

LEGISLATIVE ASSEMBLY OF MANITOBA

Friday, 18 June, 1982

Time — 10:00 a.m.

OPENING PRAYER by Mr. Speaker.

MR. SPEAKER, Hon. J. Walding: Presenting Petitions . . . Reading and Receiving Petitions . . . Presenting Reports by Standing and Special Committees . . .

MINISTERIAL STATEMENTS AND TABLING OF REPORTS

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

HON. E. KOSTYRA: Thank you, Mr. Speaker. I wish to table in the House a report of the Commission of Inquiry to the expropriation of the Logan-CPR area and a document prepared by the Policy Committee of the Winnipeg Core Area Agreement in response to the report and make a Ministerial Statement.

MR. SPEAKER: The Honourable Minister.

HON. E. KOSTYRA: Thank you, Mr. Speaker. I would like to make a statement to the House at this time.

The honourable members will recall that the Winnipeg Core Area Agreement had been signed and the expropriation of lands required for the proposed Logan Industrial Park had been confirmed prior to the election of this Government. When we took office, we found that the public inquiry procedure provided under The Expropriation Act had been weighed by the previous government and that there had been very little opportunity for the businesses and residents in the area to express their views and participate in the planning of the proposed redevelopment. Since the opportunity for the normal inquiry procedure had been lost, the Government decided to appoint Professor Evelyn Shapiro as a Commissioner under The Manitoba Evidence Act to make an inquiry into whether the expropriation of the Logan-CPR area was fair and reasonably necessary for the achievement of the objectives of the expropriating authority.

During the past five months, Professor Shapiro has held extensive public hearings to obtain the views and advice of residents, businessmen, interested groups and officials of all the three levels of government. In order to assist residents in presenting their views effectively, the province provided financial assistance to the Logan Community Committee Incorporated for the duration of the inquiry. The Commissioner's report and recommendations have now been submitted to the Lieutenant-Governor-in-Council and I am pleased to make them public this morning.

On behalf of the government, I wish to take this opportunity of expressing my appreciation to Professor Shapiro and the staff of the Commission for undertaking and completing such a difficult task in what was necessarily a very short time. I also wish to thank residents and business operators in the area for their input.

Now, we look forward to hearing the public response

to the Commissioner's findings and we are confident that consideration of her recommendations will lead to an improved program of action for the Logan-CPR area, which achieves the fundamental objectives of the parties to the Core Area Agreement, but which also responds to the interests and aspirations of the present residents and businesses in the community. The Provincial Government believes that the Commissioner's report demonstrates the importance of carrying out more detailed planning in consultation with the community affected before governments undertake major initiatives which have a substantial impact on residential and business communities. The experience has also shown that the views and interests of area residents affected by our project cannot be ignored.

Further, it demonstrates that when given adequate resources and financial support, residents can have a constructive say in matters related to their social and economic well being. We are committed to working in co-operation with both Winnipeg and Canada to develop and implement more open and effective planning processes under the Winnipeg Core Area Agreement in the future.

Mr. Speaker, I am very pleased to be able to table today an immediate response to the report on behalf of the Policy Committee for the Winnipeg Core Area Agreement. Mayor Norrie, Mr. Axworthy and I have reviewed the report together and have reached agreement on the matters outlined in this document.

Specifically, the Policy Committee reaffirms its commitment to pursue the three broad objectives of the Winnipeg Core Area Agreement within the Logan CPR area. That is:

- (1) to provide increased employment opportunities;
- (2) to encourage appropriate industrial, commercial and residential development and to revitalize the physical and social environment of the core area; and
- (3) to facilitate the effective social and economic participation of core area residents in development opportunities.

In order to consider and respond to the specific recommendations of the Commission of Inquiry as quickly as possible, the Policy Committee has instructed the Core Area Initiative office to begin work immediately on the development of site plans for the Logan-CPR area which incorporate both industrial and residential uses to meet the employment and housing requirements of the Logan community and the Core Area overall. The Policy Committee has agreed that the members of the Logan community are to be fully consulted and to participate in the development of these plans. Pending final approval of a site plan for the area by the three governments, the Policy Committee has agreed that the existing agreements with respect to the expropriation process should be maintained as detailed in the statement from the Policy Committee which I have tabled with the report. The Policy Committee has agreed that the province should not abandon the expropriation of any properties until the requirements for the redevelopment have been determined in accordance with the approved site plan.

Mr. Speaker, the Commissioner's report contains many specific findings and recommendations which the three governments are now proceeding to review jointly. We shall respond to each in due course. However, in view of the contentious history of this project, I am most encouraged that the Policy Committee has been able to agree now that the Core Initiatives Office should begin immediately to develop site plans for the Logan CPR area which incorporates both industrial and residential uses and which are prepared in full consultation with the members of the Logan community. I believe this decision reflects the kind of flexibility and the commitment to co-operation which are essential to the continued success of this unique tri-party initiative.

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

MR. G. MERCIER: Mr. Speaker, firstly, let me say that it is difficult to respond to a report of this size and obviously comment on the detail of the report in a short period of time. I do note, however, that the expropriations which were commenced will continue and, in looking at the summary of the recommendations, Mr. Speaker, one of those recommendations is to continue to assist those who wish to relocate and provide them with as much help as possible. I want to point out for the record that in the development of the Core Area Initiative and this specific program, we did plan one of the most, probably the best, relocation program to assist those who would lose their homes under the expropriation that probably has ever been considered and implemented by any level of Government in Canada.

So, Mr. Speaker, there is agreement I think between the Minister and ourselves that that program should continue and that the residents of this particular area should be given as much help as possible in relocation.

Mr. Speaker, we will, of necessity, require some time to review the details of the recommendations and the Minister's response and the response of the Policy Committee under the Winnipeg Core Area Initiative.

MR. SPEAKER: The Honourable Minister of Northern Affairs.

HON. J. COWAN: Thank you, Mr. Speaker. I believe members of the Opposition have copies of the statement.

Mr. Speaker, I am pleased to advise the Members of the Legislature that I have just signed a two-year extension of the Federal-Provincial Special ARDA Rural Development Agreement with Lloyd Axworthy, Minister of Employment and Immigration, who represented Herb Gray, Minister of Regional Economic Expansion and the Federal Minister responsible for Special ARDA. This agreement reaches back to The 1961 Agricultural and Rural Development Act, which was enacted to address disparate employment and social conditions of rural Canadians. Special ARDA is a native orientated Economic Development Agreement which provides assistance in commercial undertakings, training support, related infrastructure and assistance to primary producers. Most of the grant assistance to date has been concentrated in the pur-

chase of basic fishing and trapping equipment and on establishing commercial undertaking entities.

A good part of the success of the Special ARDA Program is due to the Special ARDA Committee members, representatives of northern and native organizations. Their hard work and dedication to the monthly meetings, through which the agreement is administered, serves as an excellent motto of co-operative working relationships between them and federal and provincial representatives.

From 1977 to the present, the Federal Government has channeled some \$9.5 million into rural and Northern Manitoba. The Province of Manitoba has spent almost \$1 million. The extension of the agreement to March 31st, 1984, means there will be no interruption in this program, which the committee members have advised is of utmost importance to them.

MR. SPEAKER: The Honourable Member for Swan River.

MR. D. GOURLAY: Thank you, Mr. Speaker. I thank the Minister for this announcement this morning. I would hope though that his next announcement this morning will be the signing of a new Northern Development Agreement that we'd all been waiting for.

However, I must make a brief comment about the Special ARDA Program. It has been a very successful program and I do congratulate the Minister on getting a new two-year extension of that agreement which expired March of this year. I know that the program has been well used by many native groups throughout Manitoba. Certainly, I am sure that we're all pleased to see a new two-year extension of this Special ARDA Program.

MR. SPEAKER: Notices of Motion . . .

INTRODUCTION OF BILLS

HON. R. PENNER introduced Bill No. 64, An Act to amend The Elections Act, Loi modifiant la loi électorale.

INTRODUCTION OF GUESTS

MR. SPEAKER: Order please. Before we reach Oral Questions, may I direct the attention of honourable members to the gallery where there are 23 students of Grades 4 and 5 of the Wolseley Elementary School, under the direction of Ms. Hopkins. The school is in the constituency of the Honourable Member for Wolseley.

There are 25 students of Grade 5 standing from the Brock-Corydon School, under the direction of Ms. Doncaster. This school is located in the constituency of the Honourable Member for River Heights.

There are 21 students of Grade 5 standing of the Harold Edwards School, under the direction of Mrs. MacNaughton. The school is in the constituency of the Honourable Member for Morris.

On behalf of all of the members, I welcome you here this morning.

ORAL QUESTIONS

MR. SPEAKER: The Honourable Member for Fort

Garry.

MR. L. SHERMAN: Mr. Speaker, my question is to the Honourable Minister of Health and relates to the departure of the Vice-President of Planning at the Health Sciences Centre, Mr. Ray Smith. My question to the Minister is: did he jump or was he pushed?

MR. SPEAKER: The Honourable Minister of Health.

HON. L. DESJARDINS: Mr. Speaker, as the member knows very well, there is a board and they are the ones that hire and fire. I'd have to find out from them if he was pushed. I haven't the information at this time.

MR. L. SHERMAN: Mr. Speaker, can the Minister advise the House what status this leaves the redevelopment plan at the Health Sciences Centre in?

HON. L. DESJARDINS: Mr. Speaker, at this time, I have been informed that they have, I think it's a Mr. Giffin that's acting at this time. As I mentioned, there is not too much going on, nothing new that has been authorized at this time. When this Session is over, I intend to start working very closely with them to make sure that they are going in a direction acceptable to the government.

MR. L. SHERMAN: Mr. Speaker, in view of the fact that crucial decisions are made on an ongoing basis with respect to that \$138 million redevelopment plan, can the Minister advise the House whether the departure of Mr. Smith resolves the dispute and the debate between factions at the Health Sciences Centre, relative to the autonomy and the independence of Children's Hospital.

HON. L. DESJARDINS: Mr. Speaker, I have no way of knowing the internal battles. All I know is the commitment that I made during the Estimates that the government and I, as Minister responsible, would follow this very carefully. I repeat, I am anxious for the business of this House to be terminated so we can get busy with that. In the meantime, there has been a directive going to the General Hospital and the planning group out there, the Health Science Centre, that nothing new should be proceeded with until it was fully approved.

MR. L. SHERMAN: A final question to the Minister, Mr. Speaker. Can the Minister assure the House or is the Minister, therefore, assuring the House that there is no revision or modification of planning being implemented at the present time that would impact on the independence and the autonomy of Children's Hospital? In other words, can he assure the House that it is his intention and his government's intention that Children's Hospital and facilities and programs related to Children's Hospital will proceed independent of and autonomous from adult services?

HON. L. DESJARDINS: I can assure the House that nothing is being done at this time and that the department will scrutinize and look at anything that is proposed before a decision is made. I can't tell him beforehand what decision we'll make, but I think I can

relieve him of much anxiety. I don't think it is the intention of us to change the direction that was in his day, as far as the Children's Hospital is concerned.

MR. SPEAKER: The Honourable Member for Tuxedo.

