

THE LEGISLATIVE ASSEMBLY OF MANITOBA
2:30 o'clock, Tuesday, March 28, 1972

Opening Prayer by Mr. Speaker.

INTRODUCTION OF GUESTS

MR. SPEAKER: Before we proceed I should like to direct the attention of the honourable members to the gallery where we have 40 members of the Beaver 4-H Club. These members are under the direction of Mr. L. Street. This group is located in the constituency of the Honourable Member for Portage la Prairie.

We also have 12 students of Grade 11 and 12 standing of the Dassel High School in Minnesota. These students are under the direction of Mr. Peterson. They are guests of the Chair.

On behalf of all the honourable members of the Legislative Assembly I welcome you here today.

Presenting Petitions; Reading and Receiving Petitions; Presenting Reports by Standing and Special Committees. The Honourable Minister of Labour.

REPORTS OF SPECIAL COMMITTEES

HON. RUSSELL PAULLEY (Minister of Labour and Railway Commissioner) (Transcona): Mr. Speaker, I beg to present the report of the Special Committee of Seven Persons appointed to consider the membership of the -- the composition of the Committees of this House.

MR. SPEAKER: Any further reports? Oh.

MR. CLERK: Your Special Committee of the . . .

LEGISLATIVE ASSEMBLY OF MANITOBA - Standing Committees

Privileges and Elections:

Hon. Messrs. Hanuschak, McBryde, Miller, Paulley, Schreyer, Toupin, Messrs. Blake, Einarson, Girard, Gottfried, Henderson, Johnston (Portage), McGregor, Malinowski, Petursson.

Public Accounts:

Hon. Messrs. Cherniack, Evans, Hanuschak, McBryde, Paulley, Toupin, Messrs. Allard, Blake, Borowski, Craik, Ferguson, Girard, Johnston (Portage), McKenzie, Malinowski, Mrs. Trueman, Messrs. Uruski, Walding.

Public Utilities and Natural Resources:

Hon. Messrs. Burtniak, Doern, Evans, McBryde, Schreyer, Messrs. Adam, Craik, Enns, Graham, Green, Jenkins, Johannson, Johnston (Portage), McGill, Petursson, Shafransky, Sherman, Spivak.

Agriculture:

Hon. Messrs. Burtniak, Pawley, Uskiw, Messrs. Adam, Barkman, Barrow, Boyce, Einarson, Ferguson, Gonick, Gottfried, Henderson, Jorgenson, McGregor, Shafransky, Turnbull, Uruski, Watt.

Municipal Affairs:

Hon. Messrs. Miller, Pawley, Uskiw, Messrs. Adam, Barkman, Barrow, Boyce, Graham, Johannson, Johnston (Sturgeon Creek), McGill, McKellar, Moug, Shafransky, Turnbull, Uruski.

Law Amendments:

Hon. Messrs. Desjardins, Doern, Hanuschak, McBryde, Mackling, Paulley, Pawley, Messrs. Adam, Allard, Beard, Bilton, Boyce, Enns, Froese, Graham, Gottfried, Green, Jenkins, Johannson, Johnston (Portage), Jorgenson, McGill, McKenzie, Patrick, Petursson, Sherman, Spivak, Mrs. Trueman, Mr. Walding.

Industrial Relations:

Hon. Mr. Paulley, Messrs. Barrow, Beard, Borowski, Bilton, Enns, Girard, Gonick, Green, Jenkins, Johannson, McKenzie, Moug, Patrick, Shafransky, Turnbull, Walding.

Statutory Regulations and Orders:

Hon. Messrs. Cherniack, Desjardins, Doern, Mackling, Toupin, Uskiw, Messrs. Allard, Bilton, Froese, Graham, Gottfried, McGregor, Moug, Shafransky, Watt.

