine procedures, to examine details, to examine the ways in which it can be done, but not simply to have a resolution to set up a committee, determined now as it's amended by government, where it will set the terms of reference, to get in the kind of wrangling that we saw this afternoon; where it simply becomes therefore one more opportunity for a partisan give-and-take, for a kind of exchange which simply generates a lot of heat and no light, simply designed to make points one side to the other.

I have learned, Mr. Speaker, after having sat in opposition for a while, if you like an Axworthy axiom, and that is, those whom our government wish to conceal. Because the arguments that I have heard and read from members opposite now, concerning this resolution, were exactly the same arguments I have heard from this Caucus when they were the government, exactly the same arguments, and the same words, and the same treatises, and the same pleas of, "Oh, we don't need it. The government is open, government is available, information is there, you can be protected by the Legislature, all the procedures are needed, let the political process work." — Those are the words issuing from the mouths of members, particularly the Member for Inkster, but there were many others.

I can recall, sort of, the indignation show by the former Member for — what's your seat — Wellington, sort of saying, what an obvious travesty this was on the parliamentary process that we should even encounter such a . . .

A MEMBER: St. Matthews.

MR. AXWORTHY: St. Matthews, I'm sorry, from St. Matthews, his predecessor saying, this is your predecessor, the little fellow with the red hair, the fact that we didn't need such a thing, parliament

was supreme, why interfere and obstruct

Well, justice. Now we're hearing the same arguments from the Conservatives that we heard from the NDP, and I think there is probably a pretty direct correlation, pretty direct connection between those who are simply in government, saying we're doing the best job we can, why should we bother, and all of a sudden, those get into opposition and they decide that it is important to find out what information is there.

Unfortunately, Mr. Speaker, for whatever motivations and reasons, and I am not here to judge it, they took a step back in doing it. If they really believed in the concept, really believed in the principle, were really honest and sincere in their intent, then the opportunity was quite obviously available to put a substantive bill on the paper as has been done in most other parliamentary arenas in this country.

When Jed Baldwin talked about freedom of information in the federal House of Commons, he didn't bring a resolution to study the matter. He brought in a piece of legislation, he brought in a bill, he brought in an act, which then was given its second reading and then referred to committee for examination and it is now sort of moving towards finalization. The same thing has been done in the Province of Ontario, the same thing has been done in the Province of New Brunswick and Nova Scotia, the same thing has been done in the Province of British Columbia. Not resolutions, not more study, not more examination, not getting into these kinds of ways of diverting the issue away from the clear cut decision but in fact dealing with a substantial piece of legislation, one that presumably should be able to command the support of people from all parties who are concerned, ultimately, about certain basic rights of individuals and certain basic rights of access to information. That's why I say this resolution is a step backward, a step backward that was unnecessary, it shouldn't have happened, and frankly, I think that it is a cop-out in terms of coming to grips with an issue.

Now, the Leader of the Opposition, has addressed the reasons why we need it. What further examination do we need to tell us that government will withhold information? He's right. We had an example this afternoon. The Minister of Health refused to table the evaluations on community health clinics so no one knows upon what basis he may be making up his mind. —(Interjection)— Well, you may know but the fact is that there may be some good material in there.

But, Mr. Speaker, I can recall incidents of having asked the previous government to table similar kinds of evaluation reports and been told no, and having those refusals sort of in the record. So, let's not make it sound as if somehow this is one of those sort of what I've heard here, this sort of Tory socialist see-saw as to who was right and who was wrong. It's simply a fact of life that governments, when they take power, when they become sort of enmeshed in the bureaucracy administration, when they've got junior G-Men running around being their advisors, saying, "No, no, don't say this, and don't tell that." They don't want to divulge. It is almost the nature of the species that when in government you don't divulge, you don't tell, you keep power to yourself and the power of information is very important.