MR. G. FILMON: Thank you, Mr. Speaker. My question is for the Honourable Minister of the Environment. I wonder if the Minister has yet met with or spoken with Chief Herb Red Sky of Indian Band No. 40 at Shoal Lake to discuss the concerns of Winnipeggers regarding their proposed construction or, in fact, their ongoing construction of a sewage lagoon on the watershed of Shoal Lake, from which the City of Winnipeg derives its water supply?

MR. SPEAKER: The Honourable Minister of Northern Affairs.

HON. J. COWAN: Yes, I can inform the member that I had met with Chief Red Sky and a number of his associates just after they announced awhile back that they were going to be constructing a sewage lagoon in the area. At that time, I advised them of our concerns respecting the potential problems which may arise out of the construction of such a lagoon and offer to the Chief our assistance in respect to looking at the location which they had brought forward as a suitable location and as well, in regard to looking at other locations which might be more suitable or less suitable, depending upon the studies which were conducted upon them.

At that time, the Chief informed me that he would take that request back to his Band members, which is the appropriate process given the structure of the Chief and Council, and would advise me accordingly. The next word I got respecting this was that of the beginning of construction of a sewage lagoon, at which point I have contacted the Honourable John Munro, Minister responsible for Indian Affairs, and asked them to stop construction of that particular sewage lagoon until such a time as it can be determined whether or not it has the potential for harm to the Winnipeg water supply. I sent that by telex to Mr. Munro yesterday. I have yet to receive a reply from him but, as the member opposite should be aware, the matter of sewage lagoons on Indian Reserves is a matter which is covered under regulations appended to The Indian Affairs Act and it is Mr. Munro's responsibility to deal with the matter. If Mr. Munro fails to deal with the matter in that way, then we will have to look at other courses of action which may be open to us.

MR. G. FILMON: Mr. Speaker, in view of the fact that, under questioning several weeks ago from the Honourable Member of Assiniboia and myself, the Minister assured this House, and the people of Manitoba that he would do all things possible to ensure that the integrity and the quality of the water supply to the City of Winnipeg was not adversely affected, why did he not advise the Chief when he was speaking with him that no treated sewage effluent would be allowed to go into Shoal Lake under his jurisdiction, so that the water supply would not be adversely affected?

HON. J. COWAN: I did advise the Chief of that, as I advised members of this House. What the Chief said was that the sewage lagoon at that time was being constructed in respect to all existing regulations in a proper way, at which point I advised the Chief that we would like to provide to him our assistance and we offered that assistance. The Chief saw fit not to take us up on that advice and, correspondingly, we have gone to the Minister of Indian Affairs to request them to stop construction. But I think the member should be aware that there has been no sewage lagoon effluent arising out of that construction to date and that we have asked the Minister of Indian Affairs to take decisive action to insure that is not the case.

MR. G. FILMON: Mr. Speaker, I am sure we're all aware that no effluent is flowing, but the fact is, some thousands of dollars are being spent on earth moving to construct a lagoon with the expectation of having effluent go into Shoal Lake. In view of the fact that the Minister was not aware of the plans at the time that they were brought to him in this House; in view of the fact that he and his department were not aware of the dumping of toxic and flammable wastes into Charleswood sewage lagoon; in view of the fact that the Minister seems to be getting out of touch with his responsibilities with respect to the protection of the environment, Mr. Speaker, is he going to ask his First Minister to consider, during the forthcoming Cabinet shuffle, removing him from the responsibilities for the environment so that the people of Manitoba can have a Minister who is concerned with the protection of the environment, the pressing and urgent concern with respect to the protection of the environment in this province in the future?

MR. SPEAKER: Order please, order please. The Honourable First Minister.

HON. H. PAWLEY: Mr. Speaker, I think the Honourable Member for Tuxedo isn't basically serious himself. The record of the Minister of Environmental Affairs requires no defense. I think it's probably the first time in many, many years that we have a Minister of the Environment that is thoroughly conscious and familiar with the subjects of the environment and is doing an excellent job.

MR. SPEAKER: The Honourable Minister of Northern Affairs.

HON. J. COWAN: Yes, I would just like to inform the Member for Tuxedo, the former Minister of the Environment, that the people of this province saw fit to remove him from that responsibility just a few short months ago. We put ourselves in the hands of the people at that election; we are prepared to do so when the next election is called. I think it is the people of this province who have passed judgment on his ineffective and inefficient handling of environmental problems in this province over the past number of years.

MR. SPEAKER: Order please. The Honourable Member for Tuxedo.

MR. G. FILMON: Mr. Speaker, I am delighted that the

questioning is of such concern to the Opposition that I need two people to answer the question that I asked, but I agree with the First Minister, Mr. Speaker, that the Minister needs no defense. Anyone who does nothing needs no defense, obviously.

My question is to the Minister of the Environment. Was he consulted with respect to the approval given by his colleague, the Minister of Health, to allow the City of Brandon to discharge 125,000 gallons of raw sewage into the Assiniboine River?

HON. J. COWAN: That was certainly a matter of discussion at the staff level between the Minister of Health staff and my own staff. We have reviewed that procedure as have many other persons who would be interested in the effects of that procedure, including the Community of Portage and their elected representatives. We have found that, given the circumstances, that is the appropriate mechanism to deal with a very serious problem.

This highlights the inconsistency of the members opposite. When we take action to deal with a serious problem, they suggest that action is wrong. If, in fact, we take action which does not suit their own political needs of a given time, they suggest that we aren't taking action, but I would suggest to you, Mr. Speaker, that the record is quite clear.

We have gone to the authority who is responsible for the construction of sewage lagoons on Indian Reserve land. In a very strongly worded statement and a very strongly worded request to the Minister responsible for Indian and Northern Affairs, we have asked them to halt construction of this waste disposal facility and I'm quoting, in this instance, and to ensure . . .

MR. SPEAKER: Order please, order please.

The Honourable Member for Turtle Mountain on a point of order.

MR. B. RANSOM: Yes, Mr. Speaker, I believe that the Member for Tuxedo had asked a question concerning discharge of effluent into the Assiniboine River from Brandon, but the previous question concerning the sewage lagoon on the Indian Reserve had been dealt with. The Minister is simply being repetitive in his answers. I believe he is out of order.

HON. J. COWAN: I'm glad now that the members opposite agree that the matter of the sewage lagoon has been dealt with. We do believe that we have dealt with it in an expedient and a forceful way.

In respect to the question specifically on the Brandon situation, I can only assure the member that staff have reviewed that, that it is not the best of all possible worlds and that this course of action is one that had to be considered very carefully; it was considered very carefully. The technical details have been considered and discussed between the two staff levels. I certainly support the Minister of Health's decision to deal with this serious situation in a very quick and efficient way.

MR. SPEAKER: The Honourable Member for Tuxedo.

MR. G. FILMON: It's interesting to find out, Mr. Speaker, that the Minister of Environment was not

involved in this decision, that it was his staff. It's quite obvious that they are now bypassing him because of his ineffectiveness and going to the Minister of Health to get their approvals.

Mr. Speaker, my question is: as part of the discussion and consideration, was consideration given to chlorination or disinfectant of the raw sewage prior to its discharge into the river?

HON. J. COWAN: Consideration was given to all the possible ways by which this matter could have been dealt with. The decision to proceed in the way in which we have proceeded is based on the best technical evidence and advice which is available to us. I happen to rely upon staff to make those decisions and to consult with myself when it is a ministerial decision of the Minister responsible for the Environment. I also rely upon them to deal with the staff of the Health Department and consult with the Minister of Health when, in fact, it is a ministerial decision that arises out of his responsibility. There is nothing unusual about that, nor should there be any concern about that process to the member opposite. It is the logical and reasonable way to proceed.

I believe that, given the circumstances, the action which has been approved by the Minister of Health, and one which I support, will in fact prevent major problems from occurring in the future. That is why that action was taken. Because there was a significant problem in respect to overloading of certain drains, they had to in fact take the action which they did; otherwise, it would be a matter of every time it rained in that community, there would be very serious problems. So we have prevented those serious problems from occurring by taking this decisive and, I think, important and efficient method of removing the problem.

MR. G. FILMON: Mr. Speaker, well, I am interested to find out that the Minister doesn't know whether those things were considered, but he just thinks that all things were considered.

Mr. Speaker, I would like to know if the Minister is going to pursue this matter so that those people downstream of Brandon, who take their water supply from the Assiniboine River, can have some assurance of the safety of that water supply for drinking during the next few days when the raw sewage is floating down towards them?

I'd also like to know, Mr. Speaker, if this staff, who he is now saying he is fully confident in and will accept all of their decisions and recommendations on all of these matters, is the same staff whose judgment and recommendations he found faulty on so many instances as a critic in Opposition during the past few years, notably MacGregor, notably Shell River and notably Warren and other incidences.

HON. J. COWAN: Mr. Speaker, it was the Minister who overruled not only his own staff from time to time, but the Clean Environment Commission that we found to be less than effective in his role as Minister responsible for the environmental protection in this province.

To answer his specific question, I did not say to him that I take all such advice without applying critical

judgments to that advice. I informed him that the staff consult with me and advise me, as they consult and advise with the Minister responsible for Health. It is up to us to make those decisions which we feel are appropriate and, in many instances, we have asked staff to review the technical material which was presented to us to ensure that those decisions are in fact appropriate decisions.

So while I wish to suggest that this staff is doing an effective and an efficient job, I do not, by any stretch of the imagination, want to leave the impression that the Ministers responsible, the Minister of Health and myself as well, are not doing as equally an efficient and effective job, if I can be so humble to say so, in respect to ensuring that staff materials are complete and that the decisions which are made at the ministerial level are based on the best available information possible.

I would like to inform him as well that Environmental Management Division staff will be monitoring the effects of the discharge, and that was written into the agreement - perhaps written is the wrong word. That was a part of the agreement in respect to the discharge of these materials, that the Environmental Management Division would be monitoring the discharge and would be taking appropriate action if it was found that any action in fact was necessary.

So we have acknowledged that there is a cause to monitor and we have put in place the monitoring procedures and we will continue to monitor until we can ensure that this discharge has been taking place in the safest and the most efficient way possible.

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

MR. G. MERCIER: Mr. Speaker, I have a question for the Attorney-General. In view of news reports that there is likely to be a wage settlement with the City of Winnipeg Police and that the settlement will include a request for provincial legislation to prohibit strikes and impose compulsory binding arbitration, Mr. Speaker, is it the intention of the Attorney-General to introduce a bill at this Session of the Legislature which would impose compulsory binding arbitration on the police and repeal the legislation of the previous NDP Government which gave police the right to strike, something I believe which the police did not ask for and neither did the City of Winnipeg Council?

MR. SPEAKER: The Honourable Attorney-General.

HON. R. PENNER: Firstly, Mr. Speaker, it would be absolutely premature for me to make any announcement in advance of an announcement expected later this morning by the City of Winnipeg and the Winnipeg Police Association. I will not pre-empt that announcement, but let me say this, that this government would not impose legislation of the kind suggested on anyone who did not request such legislation. That may be something known to the members opposite. We do not impose legislation; we bring it in after consultation or on request. The question is insulting and speaks more of what goes on, on that side, than the kind of process we're used to on this side.