Economic Development:

Hon. Messrs. Burtniak, Cherniack, Doern, Evans, Pawley, Schreyer, Uskiw, Messrs. Beard, Borowski, Craik, Gonick, Johnston (Sturgeon Creek), Jorgenson, McGill, Patrick, Shafransky,

(MR. CLERK cont'd) Sherman, Spivak, Turnbull.

Private Bills, Standing Orders, Printing and Library:

Hon. Messrs. Burtiak, Desjardins, Mackling, Miller, Messrs. Allard, Barkman, Blake, Ferguson, Froese, Green, Jenkins, Johnston (Sturgeon Creek), McKellar, Malinowski, Petursson, Walding, Watt.

MR. SPEAKER: Ministerial Statements. The Honourable Minister of Labour.

MR. PAULLEY: I move, seconded by the Honourable the Minister of Finance that the report be received and adopted.

MR. SPEAKER presented the motion and after a voice vote declared the motion carried.

MR. SPEAKER: The Honourable Minister of Labour.

MR. PAULLEY: Mr. Speaker, I presume that the Clerk would cause to be recorded in Hansard the composition of the respective committees so that members of the House are knowledgeable as to the composition of the said committees.

MR. SPEAKER: Ministerial Statements; Tabling of Reports. The Honourable Minister of Health and Social Development.

TABLING OF REPORTS

HON. RENE E. TOUPIN (Minister of Health & Social Development) (Springfield): Mr. Speaker, I would like to table the Annual Report of the Alcoholism Foundation of Manitoba as of the 31st of December, 1971.

MR. SPEAKER: The Honourable Minister of Transportation.

HON. PETER BURTNIAK (Minister of Highways, Minister responsible for Manitoba Telephone System) (Dauphin): Mr. Speaker, I'd like to table the Annual Report of the Highway Traffic and Motor Transport Board, the Provincial Transport Board and the Taxicab Board for the calendar year 1971.

MR. SPEAKER: Ministerial Statements. The Honourable Minister of Industry and Commerce.

HON. LEONARD S. EVANS (Minister of Industry & Commerce) (Brandon East): Mr. Speaker, I have another report on the current situation with regard to flood prospects and with the indulgence of the House I'd like to read the summary which has been provided for us by the Water Resources Branch. The weather system which resulted in between three and five inches of snow over the southern portion of Manitoba and Saskatchewan and northern North Dakota has and did move slowly eastward. Cool temperatures and cloudy skies associated with the system is expected to persist for one or two days and therefore no significant amount of melting in the southern portion of Manitoba is expected for a day or two.

The Red River has crested at Fargo from the melting of the winter snow. The first crest is expected at Grand Forks today, or yesterday rather, and at Emerson by the beginning of the week. The run-off that will result from the melting of the new snow will not add materially to these peaks but will prolong by several days the period of high water. Stages slightly below bank full, that is the level of the bank, are expected along the Red River between Emerson and St. Norbert.

I draw to your attention, Mr. Speaker, that peak flows on the Pembina River may be slightly increased by the melting of the recent snow but flooding in the Niche - Altona region is not expected. Precipitation over the Assiniboine basin during the past few days has been generally lower than in the southern portions of the province and it is not expected that the additional snow will cause any significant effect on the spring peaks. River stages below bank full are expected along the Assiniboine River. As I reported previously flooding of low lying land along the Souris River between the United States boundary and Hartney is expected because of above average spring run-off in the Saskatchewan and North Dakota portions of the basin. The Souris basin received about five inches of snow from the recent weather disturbance and therefore somewhat higher peak flows will result. Thank you.

MR. SPEAKER: The Honourable Member for Arthur.

MR. J. DOUGLAS WATT (Arthur): Mr. Speaker, I'd like to direct a question to the Honourable Minister . . .

MR. SPEAKER: Order please. Is it on the statement? Ministerial Statements; Notices of Motion; Introduction of Bills; Oral Questions. The Honourable Member for Riel.