So, Mr. Speaker, it's not a matter of sort of one party being right and both parties being wrong. Both of the other parties in this House had been wrong on this issue; they've been on the wrong side of the issue when they were in government. And that is what we have to come to grips with. Let's get away from the labelling of party positions and come to the fact that it is government which doesn't want to divulge and, therefore, we come to the weakness, the fundamental weakness in any case that says, "Let's not do the court routine; let's do the Legislative Committee routine." Because who has the majority of votes on a Legislative Committee? The government members. Do you think you're going to get any better divulgence of information when the majority of members on a committee are going to be on the government side? And if members don't understand that or see it, they haven't really looked upon the facts of the matter. The Member for Transcona says, "Oh, give it to a judge." —(Interjection)— Yes, what that expresses, Mr. Speaker, is the paranoia, the paranoia of the New Democratic Party that has been expressed here, and the total disrespect for the judiciary of this province. They do not believe that somehow, someone, when they acquire the responsibility to judge can be trusted to make independent judgments. That simply, Mr. Speaker, is paranoia of the worst kind. It simply says that because someone sort of had a certain political affiliation, that they can't be trusted. Well, then on those grounds, Mr. Speaker, why didn't the NDP in their power abolish the provincial courts where they put judges into effect to judge life and death matters, and criminal offence if they don't have any trust for the judiciary, if they don't believe that the judges can't be relied upon to make independent judgments, then why didn't they follow that through and eliminate the court system when they were under their responsibility?

What would we replace it with, Sir, political appointments? I mean, there is, Mr. Speaker, as far as I understand British parliamentary history for the last 1,200 years, as has been recorded, we have always assumed that one of the key ingredients of a proper democracy is the judiciary. And,

we sort of say that there are people placed in positions and we protect them. We give them certain rights in terms of why they can't be repealed, why they are there to exercise certain discretion, and to deny all of a sudden in this one issue, that judges can't make independent judgments, simply, Mr. Speaker, flies in the face of history, and flies in the face of parliamentary theory and flies in the face of facts. And for someone —(Interjection)— well he says, it does not, well obviously the Member from Transcona isn't a student of what it's all about. No, what he prefers, what he really prefers —(Interjection)— Oh we get to the question of Americans as well. Do we borrow Swedishisms when we put the Ombudsman in because Ombudsmen came out of the Swedish system. Now is, somehow, an innovation that came from the Swedes, so much superior than something the Americans may have developed. So, all we're simply saying is that different countries in different ways have added to the general evolution of democratic institutions, and no one has an exclusive privilege on wisdom, and no one country sort of has a system so superior that we can't learn from others.

And, I would remind, Mr. Speaker, I would remind these gentlemen that there is an interesting thing that we borrow from the Americans, called federalism. Now, we might say that that may have been a mistake, but federalism was an American invention, and we have borrowed it as have the Germans, the Australians, and several other jurisdictions. —(Interjection)— I'm sorry Germany didn't come together until 1870, substantially after the Declaration of Independence. So, Mr. Speaker, all of a sudden this kind of silliness, which is the only word for it, that somehow we can't learn from the Americans because they're American, simply to my mind reflects an unwillingness to deal with the fact that the issue is not one of deciding how can we best serve citizens in their acquisition to information, I think it tends to be more a debate based upon some kind of paranoia about the courts and who gets appointed to them. Because the fact of the matter, Mr. Speaker, is simply this, case after case, time after time, it is revealed that governments are not prepared to openly give out information which they think will somehow damage their interest, or somehow erode their position of power.

The Tritschler Commission said very clearly in its inquiry that took place just after Christmas, that members of the Legislative Committee were not being told the truth about what was going on with Hydro, and that the suggestion of that inquiry and the statements of it, is because instructions were given by the then government to assert their administrators not to tell, or divulge some full information to the Legislative Committee. Okay. Case one against the NDP side.

Case two, is what we heard this afternoon. The Minister of Health is not prepared to give information dealing with the evaluation of health clinics. Why? What's he afraid of in those areas? The fact of the matter is, the point I'm making is that I'm not suggesting that either the NDP or Tories are wrong, I'm saying the issue is, how do we try to provide protection against the power of government, because that is really the issue. It is the accumulation of a large, complex, complicated system of administration and bureaucracy that protects itself by withholding information about individuals, about policies, and about programs in order to protect itself, and I don't care who occupies the government benches, whether it's Tories or New Democrats or Liberals, it is government which is the problem and, therefore, why would you hand over the solution to the problem to a committee which has a government majority on it. It simply doesn't make any logical sense. It's an illogical point, in fact, and under our system, Mr. Speaker, the only way which we can provide that protection is by using the one institution that we had designated for the past 700 or 800 years to provide some degree of independence and discretion, which is the court system. And, that is how we use the courts, Mr. Speaker. We use them to make decisions on the division of power as we use them to make decisions on criminal matters, on civil matters, on disputes between individuals and government.