MR. G. MERCIER: Mr. Speaker, in view of that answer, I take it that the government will withdraw their first contract imposed legislation.

I have another question for the Attorney-General, Mr. Speaker. Does the Attorney-General intend to appeal the sentence imposed on a person who punched a referee in the mouth and was fined \$50.00? In view, Mr. Speaker, of the fact that many Minor Hockey Association referees are as young as 13 and 14 years of age, does he intend to appeal that sentence to provide a greater deterrent to that type of action?

HON. R. PENNER: As the former Attorney-General knows, there is an Appeal Committee made up of the Deputy Attorney-General, the Director of Prosecutions and the Senior Crown Attorney. They review cases on a weekly basis and come to a decision as to whether or not, based on their experience and responsibilities they have for the administration of criminal justice, an appeal should be launched. I am advised that Committee, in fact, will be considering this case at its next meeting next Wednesday, and its decision will be its decision. I do not, as a matter of practice, interfere with the normal workings of the department at that level. I think it would be improper for me to do so; otherwise, the question of whether or not an appeal should be launched becomes a matter of political judgment rather than of legal judgment.

MR. G. MERCIER: Mr. Speaker, in view of that answer, it would appear there is no need for this Attorney-General to even be in this government, to take any action to act in the interest of Manitobans, so I'll ask the Minister responsible for the Workers Compensation Board a question. Mr. Speaker, in view of the release by the Board of Commissioners which the Minister fired, and I would like to table this release in the House, can the Minister indicate whether the private inquiry which he authorized in substitution for the public inquiry which we had put in place, made any recommendations to fire the members of the Board of Commissioners of the Workers Compensation Board?

MR. SPEAKER: The Honourable Minister of Northern Affairs.

HON. J. COWAN: As I have stated on many occasions in this House, Mr Speaker, it was not the responsibility of the person undertaking that review to make recommendations. It is the responsibility of the government to review situations and to act, and in fact we reviewed the observations and summaries of that report. We reviewed the Lampe Report and the recommendations arising out of the Lampe Report, which that government did very little in response to. We reviewed the numerous complaints that we had received and which I know they received when they were in government in respect to the workings of the Workers Compensation system. As a result of gathering all of that information and material, I, along with my caucus colleagues, made the decision to restructure the board and made the decision to in fact put new people on that board.

That's not an unusual decision, nor is it one which I think should cause grave concern to the members

opposite or to the members of the previous board, because I have always been quick to suggest and to categorically state that they in fact were dedicated, confident and experienced individuals when it came to the matter of Workers Compensation; that the changes that were made were made in a structural way; and that the changes that were made in personnel on the board were changes which we feel will best suit the needs of injured workers in this province.

So I take full responsibility for those changes; I believe they were the right decisions. I hope that after a period of time and we have had the opportunity to review the workings of the new board that the members opposite will agree that the workers of this province - those are the individuals to which we must address our attention - are in fact being well suited by the changes which have been brought forward to ensure that they have full access to the Workers Compensation system and that system works efficiently and effectively for them.

MR. G. MERCIER: Mr. Speaker, in view of the Ministerial Statement made by the Minister in this House last Friday, wherein he stated that it is our intention as a government to begin today to start to resolve the problems that exist at the Workers Compensation Board and I would like therefore to outline the following initiatives: the first initiative is the appointment of a full-time board, chairperson, and two full-time commissioners. Mr. Speaker, are we able to conclude from that statement and that initiative that the Minister did indeed find some fault with the job and the work that was carried out by the Board of Commissioners that he fired?

HON. J. COWAN: You know, I only wish that the member opposite be more honest in his representations to the House.

MR. SPEAKER: Order please, order please. Order please. Contained within those words used by the Honourable Minister is the suggestion that another Member of this House is dishonest. I would ask the Minister to withdraw those words and rephrase his remarks.

The Honourable Minister.

HON. J. COWAN: I do apologize. I had not meant to reflect upon that individual in that way. Perhaps, I can withdraw that statement with your permission, Mr. Speaker, and suggest that I only wish they'd be more complete in their representations.

If the member had taken the time to read the full statement, he would also have informed the House - as he did in respect to the first part of the statement - that in the latter part of the statement, I, in fact, said that those individuals were dedicated, committed and experienced in respect to the Workers Compensation system and that the changes that were brought in place were structural changes and I, in no way, wish to have those changes reflect upon those individuals. I have maintained that is the case; I will do so once more for the benefit of not only the member opposite, but for the benefit of those individuals. They were honest; they were committed; they . . .

MR. SPEAKER: The Honourable Member for Virden on a point of order.

MR. H. GRAHAM: I believe the Minister is being repetitive and I would suggest that repetitive answers are clearly out of order, as is outlined in Beauchesne.

MR. SPEAKER: I believe that Beauchesne makes it clear that repetitive answers are just as much out of order as repetitive questions are. The Honourable Minister may continue.

HON. J. COWAN: Yes. What I was, if in fact being repetitive about, Sir, was a statement which I had read in the House the other day which the member didn't see fit to apply to his question.

I do want, because of the inference that he has raised in his question that those board members were not suitable, to make the record very clear. That is not my inference; it has not been the inference of this government. As a matter of fact, we have requested those individuals, each and every one of them, to continue serving injured workers in this province by applying their experience and their expertise as members of an Advisory Committee which we struck under Section 100 of the Act, which will review rehabilitation procedures of the Workers Compensation system.

So we have done everything that is within our power to show that those changes were structural changes and they were not a reflection on the board. I do resent the inference that has been applied to those individuals by the question from the member who just addressed this matter previously.

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

MR. G. MERCIER: Mr. Speaker, can the Minister explain why the Board of Commissioners then felt it necessary to issue this press release, which I will table, after they met with the Minister and apparently with the First Minister, in which they expressed their concern that they have been maligned, accused and denied of basic rights, etc. I'll table this for the House, Mr. Speaker.

HON. J. COWAN: I think that the present Board of Commissioners and myself have a disagreement as to the restructuring of the board. I think that's obvious. I think that it is also a disagreement that we share with the Manitoba Federation of Labour, notwithstanding what the Leader of the Opposition suggested the other day, that we were patsies for the Manitoba Federation of Labour and that these were just changes that were being brought about because one individual was, to use his words, lurking in the hallways. In fact, there are some very significant disagreements as to that change but again, it is the responsibility of the government to act and to act decisively when it believes that changes will in fact better the people, or better the conditions for the people to which it was elected to serve.

That is exactly what we did and that is exactly what we will continue to do, notwithstanding those individuals who may disagree with us from time to time on

those matters. We have a responsibility to take the action we believe is right and I think that action was right. I might add, Mr. Speaker, that in conversations with injured workers who are most affected by these changes, they have commended those changes in large part and have suggested that we have in fact taken the appropriate courses of action to better their lives and to better make the system work for them.

MR. SPEAKER: The Honourable Member for Roblin-Russell.

MR. W. MCKENZIE: Thank you, Mr. Speaker. I have a question for the Honourable Minister of Finance, Mr. Speaker. The Legislature of Saskatchewan opened yesterday under a new government. One of the policies of that government is to remove the 5 percent sales tax. Can I ask the Minister of Finance if he has done any studies or is he conducting any studies on the economic impact the reduction of a 5 percent sales tax will have on small businesses along the border of Saskatchewan and Manitoba, especially where today, Mr. Speaker, many of those small businesses are just hanging by a thread? With the reduction of 5 percent sales tax and they lose any more business, I suspect serious economic things will impact upon that industry. I wonder, is he conducting any studies. Can he give them any advice as to what the government intends to do, Mr. Speaker?

MR. SPEAKER: The Honourable Minister of Finance.

HON. V. SCHROEDER: Mr. Speaker, I should tell the member that I just recently received a letter from the Chamber of Commerce in Russell, Manitoba, commending the government for the Budget that it had presented under which we found other sources of revenue than an increase in the sales tax. In fact, the final sentence in the letter was a 'thank you' for that.

This government looks at all circumstances in the province, in the country and outside the country, when it sets up its tax regime, its revenue regime and its spending programs and we will continue to do so in the future.

MR. W. MCKENZIE: Mr. Speaker, I am very disappointed in the answer of the Honourable Minister. Is he prepared to put some of his staff on the standing committees that have been set up for those towns and villages along the province to deal with this matter to see if we can't save some of those small businesses, that are really up against it out there today, Mr. Speaker?

HON. V. SCHROEDER: Mr. Speaker, the question is hypothetical. As I understand it, the Throne Speech was read yesterday in Saskatchewan. There was no mention of an elimination of the sales tax at a current Session. If it appears that something will be happening in the future, we will ensure that we will watch what is happening there and we will do whatever is necessary as, for instance, we did with the gasoline tax.

MR. W. MCKENZIE: Mr. Speaker, I have a question for the Honourable Minister of Natural Resources. I wonder, can the Minister advise the House if he's had

any correspondence from the Parklands Division of Tourism regarding the low water levels on the lakes of the prairies and the boating accidents that are occurring there because of rocks and obstacles that now are showing up due to the low water.

MR. SPEAKER: The Honourable Minister of Natural Resources.

HON. A. MACKLING: No, Mr. Chairman. I haven't had any advice about low water conditions. I do understand the fishing is excellent, though.

MR. W. MCKENZIE: Mr. Speaker, I wonder, is the Minister kidding or has he prepared to put up some markers, buoys or something, or is it the local people who should put them up to mark these obstacles before we have more accidents than we've had already, of boats running into these rocks and things. Whose responsibility is it to mark those obstacles for the boating public?

HON. A. MACKLING: Mr. Speaker, I am being offered lots of gratuitous advice that perhaps I should spend some time there myself, either fishing or painting rocks. I will take the question as notice, Mr. Speaker.

MR. SPEAKER: The Honourable Member for Pembina.

MR. D. ORCHARD: Thank you, Mr. Speaker. My question is for the Minister of Agriculture. Is the Minister waiting for this Session to end so that we can no longer question him to implement the Land Lease Program?

MR. SPEAKER: The Honourable Minister of Agriculture.

HON. B. URUSKI: Mr. Speaker, first of all, I'd like to indicate that, in response to the question from the Member for Pembina and comments made by the Honourable Member for Arthur, or at least noted in the press, dealing with the provisions of our Farmlands Protection Act, indicating that only farming Manitobans will be able to own farmland; that is not the case. When I introduced the bill yesterday, all Manitoba residents will have no restriction on the purchase of farmland.

Mr. Speaker, with respect to the question . . .

MR. SPEAKER: Order please. The Honourable Member for Pembina on a point of order.

MR. D. ORCHARD: Mr. Speaker, I believe my question was quite direct to the Minister of Agriculture in that I asked him if he was instituting the Land Lease Program after this Session is over, when members of the Opposition cannot question him.

HON. B. URUSKI: Mr. Speaker, it appears that the honourable member doesn't want to hear my answer. Mr. Speaker, I want to tell the honourable member that I have had a number of requests and letters from farming communities who are in financial difficulty; who have made purchases of farmland; and who have and are carrying a very heavy debt load. They have

asked that we reconsider our position to have a Land Lease Program, so that they can bank their land and when times are better, have the opportunity to purchase it back and continue farming, rather than be forced off the farm by the heavy debt load that they are carrying. So we have had requests; we have forwarded those requests to the Manitoba Agricultural Credit Corporation for review. When the policy decision is made, honourable members of this House and the public of Manitoba will be advised.