ORAL QUESTION PERIOD

MR. DONALD W. CRAIK (Riel): Mr. Speaker, I rise to raise a question of House privilege. During the course of debate last Thursday evening on a resolution which I had submitted regarding the matter of Hydro the First Minister prefaced his reply to this with the remark "centering around the Churchill Forest Industries question;" and after making several fairly important remarks and accusations, Mr. Speaker, it was my understanding that this was going to be given consideration by the Speaker to determine whether or not the topic of Churchill Forest Industries was going to be a matter for open debate in this House. Now in light of the remarks that were made by the First Minister I think it would be important and valuable to the rest of us and certainly would be extremely just on your part if we could get an official ruling on this so that we could as soon as possible reply to these remarks.

MR. SPEAKER: The Honourable Minister of Labour.

MR. PAULLEY: Mr. Speaker, it is a well honoured rule of this House that a point of privilege should be entered into at the time of the incident and my honourable friend the Member for Riel raises a question dealing with a matter that was under consideration, as I understood my honourable friend, last Thursday. So therefore I question whether or not it's a matter of privilege. If my honourable friend I think would raise the question on oral questions as to whether or not it would be practical or permissible to discuss this in view of the fact that it's before the court, that may be in order, Mr. Speaker. The only reason I am . . .

MR. SPEAKER: Order please.

MR. PAULLEY: . . . rising at this . . .

MR. SPEAKER: Order please. I should like to indicate to both honourable members that so-called questions of privileges on matters which should be dealt with as personal explanation or corrections either in debate or in the proceedings of the House -- the honourable member did not have a question of privilege; it was an explanation he desired and I understood what he was discussing. As a further explanation I'd like to indicate to the honourable member that the question in essence at Thursday night I indicated that honourable members should all consider before they made utterances in regards to what is sub judice at that time. I indicated I wanted them to use their own discretion. I did not want to make a ruling at that time and the debate that carried and flowed from then indicated that this was what was taking place. So I do not see how the honourable member misunderstood that I was taking it under advisement.

The Honourable Member for Riel on a further . . .

MR. CRAIK: Mr. Speaker, might I then just to clarify it completely direct a question to you, Sir, and say that you have not ruled this yourself as sub judice.

MR. SPEAKER: That is correct. I have not ruled it; I have indicated honourable members should use their own discretion. If they go beyond the bounds where I deem it a matter of procedure then I shall raise the question.

Oral questions. The Honourable Member for Lakeside.

MR. HARRY J. ENNS (Lakeside): Mr. Speaker, I direct a question to the Honourable the First Minister. I wonder, Sir, if he could tell us whether or not during the period or the time that the Honourable Member for Thompson was a member of the Cabinet was there ever an occasion on which there was a question or any questions raised . . .

MR. SPEAKER: Order please. Order please. The question is out of order. The Honourable Member for Rhineland.

MR. JACOB M. FROESE (Rhineland): Mr. Speaker, I'd like to address a question to the Honourable the Minister of Education. Is it the intention of the government to restrict or limit in any way the spending of school division boards?

MR. SPEAKER: The Honourable Minister of Education.

HON. BEN HANUSCHAK (Minister of Education) (Burrows): The intention, Mr. Speaker, is to closely examine, scrutinize methods, not only of expenditures but finances and general operations of schools and in a co-operative manner arrive at a modis operandi that would enhance the quality of education in the Province of Manitoba at no undue or unnecessary increase in cost.

MR. SPEAKER: The Honourable Member for Lakeside.

MR. ENNS: Mr. Speaker, I direct a question to the Honourable the First Minister. Has the government at any time during its tenure had occasion to direct the provincial auditor to have a special audit of the funds, that is the provincial funds, that it has from time to time granted to the Manitoba Indian Brotherhood?

MR. SPEAKER: The Honourable First Minister.

HON. EDWARD SCHREYER (Premier) (Rossmere): Mr. Speaker, there has been no extraordinary procedure followed.

MR. SPEAKER: The Honourable Member for Rock Lake.