Mr. Speaker, I came across an interesting historical footnote, which maybe explains something of the peculiarity, what I find to be really an odd sort of interpretation that I hear from members of the new NDP caucus — about this whole question of the courts is that when we were dealing with the problems of CFI and the divulgence of certain information, it was the then Minister of Resources, that an action and injunction was taken into the courts to provide information — I believe the case is 1973 — to provide further information and it was then the minister who sort of, on the instructions to the Crown Attorneys to fight that injunction.

It seems to me that there is that curious suspicion of the professional groups in this society, including the judiciary in the legal class, which really I think should be eliminated in order to come to a satisfactory solution. Well, Mr. Speaker, I said in the past, when I introduced the bills dealing with freedom of information, that I wasn't sort of rigidly attached necessarily to that form. But I said it was important for this House at least to pass in principle that bill, so that it could then go to a Law Amendments Committee — we could then hear representations from private citizens, from other levels of government, from Legislators, from the judiciary, from the legal profession and then make the amendments based upon it. But then, we would have something in hand, we just

wouldn't have a resolution, another committee with another study waiting three or four years for disposition. We would have the ability to deal with a piece of legislation that deals with an important matter. And that's why, Mr. Speaker, I say that this resolution really is a step backwards on the issue, and it really doesn't further the cause of access to information and the rights of individuals to get that.

Oh, I would only have hoped, Mr. Speaker, that members on this side as opposition members, learning finally the frustration that comes of sitting on this side and not being able to get access to the information and realizing that government has that power would have followed through in a more logical, straightforward sense, and then said, "Let's fight for a bill on freedom of information. Let's not deflect and divert the issue back into a study committee to re-examine the issue all over again. I think the issues are very clear, the question is the form it can take, and that form can best be addressed in terms of dealing with the substance of the bill that has a clearly laid out procedure to it based upon the basic notion that you must have a form of independence in allowing people to exercise discretion who aren't commanded by government majority. That is really the issue and that's the only way that we're going to get proper protection for individual rights in this province.

MR. SPEAKER: The Honourable Member for Burrows.

MR. BEN HANUSCHAK: Mr. Speaker, I wish to address myself to the amendment to the resolution before us. And I must indicate to you, Mr. Speaker, that the amendment which we are presently considering did come to me as somewhat of a surprise, coming from the Government House Leader. Now, Mr. Speaker, from the man who over the years that you and I have known him, that we've sat with him in this House; firstly, on this side of the House over the past 16 months, on that side the man who all along attempted to convey an image of himself as being the great defender of the parliamentary system, of the democratic process, and the House Leader of the Government has said that on many an occasion. The man who tries to create an impression that he has a great respect for the concept, the principle that the House is master of its own rules, of its own procedures, and —(Interjection)— that's his problem. All of us have certain crosses to bear, so if that's the cross that he must bear, so let it be. And, the man, Mr. Speaker, who has always maintained that the House being master of its own rules, governs its affairs either by majority vote or by unanimous consent, it can make whatever decisions it chooses to make, may make whatever decisions it wishes to make with respect to procedures governing its own actions and so forth.

So, hence this amendment when it was brought into the House, when the House last dealt with this resolution, it certainly came to me as a surprise. But it became very apparent this afternoon, what the real thinking, the real thrust of this government is, the direction in which it wishes to move, and now it became very apparent in crystal clear terms what prompted the Honourable Government House Leader to move this amendment, and what it is that he hopes to achieve by this amendment. Well, Mr. Speaker, we've seen the performance in this House during the first hour or so of this afternoon's sitting, and that made it very clear.

And this brings to mind, Mr. Speaker, the slogan of the government's side during the last election campaign. you will remember the slogan very well, "Free Manitoba." And now the meaning of that slogan has become very clear. What the government was saying, was not to place the freedom of Manitoba in the hands of the people of Manitoba, but what they were saying is, "Give us the control over the freedom of Manitobans, give us the conservatives, the control over the freedom of Manitobans."

A MEMBER: It couldn't be in better hands.