MR. D. ORCHARD: Then, can we assume from the Minister's answer that he will use the opportunity when this Session is over to announce that program? My question to the Minister of Agriculture is simply this: in view of the fact that the Land Lease Program represents lease payments subsidized by MACC and the taxpayer, will the Minister also offer a program of long-term mortgages with a reduced interest rate, subsidized to the same extent as rental payments, so that the young farmers can have the choice as to whether they own the land or the state owns the land? Will he offer that dual program and choice to the young farmers?

HON. B. URUSKI: It certainly appears that the honourable member realizes that the free and open market system has not, and does not, work. Mr. Speaker, let's understand what the honourable member is saying.

Mr. Speaker, under the Land Lease Program, when the public has put up money for subsidy in terms of the lease rental rates, we also protected the public money by saying that if that land was purchased by the individual who has had the option to purchase that land back, all the subsidies that were received by that individual would be paid back to the public unlike, Mr. Speaker, a clear, total and outright subsidy for the purchase of farmland which would not be returned to the public of Manitoba if we put up, and continue to put up, that money. So the people of Manitoba, under the Land Lease Program, their investment and the protection of those family farms is continued and is able to continue so those people can continue to operate, Mr. Speaker, unlike the clear outright subsidy —(Interjection)— well, we don't know what would happen if those people go out of business or the like. But the public investment is protected under the Land Lease Program.

MR. SPEAKER: Order please, order please. Order please. The time for question period having expired.

ORDERS OF THE DAY

MR. SPEAKER: The Honourable Government House Leader.

HON. R. PENNER: Mr. Speaker, would you please call third readings on Bills 29, 38, 39 and 41 please?

PUBLIC BILLS - THIRD READING

Bills No. 29, 38, 39, 40, and 41 were each read a third time and passed.

HON. R. PENNER: Would you please call, Mr. Speaker, adjourned debate on second reading on Bill No. 21.

**ADJOURNED DEBATES
ON SECOND READING - PUBLIC BILLS**

**BILL NO. 21 - THE COMMUNITY
CHILD DAY STANDARDS ACT**

MR. SPEAKER: On the proposed motion of the Honourable Minister of Community Services, Bill No. 21, standing in the name of the Honourable Member for St. Norbert.

The Honourable Member for St. Norbert.

MR. G. MERCIER: Thank you, Mr. Speaker. I wanted to make a few comments on this bill. Mr. Speaker, firstly in reviewing this bill, I think this bill must set a record for the number of times that the word "regulations" is used in a piece of legislation that has come before this House. Mr. Speaker, there is no question, I think, as to our commitment and our support for day care facilities. I think our record while in government clearly demonstrated, through the increases in funding, through the increases in the number of spaces, our concern for a most important facet of our modern day society.

Mr. Speaker, I do, however, find it difficult to support a bill when the real legislation, the real effect, of this bill will be seen in the regulations. In saying that, Mr. Speaker, I think I speak on behalf of day care facilities in my constituency who have expressed to me this same concern. I want to place on the record, Mr. Speaker, some of the concerns that they have expressed to me about the result of this bill, the regulations.

Mr. Speaker, they have expressed concern to me about whether or not the regulations will cause them increased costs and, if so, will the government grants be increased to cover the increased costs which flow from new regulations. They are concerned, Mr. Speaker, with respect to staff qualifications that might be set out in the regulations and whether or not educational courses for improvement in staff qualifications will be easily accessible by their staff? Will there be any funding assistance to those persons who may have worked for some number of years in day care homes and be required to improve their education qualifications? What, indeed, Mr. Speaker, will be the educational requirements under the regulations?

They've expressed concern, Mr. Speaker, about any regulations that might reduce the ratio of staff to children. Will there be extra funding if that ratio is reduced, to cover extra salaries that might be required? Mr. Speaker, if that ratio is reduced, it will likely result in increased costs. I am sure the Minister and members opposite are well aware that most parents who use day care facilities are required to do so by necessity and not by choice and most cannot afford a fee increase to support additional staff.

Mr. Speaker, will the present standards of indoor space per child be reduced? If so, this would lower the number of spaces which are needed by many working parents and might indeed reduce maintenance grants and income to day care facilities, making it more difficult for them to operate.

Mr. Speaker, I point out one omission in the Act and in day care generally. What about - and I point out to the Minister - the shift worker in a single parent family who has no choice but to make private baby sitting arrangements for children outside the normal hours of day care centres? Mr. Speaker, should they not, in fairness and in equity, receive the same subsidy which would normally be received if the children were in a recognized day care facility? There are many persons, Mr. Speaker, as members of this House are aware, who are required to work other than regular 8:00 to 4:00, or 9:00 to 5:00 hours, who are required to make these private arrangements and who are in the same income categories as people who are receiving a subsidy for children in a normal day care operation. I think this is a just concern of many single parent families in this province, Mr. Speaker, and I think the Minister, in fairness and in equity, should consider at Law Amendments, an amendment to this Act which would allow for similar grants particularly to shift workers and single parent families who are required to make these private baby sitting arrangements.

Mr. Speaker, I want to point out, in addition, other concerns that have been expressed to me with respect to the regulations which will flow. There is a concern with respect to the requirements for meals and nutrition under the regulations and whether or not this will indeed require an increase in operating costs. I hope, Mr. Speaker, that these regulations which will be developed in this area will be realistic.

Mr. Speaker, I note that there are provisions for appeals with respect to licensing and subsidy decisions and there is a Day Care Staff Qualifications Review Committee to act in an advisory capacity. But the regulations, Mr. Speaker, the most important part of this whole subject, will of course be decided in the privacy of the Cabinet room with no right of appeal with respect to regulations. Here again, Mr. Speaker, I would suggest that the Minister may wish to consider some form of appeal or public hearings on the proposed regulations, which would follow a format similar to the Law Amendments Committee hearings, which would allow the public to comment on the actual proposed regulations, so that the people who have been active in this field and the parents and the operators of these mostly nonprofit day care centres would have an opportunity to express their concerns about any of the proposed regulations.

Mr. Speaker, in fact, I note in the Minister's press release that he says that the regulations and the administrative structure will be ready to be implemented by April 1st, 1983. It might be more appropriate, Mr. Speaker, if the Minister were to consider withdrawing this bill and bringing it back before the House at the next Session of the Legislature. I say this as a personal suggestion, Mr. Speaker. I am not speaking on behalf of the Opposition. In that way, if the Minister were to be able to bring the bill back and include in the Act what he intends to include in the regulations, then it would be fully open to debate in this House and it would be fully open to representations by the public at Law Amendments Committee. There would be a full and complete hearing on what is now to be the regulations, but which could be under my suggestion included in the Act and be subject to full debate in this House, Mr. Speaker, and there would be no time loss

because, in the words of the Minister, the bill will not be ready to be implemented until April 1st, 1983.

Mr. Speaker, speaking of this bill, I want to just comment specifically on two sections, so that the Minister may be in a position to comment on them at committee. In Section 2(e) - this is the Exemption Section - it says, "This Act does not apply to," in Subsection (e), "to care and supervision provided by religious congregations to children for the purpose of providing religious training to the children while or on the same day on which religious services are conducted for members of the congregation." I just point out to the Minister, Mr. Speaker, that it is quite usual and normal for many churches and congregations to have what is called a Sunday School for children to be held on the Saturday, and not "while or on the same day on which religious services are conducted." Mr. Speaker, the Minister might very well consider an amendment to that section, because I don't expect that he would be attempting to include religious training or education for children which is not held on the same day as the religious services.

With respect to Section 7, Mr. Speaker, I trust that the Minister has had consultation with the City of Winnipeg, with the Planning Department and with the Municipal Associations, with respect to this section which requires no other licenses from any municipality or local government district. I trust, Mr. Speaker, that is a section that is satisfactory to the City of Winnipeg and to the municipal organizations and municipalities in the province.

Those, Mr. Speaker, are my brief comments on this piece of legislation.

MR. SPEAKER: The Honourable Attorney-General.

HON. R. PENNER: I move, seconded by the Minister of Municipal Affairs, that the debate be adjourned.

MOTION presented and carried.

MR. SPEAKER: The Honourable Government House Leader.

HON. R. PENNER: Mr. Speaker, would you call the adjourned debate on Bill No. 27?

BILL 27 - THE SUMMARY CONVICTIONS ACT

MR. SPEAKER: On the proposed motion of the Honourable Attorney-General, Bill No. 27, standing in the name of the Honourable Member for St. Norbert.

The Honourable Member for St. Norbert.

MR. G. MERCIER: Mr. Speaker, I would make some comments and I believe there will be other members on this side who wish to speak to this bill later on or on another day.

I personally note, Mr. Speaker, in response to a question to the Attorney-General about the fine option provisions that he's included in this bill, he confirmed in my question to him that these were the same provisions that we had enacted last year in amendments to The Summary Convictions Act, but not proclaimed. At the time I indicated quite clearly that we were enacting these provisions relating to a Fine Option Program,

which I think is a good program, and that we would be proclaiming the bill later on when we were in a position to develop the actual working program.

The other thing I note, Mr. Speaker, that this Act comes into force on a day fixed by proclamation. I find it very difficult to understand, Mr. Speaker, why the Attorney-General has included these provisions again in this bill when they are still subject to implementation by proclamation. If he has the program ready and I would think it should be ready by now, then why didn't he simply proclaim the existing provisions and get the program operating? Perhaps he can expand on that, Mr. Speaker, because it is difficult to understand why he is redoing exactly the same thing and having it come into effect upon proclamation because the program, I think, should be implemented by now and actually working.

Mr. Speaker, there are some concerns I know that will be expressed on this side with respect to the principle in this bill where a driver is convicted of an offence and is in default of payment of the fine, the Registrar of Motor Vehicles shall have the right to suspend the driver's licence, Mr. Speaker. There is some, I think, legitimate concern that that is a very powerful punishment that can be imposed for non-payment of a fine, Mr. Speaker, and that causes a great deal of concern on the part of many members on this side.

I have a concern, Mr. Speaker - and I point this out to the Minister, he might respond to it at committee later on - in Section 11.1(5), where a default conviction is entered against a person, he receives a notice under Subsection 3. He may not later than seven days immediately preceding the date specified in the Notice for Payment of the fine and costs, request a hearing de nova. In Subsection 3, Mr. Speaker, there is no time set out for payment of the fine and I think the two sections have to be considered together because there has to be sufficient opportunity, I think, for the person to fully consider whether he wants to pay the fine or wants to request a hearing de nova, and maybe there should be some consideration given to setting out a specific time period in Subsection 3 that would clearly allow the person sufficient opportunity to consider his rights, his remedies and which direction he wishes to pursue the matter.

I believe also, Mr. Speaker, that this bill has to be considered in conjunction with amendments to The Highway Traffic Act that are in another bill that has been passed, I believe, and is in Law Amendments Committee. I would suggest to the Minister, Mr. Speaker, that bill be held until this bill arrives at the committee and the two of them be considered together, because I believe they are connected.