MR. HENRY J. EINARSON (Rock Lake): Mr. Speaker, I direct this question to the Minister of Tourism and Recreation. In regards to the roadside park being constructed between Treherne and Rathwell could the Minister indicate whether this project has commenced and if so can he indicate approximately how much has been spent on it so far.

MR. SPEAKER: The Honourable Minister of Tourism and Recreation.

HON. LAURENT L. DESJARDINS (Minister of Tourism, Recreation and Cultural Affairs) (St. Boniface): Mr. Speaker, I'll take this as notice. Mind you, this could be discussed during estimates but I'll take it as notice.

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

MR. L. R. (Bud) SHERMAN (Fort Garry): Mr. Speaker, my question is to the Honourable Minister of Tourism, Recreation and Cultural Affairs. Has he had any notice or any request from the Winnipeg Symphony or any other cultural organization in the city to meet with him to help meet a crisis in the funding area which may be arising as a consequence of the City of Winnipeg decisions?

MR. SPEAKER: The Honourable Minister of Tourism and Recreation.

MR. DESJARDINS: Mr. Speaker, there has been no formal request. I know that all these cultural groups are quite concerned the same as the Province of Manitoba but this is something that we can't dictate to the City of Winnipeg. I've tried to make them aware that they have a certain responsibility and I've asked for a meeting -- we're trying to organize a meeting now with the Chairman of the Grants Committee of the sub-committee of the City of Winnipeg. This is as far as we've gone.

MR. SPEAKER: The Honourable Minister of Industry and Commerce.

MR. EVANS: Mr. Speaker, the other day I was asked a question by the Honourable Member from Brandon West regarding the certifications of the Saunders Aircraft ST-27 in the United States, and the answer I can give him now is that the application for certificate of airworthiness has been made and that the application is being processed. Also I was asked a question by the Honourable Member from Fort Garry regarding the pamphlet "Manitoba Incentive to Industry," and he wondered whether such a pamphlet was still available. The simple answer is that the pamphlet is out of print and there are some changes being made and as soon as these changes have been made a new issue will be provided and the honourable member can get a copy. But this is the reason he can't get a copy at this time.

MR. SPEAKER: The Honourable Member for Fort Garry.

MR. SHERMAN: A supplementary question, Mr. Speaker, and I thank the Minister for his statement, but notwithstanding my desire to get a copy will other interested businessmen in the province be able to obtain copies?

MR. EVANS: Mr. Speaker, as soon as the new pamphlet is ready they'll be available to anyone who'd like a copy, as soon as possible.

MR. SPEAKER: The Honourable Member for Lakeside.

MR. ENNS: Mr. Speaker, I direct a question to the Honourable the Minister of Highways. Can the Minister tell me what has happened, or whether or not he has received the report of a study that was instigated by the former Minister some time ago and was publicly announced, a study and investigation into the Department of Highways that was instigated by the former Minister of Highways.

MR. SPEAKER: The Honourable Minister of Transportation.

MR. BURTONIAK: Mr. Speaker, I think I'm aware as to what the Honourable Member for Lakeside was referring to the report -- the report has come in but I haven't had a chance to study it myself. However if in the future I suppose we will be able to table it.

MR. ENNS: A supplementary question. Did I understand the Minister of Highways correctly that he was prepared to table the report if and when he has had an opportunity to study it? Thank you.

MR. SPEAKER: The Honourable Member for Arthur.

MR. WATT: Mr. Speaker, I'll again direct a question to the Minister who is in control of . . .

MR. SPEAKER: Order please. The honourable member on a point of order -- for Rhineland.

MR. FROESE: . . . the previous question. The Honourable Minister indicated by a shake of his head but this will not be recorded in the Hansard. -- (Interjection) --

MR. SPEAKER: Order please. The Honourable . . . There is no point of order on a point of order. Does the Honourable Member for Rhineland wish to make his point of order?