MR. HANUSCHAK: And then, Mr. Speaker, you know, they re-emphasize that in the amendment presented to the resolution before us by the Honourable Government House Leader. And it's very clear to you, Mr. Speaker, I'm sure that in reading the amendment, that if the amendment passes and if the resolution as amended will pass, it will then place the fate, the future of this resolution entirely in the hands of the government. A matter related to the proceedings, to the business of the members of the House, and will place that in the hands of the government; and the government then, on its own initiative, if and when it should be so moved to deal with the matter — perhaps never — on its own sweet time, in its own sweet way, will determine what the Legislative Assembly may or may not do. That will be the effect of the amendment to this resolution, Mr. Speaker, and we know, Mr. Speaker, from the government's performance over the past sixteen or seventeen long months what the response would be if the resolution as amended passes — nothing will happen. We will ask the government, "What are you doing with the resolution?" And the response will be,

"We're considering it, it's under review, we're monitoring it, we're closely monitoring it, and we're studying it," the type of responses that we've been receiving from government ever since the opening day of this Session on February 15th, Mr. Speaker. "Actively considering it," the standard pat response to each and every question that we put to government, "In due course, yes."

In fact, Mr. Speaker, my real worry is that if this amendment passes, that then the government will take the next step, and they will amend the first rule in the Rule Book. Why not? The first rule in the Rule Book, Mr. Speaker, and I will read it to you — now I know, Mr. Speaker, that you are well familiar with the rules, but to refresh the memories — no, no, not to refresh the memories of those on the other side but to acquaint them with what the first rule is, because I doubt if very many of them have ever read it. At the present time it reads as follows, to the satisfaction of both sides of the House, and I'm quoting from Rule 1:

"Proceedings in the House, and in all Committees thereof, shall be conducted in accordance with the Rules and with the Sessional and other Orders of the Assembly," Sessional and other Orders of the Assembly. And I would put in quotes, in capital letters, emphasize, underline the phrase "OF THE ASSEMBLY", Mr. Speaker.

Now, by amending this resolution which deals with a matter, a resolution that asks the Legislative Assembly to do certain things, and the government taking upon themselves and in their amendment saying, no, we will deal with this resolution when we on that side of the House will decide that the House should deal with the matter. Then what will there be to stop the government from bringing in a similar amendment to the Rule Book, and remove the clause, the last three words, "of the Assembly" and substitute therefor the words "of the government."

And now, Mr. Speaker, as I'm sure you have heard the Honourable Minister of Highways speaking from his seat, and the Honourable Member for Minnedosa not in his seat, but nodding his head in approval, that the Honourable Minister of Highways says, "That sounds like a good suggestion." And you know, Mr. Speaker, I think he means it. I think he means it, Mr. Speaker, and I think, Mr. Speaker, the fear that I have is that in the very near future we'll be forced with having to deal with it. —(Interjection)—

And perhaps, as the Honourable Member for St. Vital has just reminded me of the little computer that the Honourable Minister of Highways has — well, he didn't really answer my question, you know, it's the one that cranks out his road designs systems, and I still don't know how it operates. I asked him you know, "Do you feed the 1977 election results into one end of it and it spews out road design systems out at the other end, or what?" And perhaps that same computer may also assist him in drafting rules for the Legislative Assembly according to the matter in which the government would want to see the House operate, and in a way that would suit the government best and not the Legislative Assembly.

I would hope, Mr. Speaker, that before this amendment comes to a vote, that we would have an opportunity to hear from the backbench of the government, because you know I would think, Mr. Speaker, that this amendment should really worry the backbench, because I think, Mr. Speaker, that this amendment is serving notice to the backbench of what further courses of action the front bench — the treasury bench — may pursue, that not only will the government, the treasury bench attempt to stifle the opposition, attempt to muzzle anyone seeking information from government, but would also take whatever course of action it would wish to take to stifle their own backbench.

Now, someone from over there says that the backbench has its own way; whatever way it is, I don't know, but I would suspect that whatever way it is, is entirely strange and foreign to the matter of conduct of the members on this side of the House.

So I would want to know, Mr. Speaker, whether the backbench is prepared to give the occupants of the front bench the power that they're asking for, because I want to remind the backbench that their House Leader's resolution does not exclude the government backbench, but the House Leader's resolution says that the government is going to determine the proceedings of the entire House, which includes each and every member of the government backbench. It doesn't exclude you, Mr. Speaker, and the government backbench ought to know that. That even if the government backbench, perhaps a year or two or three years from now that the government will likely take, you know, to study, review, monitor, actively consider — you know, all of the political acrobatics that this government enjoys going through in dealing with this resolution, that even if the backbench would say to the treasury bench, "We would like to deal with this matter and get it resolved" the treasury bench would say, "Sorry fellows, we have the power in our hands."