MR. SPEAKER: The Honourable Member for Lakeside.

MR. H. ENNS: Mr. Speaker, I beg to move, seconded by the Honourable Member for Pembina, that debate be adjourned.

MOTION presented and carried.

MR. SPEAKER: The Honourable Government House Leader.

HON. R. PENNER: Mr. Speaker, would you please call the adjourned debate on Bill No. 33?

BILL 33 - AN ACT RESPECTING THE ASSESSMENT OF PROPERTY FOR TAXATION IN MUNICIPALITIES IN 1981 AND 1982

MR. SPEAKER: On the proposed motion of the Honourable Minister of Municipal Affairs, Bill No. 33, standing in the name of the Honourable Member for St. Norbert.

The Honourable Member for St. Norbert.

MR. G. MERCIER: Mr. Speaker, I wanted to speak on this bill because the matter of assessment, although I think not very widely understood at all and a very difficult and a very complex subject and I don't pretend to know all there is to know about assessment, but I want to place on the record my concerns about this bill.

In extending the freeze on assessment for an indefinite period, Mr. Speaker, I think if this bill is not opposed, there most certainly will be amendments proposed at committee by members of our side to insert in this bill a specific date for the freeze on assessment to expire. I don't think the government should be left in a position where they are able to legally have an indefinite freeze on assessment in the City of Winnipeg and throughout the Province of Manitoba. Mr. Speaker, I'm concerned because of their previous record in acting on assessment problems. Now while they were in government, Mr. Speaker, they took no action with respect to the serious problems in assessment throughout the province.

We commissioned the Weir study and there were extensive public hearings and consultation with people affected held throughout the province for a considerable period of time, and a report has now been made and there are some recommendations, Mr. Speaker, with respect to an actual freeze, that a specific date should be set for the freeze to continue for one or two or a few years.

Mr. Speaker, we have in today's news reports the information that Portage Avenue property owners who have had a continuing and serious problem with assessment have lost their case in the Manitoba Court of Appeal and cannot appeal their assessments to the city's Board of Revision. They have on numerous occasions, Mr. Speaker, pointed out the inequities in their assessments with other assessments in the downtown area of the City of Winnipeg.

It's interesting, Mr. Speaker, that we while in government negotiated and agreed to the Core Area Initiative to improve the downtown portion of our city and the members opposite, the Government, I think rightly, are proceeding to follow through with the agreement which we negotiated with the federal and the city governments, but at the same time no action has been taken by the government with respect to this very serious assessment problem which is contributing in some way, I suggest, to the lack of development along Portage Avenue and to the costs of development in that area, something that should be given immediate consideration by the government, particularly in view of the rightful emphasis that has been given to the Core Area Initiative Program, Mr. Speaker.

So I appreciate, Mr. Speaker, that the problem of assessment is a complex one. I appreciate, Mr. Speaker, that the government may not agree to all of the recommendations of Mr. Weir and his Assessment Review Committee. Probably if we were in government we would not agree to them all either, but some action has to be taken with respect to this matter, Mr. Speaker. I suggest when the Minister says there are going to be further public hearings by a legislative committee with respect to this matter, that municipalities themselves have objected to this and it's time that the government took some action to deal with these important problems, particularly as they affect the City of Winnipeg and the downtown of the City of Winnipeg, Mr. Speaker.

So we can't accept an indefinite freeze on assessment, Mr. Speaker. There must be a specific date for action by the government. Without a specific date in that bill I'm afraid, Mr. Speaker, that the Minister and his government will set this matter aside, that they will not have the courage to deal with this particular problem and it will simply not get dealt with. Mr. Speaker, it must be dealt with and that's why a date has to be in the bill so that we can assure ourselves that the government will deal with this important problem.

Thank you, Mr. Speaker.

MR. SPEAKER: The Honourable Member for Pembina.

MR. D. ORCHARD: Mr. Speaker, I beg to move, seconded by the MLA for Roblin-Russell, that debate be adjourned.

MOTION presented and carried.

MR. SPEAKER: The Honourable Government House Leader.

HON. R. PENNER: Mr. Speaker, would you please call the adjourned debate on Bill No. 42.

BILL NO. 42 - THE EDUCATION ADMINISTRATION ACT

MR. SPEAKER: On the proposed motion of the Honourable Minister of Education, Bill No. 42, standing in the name of the Honourable Member for Roblin-Russell.

MR. W. MCKENZIE: I thank you, Mr. Speaker. I am most grateful for obtaining a copy of the Minister's comments when she introduced this bill. They are having some problems here at Hansard running a lot later than is custom when we're at this stage of the Session and I hope that somehow we can get Hansard back on the rails. A few days ago it was within two or three days of the sittings and it does create some problems for some of us who would like to speak on this legislation, but I do appreciate obtaining a copy of the Honourable Minister's opening statement at second reading.

Mr. Speaker, this Bill No. 42, the Act to amend The Education Administration Act causes me some concern. When I first read it, I see that apparently the socialist NDP have changed their policy on the payment of monies to individuals. It's not very long ago

they insisted that merchants in this province, the Social Allowance recipients would take and pay the bills themselves, that of hand the cheque across and pay. Now we find rather than the voucher system, and here we have them now moving into paying payments of money to institutions, and I hope the Minister will kind of fill me in if there's a policy shift in the party or have they moved away from that earlier position, which is so well-known in this House, and now are prepared to pass monies across to institutions as spelled out in the legislation.

I'm also wondering if the Minister, when she's closing the debate, could give us some idea what regulations we're talking about in this legislation. It's again very vague. If she'd give us some insight as to what she anticipates, it would certainly be helpful.

I also note there, it says persons specified in the regulations. Who are these persons? That again certainly would be helpful to us in Opposition if we could have that. Maybe I should ask the Minister if she'd give us the definition of institutions. I haven't been able to find what she's talking about in second reading of this bill. The bill certainly makes sense in a lot of ways. Maybe when we get some more information from the Minister, I can decide whether I can support the legislation or not.

So with those few remarks, Mr. Speaker, I'm certainly pleased that the legislation is moving on. I hope the Honourable Minister will give us some ideas of what she anticipates in the opening statement which she provided to the House.

MR. SPEAKER: The Honourable Member for Tuxedo.

MR. G. FILMON: Thank you, Mr. Speaker. I have had an opportunity to peruse the bill and, in fact, to discuss it with the Minister in brief. Certainly, I have no problem with the concept of allowing for the possibility of payments in Student Aid to be made directly to institutions. As I'm sure members would be aware, and I am informed that there is certainly no disagreement among educational institutions in the province that this is something that can help them to deal with Student Aid more effectively, perhaps more expeditiously in many instances, and more efficiently. I have no problems with that concept. In fact, as a former administrator of a post-secondary institution eligible for Student Aid, I know that it certainly is something that all institutions would find to be a helpful move.

I do have some difficulty in the sense that if we are saying that there may be in future an opportunity for the government to take away the process which allows the students to - since it is they who qualify and it is they who must in effect make the application and be approved under their circumstances and not the institutions - I would hope that this kind of thing would only be done if there is mutual consent amongst the Student Aid Branch and the institution and the student. I would hope that we're not going to create a situation in which we take the student's choice making or decision making out of the picture entirely in this. I hope it's enabling, so that where it is expedient for all three parties it is done, but not that it can be imposed upon the student in particular since it is the student who must apply. It is the student who, by virtue of their own qualifications and circumstances,

can be approved. The regulations in the Act already provide for the fact that institutions must be institutions who are named and who qualify for Student Aid, but it is the individual student who makes the difference as to whether or not a loan or a bursary or grant is or is not made. So I would hope that they are not going to be eliminated from the process by this, but rather that the objective is to enable the institution to be in receipt of the money directly if all three parties concur in the process.

So, Mr. Speaker, in saying that I believe the bill can be helpful and can be useful and that we will be moving this along to committee, I would also say that the concern that was expressed by the Member for Roblin-Russell is one that I share; that the Minister's notes only refer to the fact that institutions can receive the funds directly, whereas the amendment does specify persons in the regulations or institutions and that part has not been covered by the Minister's initial dissertation in introducing the bill for second reading and I would hope that you would explain why that has to be there.

Secondly, I would hope that the Minister would look into and report back to us as to whether or not institutions must be defined, either in the regulations or in the Act, because it is not so presently defined in the Act or the regulations. Since that is fundamental to the understanding of what is being done by this very very minor amendment, I would hope that it's either explained to us here or in committee stage as to what is necessary in order to cover that aspect.

So with those few words, I would say that we are prepared to allow the bill to go to committee, so that we can have those explanations from the Minister.

MR. SPEAKER: Are you ready for the question?

The Honourable Minister will be closing debate?

HON. M. HEMPHILL: Yes. Thank you, Mr. Speaker. Yes, I think I am pleased that the members opposite are prepared to let this go on to committee. I do think that I would like to respond to some of the points that were made here today and I think a few points that were made yesterday, prior to getting to committee, so there isn't any misunderstanding about the purpose of the change or what it is going to do, what dangers or problems there might be.

I think we all know, Mr. Speaker, that in really large bureaucracies, like the education system, it's very easy to get bogged down in procedures and processes that require the gathering of information in large amounts and the funnelling of information through multilevels of individuals and people for no purpose. Sometimes there might have been an original reason. If we don't examine it, we're doing things automatically without having the original purpose carried through.

It is my hope, and I have been talking to members of the Department of Education, not to ignore the fact that we have to have controls and good administration and good management, but that I really do want a review of information that is being requested and gathered from the field and stored, to make sure that it is useful and it's meeting its purpose and that we're not bothering people unnecessarily to produce information that we don't need. Secondly, that we are

not delaying the decision-making process by having it go through too many layers.

This is a fairly simple - probably in the category of housekeeping - change, Mr. Speaker, and I don't think that it is going to cause the problems that the members opposite were concerned about.

First of all, it is the questions about institutions and persons. They are defined. Institutions and persons, as they are used in the amendment is covered by Manitoba Regulation 249-80, and I will tell you what institutions and persons are.

Institution: Section 1, Clause H in this regulation, "university" means, "the University of Manitoba and its affiliated colleges, or Brandon University, or the University of Winnipeg, or any other university established under The Universities Establishment Act, or any other institution so designated by the Minister." Therefore, the term "institution" refers specifically to educational institutions or requires a specific decision by me to allow something else.

Persons: Section 2 of the Regulation, Purpose of Bursaries generally defines the persons who are eligible, but Section 3 defines the qualifications of the applicant and I think that it will be clear that it's very specific who this will be going to. "They shall be a Canadian citizen or have landed immigrant status. They shall have a scholastic record which, in the opinion of the Minister, is such as to merit the award. They shall be a person who has resided for 12 consecutive months in the province whose parents, guardians or sponsors as the case may be, are residents of Manitoba; or whose parents, guardians or sponsors have ceased to be residents of Manitoba after he has entered the program for which an award is sought, and that they shall accept all conditions of the award for which application is made."

There is a waiving qualification that says, "If there is an applicant who does not fulfill the qualifications required for the award but has applied, and in my judgment, should receive special consideration, then that is possible that I may waive one or other of the required qualifications under very special circumstances. So, in that case, I think that the definitions of institutions and persons is very clear.