MR. FROESE: Mr. Speaker, my point of order was that the Minister agreed to it but it will not be recorded so in Hansard. -- (Interjection) --

MR. SPEAKER: Order please. I have to recognize the First Minister first. The Honourable First Minister on the point of order.

MR. SCHREYER: Mr. Speaker, my point of order is simply that the alleged point of order of the Honourable Member for Rhineland is in fact and cannot be a point of order. Whether a person shakes his head affirmative, negative or does not reply at all, neither of those instances constitute a point of order.

MR. SPEAKER: Points of order in regard to -- for all members of the Assembly are questions raised with the view of calling attention to any departure from standing orders or the customary modes of procedure in debate or in conduct of legislative business, may be raised at any time by any member whether he has previously spoken or not: Beauchesne Citation Fourth Edition, page 59, citation 70. The honourable member indicated that a procedure of nodding had taken place which is not recorded. I must accept that there was some validity to the statement. The Honourable Member for Lakeside -- on his question? -- (Interjection) -- Oh, Arthur, I'm sorry. The Honourable Member for Arthur.

MR. WATT: Mr. Speaker, I'd like . . .

MR. SPEAKER: Order please. A point of order by the First Minister.

MR. SCHREYER: Yes, Mr. Speaker, it is not clear now, Sir, whether it is being suggested that the point raised by the Member for Rhineland was in fact a valid point of order. I simply refer to that provision of the House rules and practice to state very simply that a question asked does not necessarily beget a reply and to suggest that it ought to does not constitute a point of order. So it is not clear to me, Sir, whether you are suggesting that the Member for Rhineland did have a valid point of order.

MR. SPEAKER: I would indicate to the Honourable First Minister that there was validity to the statement that a nod was not an answer. I would agree with the Honourable Minister also as far as rules of procedure are concerned that no one has to answer. The Honourable Member for Lakeside.

MR. ENNS: Mr. Speaker, I direct a supplementary question to the Honourable Minister of Highways. Can he tell us will he table the already referred report?

MR. SPEAKER: The Honourable Minister of Transportation.

MR. BURTNIAK: Mr. Speaker, as I said before, I'll -- whenever I get a chance to have it studied perhaps I will be able to table it at that time.

MR. SPEAKER: The Honourable Minister of Labour.

MR. PAULLEY: . . . that I think is a valid point, honourable friends opposite and indeed my colleague on this side are referring to a report in the Department of Highways. My point of order, Mr. Speaker, is really what report are they referring to, because when one reads Hansard in some days from now only a mention is made of a report. Now what specific report are my honourable friends referring to and I think -- my point of order is, Mr. Speaker, that it should be established what report we are talking about.

MR. SPEAKER: The Honourable Member for Lakeside.

MR. ENNS: Mr. Speaker, I leave it free to judge whether or not the House Leader did in fact have a point of order, but surely the Honourable Minister obviously knows which report I'm referring to and perhaps he could accommodate the Honourable the House Leader by rising now and giving us the full and formal title, the full and formal title of the report that we're referring to. Thank you.

MR. SPEAKER: Order please. Oral questions. The Honourable Member for Birtle-Russell.

MR. HARRY E. GRAHAM (Birtle-Russell): Thank you, Mr. Speaker. My question is for the Minister of University Education. Can the Minister indicate to me whether or not there will be jobs available for university and high school students during the summer months with the Province of Manitoba?

MR. SPEAKER: The Honourable Minister of Universities.

HON. SAUL A. MILLER (Minister of Colleges and Universities) (Seven Oaks): There will be some jobs available for students.

MR. SPEAKER: The Honourable Member for Arthur.

MR. WATT: Well, Mr. Speaker, a lot of water has backed up since I first attempted to pose a question to the Acting Minister of Mines and Natural Resources. Could the Minister tell the House what steps if any have been taken to protect the farmers and the business people up and down the Souris River since he has indicated that that is the most dangerous actually flooding area in the province at the present time.