You know, Mr. Speaker, the government is always — particularly their First Minister, you know he is very quick to make reference to Eastern European governments, you know when he is speaking to us, and Central European, yes, Mr. Speaker. Mr. Speaker, what comes closer, what borders closer on dictatorship than this amendment to this resolution where the government is saying, "We are going to tell the Legislative Assembly what you're going to do, we, the government. We, the Treasury

Branch, are going to tell the entire Legislative Assembly what you are going to do."

Now, Mr. Speaker, perhaps, and this wouldn't surprise me — this wouldn't surprise me either — perhaps we'll see an amendment to The Election Act, removing the maximum life term of a government to five years, you know, and place the call of an election in the hands of the government. You know, that they'll call an election if and when —(Interjection)— that's right, if and when they feel like it. —(Interjection)—

Mr. Speaker, the Honourable Minister of Highways is just reinforcing what I'm saying, because

MR. SPEAKER: Order please, order please. May I suggest that the honourable members give the Member for Burrows the opportunity to make his contribution.

MR. HANUSCHAK: I thank you very much, Mr. Speaker, but having thanked you, I must also indicate to you that I did not really mind the interjections from the Honourable Minister of Highways, but I know that out of consideration for all members, he has to be brought into line from time to time. I didn't mind because with every interjection that he makes of that kind, he gets his foot into his mouth once again, and then eventually both feet and deeper and deeper, so those interjections I don't really mind, Mr. Speaker.

Now, Mr. Speaker, and just look at yourselves, read. I would suggest that the Honourable Members of the backbench, that tonight while having dinner and after dinner when the House isn't sitting, you will have ample time to ponder over the implications of this simple little one-line amendment . . .

MR. SPEAKER: The Honourable Member has five minutes.

MR. HANUSCHAK: . . . over this simple one-line amendment to a resolution which asks the Legislative Assembly to pursue a certain course of action, the amendment says, "No, it will not be the Legislative Assembly that will make the decision, but it's going to be the government that's going to decide what the Legislative Assembly will or will not do." And I would like the backbench to consider the ramifications and implications of that as it may affect not only the Opposition, but as it may affect their role and function in the House, as elected representatives for their constituents from their respective constituencies.

So, Mr. Speaker, I suggest to you that the passing of this amendment will set a very very dangerous and an undesirable precedent in the democratic process in the world — a very dangerous one, Mr. Speaker. This amendment, Mr. Speaker, if passed it will establish a principle offensive to the democratic process in the world, and surely surely, Mr. Speaker, this is not the direction in which we wish to move.

On the other hand, perhaps in this little one-line amendment, much more so than the sum total of all the action and inaction of this government, which we have observed over the past sixteen months, this government has really demonstrated its true colours, the real direction in which it wishes to move, the real definition that this government places upon the term "Free Manitoba", and here they are really demonstrating what they were saying by freeing Manitoba place the freedom of Manitoba in the hands of the Conservative Party, which really means stifling democracy, and that's what this amendment means, Mr. Speaker.

MR. SPEAKER: Order please. Before we proceed, may I have the indulgence of the House to ask or seek advice from both sides of the House, whether or not there would be any agreement towards holding a Rules Committee Meeting tomorrow morning, probably at 10:30 or 11 o'clock? Is there any . . . The Honourable Leader of the Opposition.

MR. PAWLEY: Well, Mr. Speaker, I would like to take that under advisement, because I'm not sure whether our people are available.

MR. SPEAKER: The Honourable Government House Leader.

MR. JORGENSON: Well, Mr. Speaker, that arrangement is agreeable to us, but perhaps it would be well to take it under advisement and notification can be sent around in the morning, if that is agreeable. Tonight may be a good opportunity for my honourable friend to consult his colleagues.

MR. SPEAKER: The Honourable Leader of the Opposition.

MR. PAWLEY: The members aren't all present. I will have to check in the morning.

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MR. SPEAKER: Well, if there can be agreement, perhaps we should set it back until 11 o'clock, so there is time to consult in the morning.

The hour being 2:30, the House accordingly stands adjourned until 2:30 tomorrow afternoon. (Thursday)