I also want to make it clear that control, as such, is really still remaining with the Department of Education. The applications still come to us. We receive the applications; we review the applications to make sure they fit the criteria; we do the processing and we make the decisions. Really, the only difference is that if an institution such as St. Boniface College, for instance, which is giving out bursaries to teachers in training has a half-a-dozen teachers who have received the award after they've gone through the process, instead of delivering it and giving it to the students on an individual basis, we do all the determination ahead of time; decide who is qualified; the amount of money of the bursaries and we give the cheque to the institution and they distribute it to the students, so that the money is still going directly to the students, not to the institution.

I think the Member for La Verendrye yesterday - I heard part of his talk - but I think he was concerned about the removal of direct activity between money going to the student. He had some concerns that it was becoming an accounting feat and just a matter of

paper flow and that the students would lose their feelings of responsibility for payment of the money since they never saw the money; since it just became a figure on the university's accounting books. That is not so; they do get the money directly. Therefore, I don't think there is any change related to that.

I think that this is one of those changes that really just increases the efficiency; increases the ability to respond a little more quickly and still continues with the same controls and requirements that we should have in place in the Department of Education.

QUESTION put, MOTION carried.

MR. SPEAKER: The Honourable Government House Leader.

HON. R. PENNER: Mr. Speaker, will you please call the adjourned debate on Bill No. 43?

BILL NO. 43 - AN ACT TO AMEND THE PUBLIC SCHOOLS ACT

MR. SPEAKER: On the proposed motion of the Honourable Minister of Education, Bill No. 43, standing in the name of the Honourable Member of Sturgeon Creek.

The Honourable Member for Tuxedo.

MR. G. FILMON: The Member for Sturgeon Creek took the adjournment for me. If it is permissible, I would like to speak at this time.

I thank the Minister for having provided me with her notes in introducing the bill for second reading so that I might prepare early to respond to the aspects of the bill that she has presented. In reviewing it, Mr. Speaker, I am satisfied that the two elements of the bill, as stated, are indeed that this will permit school divisions to deal directly with Indian Band Councils in signing agreements for the education of Indian students in public schools. Certainly, that is a concept which we can and do support, Mr. Speaker.

I understand that the Federal Government will have to pass its own legislation to permit that to happen from the side of the Indian Bands and that will take place in the near future. This enables the province to fulfill its part of the tripartite arrangement by being able to transfer the responsibility directly to school divisions in the negotiations.

As well, Mr. Speaker, I do have a question regarding that particular involvement. I believe that there is a stated intention that this responsibility be transferred as of the commencement of the school term, in September of this year. If that is not the case, then the Minister can correct that impression that I have in concluding debate or at the time of committee. But if that is the case, then of course I have a question.

In view of the fact that the funding from the province, under the former system of transfer of funds to school divisions, is made on a calendar year basis and if the new agreements are going to take place for the school year commencing in September, there will be an overlap of funds, where in essence school divisions will have been paid twice for the education of Indian students; one, by virtue of the fact that they will have been taken into account in the numbers and the

agreements that have been made between the province and the school divisions for this calendar year; and two, in the agreements that may take place if they are signed for the school term commencing in September.

It may be a concern that is unfounded but if it is the case, I ask the Minister just simply to report and explain to us whether or not my perception of the potential problem is right. The other thing that I would ask the Minister to report back on is the aspect of the bill which refers, not only to the transfer of the ability to school divisions to enter into agreements with any person - and I think that may be something that just simply carries on from the existing act - but if it was intended to add any other potential entities for agreements, perhaps she could just inform us of that particular situation.

The second aspect of the bill which she rightly indicated was a matter that had been agreed to by her predecessor, the former Minister of Education in the former government, to be addressed in this Legislative Session which was the matter of ensuring that now it is stated in the Act that sick leave is a matter that can be negotiated between school divisions, school boards and teachers over and above the provisions set forth under The Public Schools Act. My only question, and perhaps it can be considered a criticism, is that the wording that has been used in order to provide for that possibility of having school divisions deal directly with teachers in bargaining for sick leave, I believe goes farther than allowing them to bargain over the amount of sick leave, that rather it now allows them to bargain over the manner in which sick leave can be accumulated.

I believe the Act did set forth specifically a manner of accumulation that is referred to as earned sick leave and that there has been, not only discussions, but in fact disagreements in the past between the school boards and their employees, the teachers, as to how that might be interpreted. So, therefore, the manner of accumulation of sick leave on an earned basis was specifically set forth in the changes to The Public Schools Act. I would hope that the Minister is not suggesting that the whole argument and disagreement that was haggled out in the past is not opened up again by virtue of this amendment being too broad. I will speak to that in committee as to a suggested wording that I feel will correct that very simply and leave it for the Minister to discuss with her staff.

In any case, we are not concerned with the principle. In fact, we support the principle and had agreed with the teachers that that aspect of it would be addressed in this Session. We are happy that the new government has addressed it and we'll discuss it, in terms of the actual wording, when it comes to Committee. I have no further questions on the matter, Mr. Speaker.

Thank you.

MR. SPEAKER: The Honourable Member for Roblin-Russell.

MR. W. MCKENZIE: Mr. Speaker, I move, seconded by the Honourable Member for Lakeside, that debate be adjourned.

MR. SPEAKER: Can it be made clear to the House whether the Honourable Member for Sturgeon Creek wishes to address this matter or wish to have the bill stand in his name?

The Honourable Member for Turtle Mountain.

MR. B. RANSOM: Mr. Speaker, the Member for Sturgeon Creek had adjourned the bill on behalf of the Member for Tuxedo and doesn't wish to speak.

MR. SPEAKER: The Honourable Member for Roblin-Russell is taking the adjournment on the bill. It is moved by the Honourable Member for Roblin-Russell and seconded by the Honourable Member for Lakeside that the debate be adjourned.

MOTION presented and carried.

MR. SPEAKER: The Honourable Government House Leader.

NOTICE OF COMMITTEE MEETING

HON. R. PENNER: Mr. Speaker, before I call the next bill, may I announce the meeting of the Committee on Law Amendments for Tuesday next at 10:00 in the morning and 8:00 in the evening.

COMMITTEE CHANGES

HON. R. PENNER: May I further announce some changes with respect to Law Amendments. The Member for Inkster will substitute for the Honourable Minister of Natural Resources. With respect to Statutory Regulations and Orders, the Member for Kildonan will substitute for the Member for Woleseley.

MOTION presented and carried.

HON. R. PENNER: Mr. Speaker, would you please call the adjourned debate on Bill No. 23?

BILL NO. 23 - AN ACT TO AMEND THE LEGAL AID SERVICES SOCIETY OF MANITOBA ACT

MR. SPEAKER: The Honourable Member for Turtle Mountain on a point of order.

MR. B. RANSOM: Mr. Speaker, did I understand the House Leader correctly to say that the Law Amendments Committee was meeting at 10:00 on Tuesday morning?

HON. R. PENNER: Yes.

MR. B. RANSOM: My question would be then, Mr. Speaker, to the House Leader. Was that a decision of the Committee to meet then? If not, I would advise him that has not been agreed to by the Opposition.

HON. R. PENNER: No, that was not a decision by the Committee. The Committee rose and I was under the impression - but if I'm wrong, I don't mind of course being corrected - that Committee meets at the call of the Government House Leader.

MR. B. RANSOM: Mr. Speaker, I believe that the general practice has been to have the Committee sitting during the regular hours of the Legislature.

MR. SPEAKER: If there is some uncertainty on the matter, we will check Beauchesne.

The Honourable Member for Turtle Mountain.

MR. B. RANSOM: Mr. Speaker, I don't mean to delay the business of the House by raising the question at the moment. If you would wish to proceed with the Order Paper and deal with this question subsequently, it would be satisfactory.

MR. SPEAKER: On that particular point, we have noted that it is customary either for the Committee to set a date or for the two members representing each side to decide between themselves when the next meeting should be. However, it must always be that the final call of the Committee must be in the hands of the Government House Leader in order that the work of the government not be prevented from happening.

May I suggest that the two House Leaders confer between themselves on this matter and come to an agreement?

On the proposed motion of the Honourable Attorney-General, Bill No. 23, standing in the name of the Honourable Minister of Finance.

The Minister of Finance.

MR. V. SCHROEDER: Mr. Speaker, I had concluded my remarks.

MR. SPEAKER: The Honourable Member for Tuxedo.

MR. G. FILMON: Mr. Speaker, as many on our side have noted in the past while in debating this bill on Second Reading, there is an aspect of this particular legislation that we find to be not only offensive but, in fact, dangerous. I don't believe, Mr. Speaker, that members on this side are opposed to seeing public advocacy groups acquire the funding that is necessary for them to make adequate representations and presentations on public issues on which they have an interest. I believe, Mr. Speaker, that there are; however, a number of aspects to the manner in which this is going to be affected, because I assume that is the objective of the Attorney-General in bringing forth this bill. There are a number of aspects as to the manner in which this is going to be affected by the provisions in this bill; a number of aspects to which we object; a number of aspects about which we have a good deal of concern.

The fact of the matter is, Mr. Speaker, in our reading of the bill, I do not believe there is any requirement that there be a direct interest in the action involved in order for a Legal Aid Certificate to issue on their behalf. The fact of the matter is that I do not believe that there is any qualification or manner in which there is a requirement on behalf of the Legal Aid Board to determine whether or not there is any public interest whatsoever in the group's action in order that it be funded or receive a certificate to qualify for legal aid.

I say that this is contrary to most principles accepted in our society today, because even in the matter of

insurance law, for instance, Mr. Speaker, there is a requirement that in order for one to be able to purchase insurance, one has to demonstrate that one has an insurable interest in whatever action or whatever entity one is purchasing insurance for. I say that because the alternative would be, if you can visualize that one purchases insurance on someone else's life in which one does not have an interest or a demonstrable interest, that then becomes a form of gambling or lottery. So that's just one example; it is not permitted under insurance law because of that very reason. One must be able to demonstrate that one has an insurable interest in order to purchase interest on or behalf of any given circumstance.

Similarly, I believe that there must be something in this bill under which those who would apply for a Legal Aid Certificate, in order to achieve or receive legal aid to assist them in fighting a particular action or making a particular presentation that they ought to have to demonstrate that there is a particular interest on behalf of their group in order to make that presentation, in order to fight that case, in order to receive legal aid in order to do so. I'd say it should even go beyond that, not only demonstrating that they have an interest in it, but that there is a public interest in it. But, even having accepted that, Mr. Speaker, I think it goes right to the root of the manner in which this determination will be made; that is, the determination to grant a Legal Aid Certificate, to give the option or the opportunity of having a Legal Aid lawyer work on their behalf in putting forth a presentation in a public issue, in a public forum or under whatever type of action.

The fact of the matter is that this puts into the hands of government a very very strong power, a power which I'm not sure any of us would support; that is, the power to choose sides on a particular issue, the power to determine whether or not the government through the Legal Aid Board, which because of the fact the government appoints that board, becomes a philosophical arm of the government, an instrument with which the government can effect certain things by its appointments to that board. They now have the power to choose which groups they will fund and to take sides on an issue by choosing which side they're going to support financially for legal aid.