MR. SPEAKER: The Honourable Minister of Industry and Commerce.

MR. EVANS: Well, Mr. Speaker, I can advise the honourable member and other members of the House that the department and in particular the Water Control Branch is very much on top of the situation. We are getting daily reports on water levels. I can advise the members of the House that I met with representatives of the Souris Valley Flooded Area Association this morning to discuss the problem in general and that I've given a commitment to personally review the area of the Souris River on Monday, which is supposed to be a holiday but I will be spending it personally reviewing the area both on water, land and air.

MR. SPEAKER: The Honourable Member for Arthur.

MR. WATT: Mr. Speaker, I'd like to direct a question to the Minister of Transportation if he believes that the construction of a new bridge -- (Interjections) -- Is my question out of order, Mr. . . . ?

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

MR. WATT: Thank you, Mr. Speaker. I direct the question again to the Minister of Transportation. In his opinion has the construction of a new bridge that has increased the capacity of the water to the Souris River at Melita about doubled to carry downstream to the flooded area that has been a problem for the last two or three years.

MR. SPEAKER: The Honourable Minister of Transportation.

MR. BURTNIAK: Mr. Speaker, I really don't know what the honourable member is trying to get at. He was asking for an opinion and of course I don't think I should offer an opinion at this time.

MR. SPEAKER: The Honourable Minister of Industry and Commerce.

MR. EVANS: Mr. Speaker, yesterday the Honourable Member from Lakeside asked me a question respecting the Fairford Dam. He wondered whether we'd received any direct complaints or requests to reduce the outflow of water from Lake Manitoba at the Fairford Dam from trapper associations around St. Ambroise and the Marsh Point and I said that I would take the question as notice. I can advise the honourable members of the House at this time, Mr. Speaker, that no direct complaints or requests to reduce the outflow of water from Lake Manitoba at the Fairford Dam have been received from the trappers associations around St. Ambroise and Marsh Point.

I am advised, however, that the present level of Lake Winnipeg is 811.9 feet which is about the same level - Lake Manitoba, I'm sorry - the present level of Lake Manitoba is at 811.9 feet which is about the same level as in March of 1968, March of 1969 and March of 1970. Last year the level at this time was 812.5 because the outflow of Lake Manitoba had been cut off during the winter to permit repairs to be made to the Fairford Dam.

A supplementary question was asked, Mr. Speaker, by the same member respecting the dam structure at Fairford. Are, he asked, are the locks all out at this particular time? Is the water flowing from there? I can advise him that at the present time there are 45 locks out of the -- excuse me -- 45 logs out of the -- (Interjection) -- there are 45 locks at the present time at the Fairford Dam, out of the Fairford Dam and when the flow through the dam is cut off there are a total of 107 locks. The discharge through the Fairford Dam is 3,400 cubic feet per second at the present time.

Another question was asked -- from the Honourable Member from Ste. Rose with respect to the waters of the Assiniboine going down the Portage by-pass into Lake Manitoba this spring, and I can answer him that there are no significant concentrations of chemical or biological constituents in the water of the Assiniboine River. As a result of diversion of waters from the Assiniboine River this spring, there will be no contamination of the water in Lake Manitoba. There will be no contamination caused by these diversions. A very small flow about 1,000 cubic feet per second is being diverted into Lake Manitoba at the present time. The diversion commenced on March 23 and will continue at 1,000 cubic feet per second or less for the next few days.

Mr. Speaker, it's very difficult to say at this time how much longer it will be necessary

(MR. EVANS cont'd) to divert flows from the Assiniboine River. However, the total volume of water diverted this spring will be small.

Another honourable member asked me a question -- the Honourable Member from Birtle-Russell asked a question with respect to the waters of the Assiniboine River being polluted and I'm advised that the 1971-72 water quality data showed no changes compared to previous years. Latest results in January and February of this year were consistent with those found in 1970-71 in terms of general water quality. With respect to mercury results of analysis of water sampled again in January and February of this year are consistent with previous data showing levels of mercury in the Assiniboine River well below that allowed by drinking water standards.

And a further question was also asked by the Honourable Member from Birtle-Russell with respect to people along the Assiniboine River being informed of the results pertaining as it related to his question and my answer is simply, Mr. Speaker, that since the water quality of the Assiniboine River is quite satisfactory we have deemed it not necessary to make announcements to that effect. If it were otherwise, I can assure all honourable members of this House that we would certainly have taken steps to inform the public and particularly those directly concerned. Thank you.

MR. SPEAKER: The Honourable Member for Lakeside.

MR. ENNS: Mr. Speaker, I thank the Honourable Minister for his detailed questions and I want to assure him that it is of great importance to the trappers.

MR. SPEAKER: Order please. It's questions period, not answer period. The Honourable Member for Rhineland.

MR. FROESE: Mr. Speaker, I'd like to address a question to the First Minister. Will the measure to provide aid for private schools be proceeded with by a resolution?

MR. SPEAKER: The Honourable First Minister.

MR. SCHREYER: The precise nature of the course of action that we followed will be made known in due course.

MR. SPEAKER: The Honourable Member for Assiniboia.

MR. STEVE PATRICK (Assiniboia): Mr. Speaker, I wish to direct my question to the Honourable Minister of Corporate and Consumer Affairs. My question is to the Attorney-General. Will the government or the Minister be tabling any legislation requiring registration of conditional sales, lien notes or time sales?

MR. SPEAKER: The Honourable the Attorney-General.

HON. A. H. MACKLING, Q. C. (Attorney-General) (St. James): Mr. Speaker, the honourable member knows that this is a policy consideration. There has been discussion about this for some time ever since I was elected to this House and the Honourable Member knows that I have under active consideration legislation which would make it mandatory or at least make it possible for this type of contract to be registered.

MR. SPEAKER: The Honourable Member for Assiniboia.

MR. PATRICK: A supplementary, Mr. Speaker. When will the Minister announce this policy?

MR. SPEAKER: The Honourable Attorney-General.

MR. MACKLING: Soon.

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

ORDERS OF THE DAY

MR. PAULLEY: I wonder, Mr. Speaker, whether you would kindly call the adjourned debate on Bill No. 5. The Honourable Member for Minnedosa.

MR. SPEAKER presented the motion.

MR. SPEAKER: The Honourable Member for Minnedosa.

MR. DAVID R. BLAKE (Minnedosa): Mr. Speaker, I would request that this matter be held for further debate at a later date.

MR. SPEAKER: (Agreed) The Honourable Minister of Labour.

MR. PAULLEY: Would you call Bill No. 6.

MR. SPEAKER presented the motion.

MR. SPEAKER: The Honourable Member for Brandon West.

MR. EDWARD MCGILL (Brandon West): Mr. Speaker, I would ask that this matter stand.

MR. SPEAKER: (Stand). The Honourable Minister of Labour.

MR. PAULLEY: Would you kindly call Bill No. 2 to see if we can get a little progress in this House. -- (Interjections) -- But it's true!

MR. SPEAKER: Order. Order.

MR. SPEAKER presented the motion. The Honourable Member for La Verendrye.

MR. LEONARD A. BARKMAN (La Verendrye): Mr. Speaker, I guess I should thank the last speaker for that kind hand I just received but I would like to agree that we need some progress around here and as far as Bill 2 is concerned, I adjourned the bill at the time to try and check it out and see if some improvement could not be found but I must admit that I have not been able to come up with any solutions, therefore we're willing to let the bill go.

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

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

MR. SPEAKER presented the motion and after a voice vote declared the motion carried.

MR. SPEAKER: The Honourable Minister of Finance.