It seems to me that there is a possibility of the government choosing only one side, and by virtue of that decision, giving only one side the opportunity to fight its case with legal aid, with public funding, therefore, giving them a tremendous power to decide what the decision is going to be ultimately that comes from that issue or that decision that has been arrived at with publicly funded legal aid support to fight.

I do not believe that it's in the public interest to give the government choosing that power, to choose sides, to determine which causes they will support and ultimately which causes may succeed because of having decided to give public financial support to those causes and tangible assistance in the form of legal assistance through a Legal Aid Certificate. I do not believe that it's in our interest to give that power to the government. I don't believe it's in the public interest and I do not believe that we, as government in this province collectively, we, as the Legislature, should have that power to decide whose objectives are in concert with our philosophical or political objectives

and therefore decide through this mechanism to support them in a manner which is really hidden from the public purview because the public will not ultimately recognize that these groups, who have been given support, who have been allowed to fight their case with legal aid paid for by the taxpayer, are doing it that way.

People will say, well, this is a legitimate interest group, and boy, they made a good presentation and isn't that wonderful. But there may be an equally legitimate group on the opposite side which has been denied that opportunity by virtue of a decision made by the Legal Aid Board who are indeed an appointed philosophical arm of the government, and I say that is too much of a power, in fact, has the potential to be a very very unreasonable power to have in the hands of any government in future, whether it is this government, whether it is a successor government of a different political and philosophic stripe.

I do not think it is in the public interest for us to proceed with such a bill and I strongly recommend that members of the Legislature not support this, in fact, that it not proceed to legislation, Mr. Speaker.

Thank you very much.

MR. DEPUTY SPEAKER, J. Storie: The Honourable Member for Pembina.

MR. D. ORCHARD: Thank you, Mr. Speaker. I beg to move, seconded by the Honourable Member for Emerson, that debate be adjourned.

MOTION presented and carried.

MR. DEPUTY SPEAKER: The Honourable Government House Leader.

HON. R. PENNER: Mr. Speaker, would you please call the adjourned debate on the Crow Resolution?

RESOLUTION - CROW RATE

MR. DEPUTY SPEAKER: On the adjourned debate by the Honourable Minister of Highways and Transportation, the Honourable Minister of Agriculture.

HON. B. URUSKI: Thank you, Mr. Speaker. When we adjourned yesterday, when I spoke on the Crow rate last, Mr. Speaker, I was discussing some of the matters that I felt were being put forward by the Conservative Party through their Leader with respect to how best can we achieve the resolution of the Crow rate, Mr. Speaker. We have put forward major concerns with respect to this matter and we will continue to do so, but to get tied into a resolution that goes on side, basically on side with the proposed changes, or at least the anticipated changes, that may be brought about by recommendations from Gilson and the Federal Government in allowing for an upward revision in the direct costs to farmers, Mr. Speaker, there's no doubt where we stand on this side with respect to that. We stand clearly on the side of the farming community and that they should not be paying additional costs.

Mr. Speaker, one of the issues that has come out during this debate, of course, has been the losses that Carl Snavely, the supposed industry analyst or the

specialist in dealing with the railway revenues. The Federal Government has continually put forward the notion that the cost to farmers of transporting grain under the statutory rate has fallen to about 20 percent of the actual cost. Those are the kinds of statements that Pepin has continually made really in a forceful manner, while we've dealt with them, we've put them forward, I think it is time to reinforce those statements because they are in fact, if one can put it, stretching the fact of the matter in terms of how one views the agreement of the railways with the Federal Government and the costing that is put forward by Mr. Snavely.

Mr. Speaker, Snavely's estimate of the total variable cost of operating the railway systems doesn't reflect the operating expenses and depreciation in the companies' audited financial statements. In his report it is shown that, for example, the total costs of operating the CNR, the total system cost is \$3.2 billion. In the audited financial statements of the company where they include the total expenses and depreciation, they show it as \$2.394 billion or \$2.4 billion, \$850 million less. For the CPR, Snavely estimates the total system cost as showing at \$1.965 billion, while on their financial audited statements the company shows operating expenses and depreciation at \$1.478 billion, some almost \$500 million less. Now, Mr. Speaker, you know, for the two railways combined, Snavely's estimates of the total systems are almost \$1.4 billion higher than actually shown in the financial statements of the railways. Snavely has stated that the railways have lost over \$700 million on its railway operations in 1980, whereas the companies' statements indicate a profit of \$250 million.

On CP, Mr. Speaker, he shows that they lost almost \$200 million, \$193.7 million, while their actual profits as shown by their statement were \$276.8 million. So, Mr. Speaker, you know, there is a real problem with the analysis done by Mr. Snavely in terms of indicating, putting truly forward, what is on one hand shown as an absolute profit by the railways totalling in excess of \$500 million; Mr. Snavely has shown that they have lost about \$900 million. Now, obviously, there is a great disparity and a great difference of opinion in terms of what the actual fact is, either the railways have lost money or they have made money. By their own financial statements, they show that they have made money. So, on the one hand, how could we say that they are losing money? Unless, of course, Mr. Speaker, we want to selectively deal with the figures and selectively separate out the systems cost and say we will only deal with grain and the revenues therefrom, and we will deal with everything else.

Well, Mr. Speaker, no company in terms of reporting and in terms of dealing with its operations, I would say many large corporations, if anything, cross-subsidized; they look at their total figures and they don't selectively put forward the figures that they want to show on one area of operations or another. The entire insurance industry, for example, does do that kind of financial bookkeeping where they do in terms of their rates cross-subsidize all their operations because not every rating area at any one point in time, unless the year has been extremely buoyant, does make an absolute return on the basis of the premiums collected; so that most businesses, if they have several portions of

their operation, do cross-subsidize their operations if there happens to be a so-called loss. Mr. Speaker, the loss they are showing relates to the agreement that they've had with the Federal Government, that they would in return for certain commitments have that stable rate.

So, Mr. Speaker, Snavely's figures do not refer to the costs, as that word is understood in everyday language, of generally accepted accounting principles or tax law. Instead, Snavely's figures are based on his personal interpretation of what is known as opportunity costs, of capital employed in rail transportation which for the 1980 year he placed at 25.4 percent. In plain English, the railways want to earn on the capital employed a return on investment of over 25 percent.

Well, Mr. Speaker, in these days which firm, which farmer is earning 25.4 percent on his operations? Farmers in many sectors are barely able to maintain and hold on to their operations from going under and not realizing a return of 25.4 percent on the capital employed, Mr. Speaker. Wouldn't the farmers of Manitoba and of Western Canada love to have a return on that capital employed of 25.4 percent, Mr. Speaker? Wouldn't they love to do that? —(Interjection)— To have that kind of a return, Mr. Speaker, but according to Snavely, that is the return that is required to maintain an ongoing financially viable self-sustaining railway system in Canada. Those are his words. So they've got to have that kind of return, Mr. Speaker. And who is going to pay for it? Yes, Mr. Speaker, the farmers of Manitoba and of Western Canada. That is who's going to give them that kind of return because Mr. Snavely says they are losing money after their statements have shown a profit.

So, Mr. Speaker, —(Interjection)— on their operation of hauling grain and I have made comments. If the member had been here, he would have heard me state them, Mr. Speaker —(Interjection)— I did. I commented on it. You weren't here, Mr. Speaker. The Honourable Member for Pembina should —(Interjection)— yeah . . .

MR. DEPUTY SPEAKER: The Member for Pembina on a point of order.

POINT OF ORDER

MR. D. ORCHARD: On a point of order, Mr. Speaker, I believe the Minister of Agriculture made a reflection as to my attendance in the House which clearly is out of order and, in this case, was completely untrue because I was in the House for his remarks.

MR. DEPUTY SPEAKER: The Honourable Minister.

HON. B. URUSKI: Mr. Speaker, obviously then if the member was here, and I apologize to him for that, then he didn't hear. He had his ears closed to what I was saying, Mr. Speaker. Mr. Speaker, I said that I apologized to the member that . . .

MR. DEPUTY SPEAKER: Order please. The Honourable Member for Pembina on the same point of order.

MR. D. ORCHARD: On the same point of order, Mr. Speaker, the Minister makes reference the odd time in

his speech and then clearly leaves the impression, as he did in the last statement he made, that the railroads were losing money according to Snavely, but yet making a profit and he said that statement was undefensible. He neglected to clarify exactly what Snavely said and that was the point I was making.

MR. DEPUTY SPEAKER: Order please. Those comments are not directly relevant to the point of order. Clearly, the Member for Pembina is quite correct when he states that it is out of order for another member of the Chamber to refer to the presence or absence of a member and I would ask the Minister to withdraw those comments.

HON. B. URUSKI: Mr. Speaker, I withdraw that statement very clearly and very openly. But, Mr. Speaker, obviously maybe physically the member was here in the Chamber and I accept that, but in actual mind, he was way out of this area.

MR. DEPUTY SPEAKER: Order please. The Honourable Member for Pembina on a point of order.

MR. D. ORCHARD: Mr. Speaker, on a point of order and I may turn this into a point of privilege if the Minister does not withdraw those last remarks to the effect that I was here in person and not in mind. That is a reflection on my mental capacity which is beyond reproach to all members of the House, beyond absolute reproach. I would ask that you ask the Minister to withdraw those rather obtuse and uncalled for remarks.

MR. DEPUTY SPEAKER: The Honourable Minister on a point of order.

HON. B. URUSKI: Mr. Speaker, I don't intend to withdraw that statement because the honourable member obviously didn't hear my remarks and wasn't listening very well. I apologized and I withdrew the remarks of his being absent and I say that again, that I do withdraw that statement. But, with respect of his mental capacity or ability to hear and understand what I said, Mr. Speaker, that's for him to figure out whether he understood or didn't understand. I cannot figure that out for the honourable member.

He obviously will have an opportunity to debate this issue whenever he feels that he will be able to want to debate this issue. There will be opportunities for him to dispute what I have said when I spoke on the total costs of Snavely and the costs of the selectivity, when I spoke on the selectivity of the railways in the way they put their figures forward. So, Mr. Speaker, obviously the Member for Pembina didn't hear very well what I was saying in my remarks in the way that the railways accounted for and the way Snavely presented those figures. Obviously, the honourable member has some other interpretation, so he will have his opportunity to debate that motion and listen to my remarks, Mr. Speaker.

MR. DEPUTY SPEAKER: We're still on a point of order, I believe.

HON. B. URUSKI: No, Mr. Speaker.

MR. DEPUTY SPEAKER: Are there any further comments on the point of order? No further comments. Before I would make a ruling, I would have to refer to Hansard. I will take the matter under advisement and examine the context of the remarks. My ruling will be forthcoming.

The Honourable Minister of Agriculture.

HON. B. URUSKI: Thank you, Mr. Speaker, and I want to repeat again for the honourable member. He wasn't listening very well and if he says he was listening very well, he wasn't here in mind in what I had said. If the honourable member wants me to repeat what I had said, I will repeat for him. Mr. Speaker, I will repeat again that according to Snavelly, the CNR lost \$724 million on its railway operations in 1980 and the CPR lost \$193 million, while on their financial statements the CPR shows a profit of \$276 million, while the CNR shows a profit of \$250 million.

Surely, the Honourable Member for Pembina really doesn't know where he is coming from and hasn't been listening very well. Mr. Speaker, if the —(Interjection)— I think the Member for Morris understood me. Mr. Speaker, the Federal Government, if their projections that the statutory rate would only cover, I think, around 12 percent of the railway transportation costs by 1985 and going down to 7 percent in 1990, is taken at face value, it really should follow that the average rail transportation costs per Canadian Wheat Board permit holder in Manitoba would rise from approximately \$474 per producer in 1980-81 to almost \$4,000 per producer in 1985 and over \$6,700 per producer by 1990, if farmer had to pay the full compensatory rate. —(Interjection)—

Well, absolutely, Mr. Speaker, because one has to put that into perspective because, as I said before, it won't happen overnight. It won't change tomorrow, Mr. Speaker. It will be done very slowly. It will be done on a steady continuous basis until we will reach that figure, maybe not, Mr. Speaker, within two or three years, but certainly it is evident that it could reach that by 1990.

Mr. Speaker, even Snaveley admitted that farmers couldn't pay any more or what he considered compensatory rates as —(Interjection)— well, Mr. Speaker, Snavelly admitted even though he said that the railways were losing all this money, he said in his report and I quote from his report: "It is our considered opinion that the selling price of export grain and grain products are not and will not be sufficient to maintain the financial integrity of all the participants in the total production and distribution process; example - producers, railways, elevator and storage companies." That's from Page 205 of his report. So even Snavelly admits that if you're going to protect the railways, it has to come out of someone else's pocket. Whose pocket is it going to come out of, if not the farmers, Mr. Speaker, if not the farmers of Western Canada and Manitoba that we are speaking about here?

Mr. Speaker, Snavelly has confronted all Canadians with the choice between the financial integrity of a profit-motivated railway system and the financial integrity of western grain producers. The Government of Canada is apparently willing to put the western grain producers at risk in order to guarantee the profits of the railway companies. Mr. Speaker, that's really

the essence of it; that's really the essence of this.

The Conservative resolution, while members on the Conservative side may think that this whole issue is comical, may think that this whole issue is really something that is gone by, that the issue has passed, Mr. Speaker, they may think this issue is already settled, that the farmers have accepted that this is inevitable, they bring forward a completely wishy-washy resolution so that they can at least be on the side of the angels on this issue. Mr. Speaker, they want to be on the good side even though, subtly, they want the issue resolved.

I mean, we haven't heard from the Member for Arthur, Mr. Speaker. He has been one of those who at least has been forthright enough to put his position forward, that he wants to see a change —(Interjection)— same guy that you know. He wants to see a change; he wants it to be paid to all producers and whatever money there is, let it be distributed to the entire industry. At least, he is the one who has been straightforward on it, Mr. Speaker —(Interjection)— I can't say that for the rest of you, including the Member for Virden. —(Interjections)— Mr. Speaker, on this one issue I speak of, not on other issues to the Honourable Member for Pembina, on one issue only, when the member speaks of honesty in terms of position.

Mr. Speaker, the Conservative Party will have an opportunity. The farmers of Manitoba will realize where the Conservative Party stands, where they want to hide behind the issue and subtly say that we should change the rates. Mr. Speaker, this amendment to the resolution, if the Conservatives really say that they are on the side of the farmers, they should have moved a separate resolution, vote on the full legislative resolution that we had, instead of playing games as they have done over the past, where they got up in this House, speaker after speaker, because they had no position . . .

POINT OF ORDER

MR. DEPUTY SPEAKER: Order please. The Honourable Member for Virden on a point of order.

MR. H. GRAHAM: I rise on a matter of House privilege. The Minister has said that this side of the House is playing games. Mr. Speaker, he is casting serious reflections on this entire side of this House and I would ask the Minister to withdraw that statement.

MR. DEPUTY SPEAKER: The Honourable Minister.

HON. B. URUSKI: Mr. Speaker, I will show the honourable member the kind of games you were playing with respect to this issue. Speaker after speaker, they got up in this House, said nothing, and said wait for Gilson. That member, the Member for Virden, has the audacity to get up in the House to withdraw this statement after he got up, didn't speak on the issue, and they moved an amendment to the resolution. That side is playing games, Mr. Speaker; they have played games on this issue and they have put the farmers of Manitoba in jeopardy.

MR. DEPUTY SPEAKER: The Member for Virden on

the same point of order.

MR. H. GRAHAM: Mr. Speaker, on the point of order, the member has cast further aspersions on this side of the House. They are entirely unparliamentary and I would ask again that the Minister withdraw those statements.

MR. DEPUTY SPEAKER: The Honourable Minister on the same point of order.

HON. B. URUSKI: No, Mr. Speaker, absolutely not on this issue, absolutely not.

MR. DEPUTY SPEAKER: Order please, order please. I do not believe a dispute over a matter of fact constitutes a matter of privilege nor a point of order.

The Honourable Member for Virden.

MR. H. GRAHAM: Mr. Speaker, this is not a question of dispute at all. This is a deliberate attempt by the Minister, a deliberate attempt to reflect deleteriously on this side of the House. I suggest to you, Sir, it is clearly unparliamentary and I would ask you again to ask the Minister to withdraw those statements.

MR. DEPUTY SPEAKER: The Honourable Minister of Finance on the same point of order.

HON. V. SCHROEDER: Mr. Speaker, on that point of order, I would respectfully point out that the Minister in making this speech, although it's a continuation of a speech that had been started previously, referred specifically - he quoted from the various speeches of the members on the other side of the House, indicating —(Interjection)— he did when the speech started. He referred to what these people have said; he referred to the fact that a whole number of speakers from the other side had said, wait for some report or other —(Interjection)— Gilson, that's right. They wanted to wait for Gilson. It is the Minister's interpretation that, in conjunction with a grievance by one of the members on the other side demanding suddenly that we hear about this particular debate before the Gilson Report, it is his interpretation that that is the playing of games.

Now, I believe, Mr. Speaker, that each member of this House is entitled to interpret for himself what another member said, but is not entitled to misquote another member as was done the other day by one of the members on the other side.

MR. SPEAKER: The Honourable Member for Virden.

MR. H. GRAHAM: Mr. Speaker, on the point of privilege that I have suggested is a legitimate point of privilege; in light of your ruling yesterday, this Minister has accused this side of the House of playing games which I suggest to you, Sir, is very unparliamentary, it is untrue and he should withdraw those statements. I would suggest to you, Sir, that he is not conducting himself in such a manner as would lend to orderly debate in this House and I would suggest that he withdraw the remark.

MR. SPEAKER: The Honourable Member for Springfield.

MR. A. ANSTETT: Mr. Speaker, to the matter of privilege that has been raised by the Opposition. Certainly, unparliamentary expressions are grounds to ask for withdrawal, but in this particular case the question of playing games appears not on any of the lists of forbidden words in terms of an expression. I don't believe the Minister intended to cast aspersions or to impute particular motives with regard to the resolution, but only to describe behaviour. Mr. Speaker, that's done all the time in this House and I can't see how it could possibly be construed to be unparliamentary.

MR. SPEAKER: The Honourable Member for Arthur.

MR. J. DOWNEY: Mr. Speaker, on the matter of privilege that was raised by the Honourable Member for Virden, spoken upon by the Minister of Finance and indicating that I, Sir, had put an infraction, or in your ruling had said something that was a misquote of the Minister of Agriculture. I believe if you were to check Hansard, Sir, that wasn't the ruling; it was a misinterpretation that you ruled on and, of course, is up to the House to decide. But I did not, Sir, and the Minister of Finance I think should reconsider the statement he made that it wasn't a matter of quoting the Minister, it was a matter of the word "misinterpretation." I would hope the Minister of Finance would consider the withdrawal of those comments.

As well, Mr. Speaker, on the matter of privilege, the Minister of Finance I would think is getting into the same kind of area that he suggested I was in and I would hope that he would reconsider and withdraw those remarks as suggested by the Member for Virden.

MR. SPEAKER: The Honourable Minister of Finance.

HON. V. SCHROEDER: Mr. Speaker, my recollection of what the member said the other day is that the Minister had said he was in support of a state farm system and that, of course, was a falsehood; it was certainly not said by the Minister. Now, if it was his interpretation from certain positions that the Minister took, he is entitled to interpret things, but he is not entitled to stand up in the House and misquote the Minister and that's what he had done.

MR. SPEAKER: Order please. I notice the time is almost 12:30 and time for Private Members' Hour. Would it best suit the decorum of the House if I were to take these matters under consideration over the weekend and that we move on to Private Members' Hour at this time?

The Honourable Member for Turtle Mountain.

MR. B. RANSOM: Mr. Speaker, I would just like to make the one point then on the point of privilege before calling it 12:30.

MR. SPEAKER: The Member for Turtle Mountain to the same point of order.

MR. B. RANSOM: The issue, I believe, has been identified by the Member for Springfield that indeed by accusing the Opposition of playing games, the Minister of Agriculture was indeed imputing motives to the

Opposition.

MR. SPEAKER: The Honourable Member for Virden to the same point of order.

MR. H. GRAHAM: Mr. Speaker, on a point of privilege, if you take this matter under advisement, may I suggest to you that I have very studiously avoided bringing forward a formal motion. I had raised the matter as a privilege of the House hoping the Minister would have the courtesy to withdraw the remarks.

MR. SPEAKER: The Honourable Minister of Agriculture.

HON. B. URUSKI: Mr. Speaker, in my remarks that I made to this House with respect to the Opposition where I accused them of playing games and it was on the actions they took, not on honourable members but on the actions. I did not impute any motives to any individual members of this House; I did not do that, Mr. Speaker. It was the actions that were theirs, Mr. Speaker, I can go through that. I went through it once when I started making my speech about what I considered were the games, and I don't intend to impute motives to any individual members. It was the actions of the Conservative Party on this very issue that I was speaking about.

MR. SPEAKER: Order please, order please. I thank all honourable members for their advice and their remarks. I will take the matter under advisement and peruse Hansard to see exactly what was said.

The time being 12:30.

PRIVATE MEMBERS' HOUR

MR. SPEAKER: The Honourable Acting Government House Leader.

HON. V. SCHROEDER: Mr. Speaker, I believe there is a desire on the part of the members to adjourn and I move, seconded by the Minister of the Environment, that the House do now adjourn.

MR. SPEAKER: It is moved —(Interjection)— The Honourable Government House Leader.

HON. V. SCHROEDER: With leave, I would like to withdraw that motion.

MR. SPEAKER: The Honourable Member for Turtle Mountain.

MR. B. RANSOM: Mr. Speaker, the Opposition is prepared to forego Private Members' Hour today, but I would put it on the record that it is something that is done on the base of co-operation between the two sides of the House and the issue had never been raised with the Opposition today as to whether we wish to forego Private Members' Hour.

HON. V. SCHROEDER: I fully agree with the statement made by the Member for Turtle Mountain. There should be consultation and certainly the Opposition has the right to that hour. In view of what he has said, I

again move the motion, seconded by the Minister of the Environment, that the House do now adjourn.

MOTION presented and carried and the House adjourned and stands adjourned until 2:00 p.m. on Monday.