HON. SAUL CHERNIACK, Q.C. (Minister of Finance) (St. Johns): Mr. Speaker, I now propose to move the motion to go into Supply and may I indicate to honourable members that it is my proposal to deal with interim supply as soon as we go into Committee of Supply. The reason I mentioned that in advance of the motion is that the normal ~~course~~ is that interim supply is dealt with, the Committee then rises and reports and goes into Committee of Ways and Means which deals with it, and then the Committee rises and reports and then we go normally through the three readings of the Interim Supply Bill which of course must be completed this month -- that means by Thursday.

Now, Mr. Speaker, after we would complete the interim supply throughout the steps of the preceding then I would assume that the House would be prepared to go back into Supply and that would have to be done by -- understanding the arrangement -- after we complete dealing with interim supply in the House we would then be able to go back into Committee of Supply. May I assume that that will be acceptable to members of the House and that we will be able to proceed in that way.

MR. SPEAKER: Procedure agreed to. (Agreed) The Honourable Minister of Finance.

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

MR. SPEAKER presented the motion and after a voice vote declared the motion carried, and the House resolved itself into a Committee of Supply with the Member for Logan in the Chair.

COMMITTEE OF SUPPLY

MR. CHAIRMAN: Resolved that a sum not exceeding \$141,249,475 being 25 percent of the amount of the several items to be voted for the departments assessed for in the main estimates for the fiscal year ending the 31st day of March 1973 laid before the House at the present session of the Legislature be granted to Her Majesty for the fiscal year ending 31st day of March 1973. Passed . . .

The Honourable Member for Rhineland.

MR. FROESE: Mr. Chairman, is this the regular percentage amount that we normally pass. I thought this was a little more being asked for at this time than in some other years.

MR. CHERNIACK: No, Mr. Chairman, it is not. As a matter of fact I believe in the last two years what was brought in in interim supply was 30 percent of the amount to be voted whereas in this case it's 25 percent. Members will recall that last year we were later into the session and therefore there was 30 percent requested. This year it's 25 percent of the amount to be voted. If you actually want to work out the arithmetic, you would have to subtract the statutory portion of the estimates before you divided into 25 percent but the amount that is now being proposed is 25 percent which would . . . care of up to July 15 or thereabouts. So it is routine. I should say that when we deal with the bill itself there is an additional section dealing with a transfer of funds for the Canada-Manitoba special ARDA Agreement appropriation but that will be explained no doubt when we deal with the bill itself. So that the resolution before us is indeed for 25 percent of the amount to be voted and therefore is less than last year's percentage.

MR. CHAIRMAN put the question and after a voice vote declared the motion carried.

(MR. CHAIRMAN cont'd) Committee rise and report. Call in the Speaker.

IN SESSION

MR. SPEAKER: The Honourable Member for Logan.

MR. WILLIAM JENKINS (Logan): Mr. Speaker, I beg to move, seconded by the Honourable Member from Ste. Rose that the report of the committee be received.

MR. SPEAKER presented the motion and after a voice vote declared the motion carried.

MR. SPEAKER: The Honourable Minister of Finance.

MR. CHERNIACK: Mr. Speaker, I move, seconded by the Honourable the Attorney-General that the Resolution reported from the Committee of Supply be read a second time and concurred in.

MR. SPEAKER presented the motion.

MR. CLERK: Resolved that a sum of not exceeding \$141,249,475 being 25 percent of the amount of the several items to be voted for departments assessed for in the main estimates for the fiscal year ending 31st day of March 1973 laid before the House at the present session of the Legislature be granted to Her Majesty for the fiscal year ending 31st day of March 1973.

MR. SPEAKER put the question and after a voice vote declared the motion carried.

MR. SPEAKER: The Honourable Minister of Finance.

MR. CHERNIACK: Mr. Speaker I beg to move, seconded by the Honourable the Attorney-General that Mr. Speaker do now leave the Chair and the House resolve itself into a committee to consider of Ways and Means for raising of the Supply to be granted to Her Majesty.

MR. SPEAKER presented the motion and after a voice vote declared the motion carried.

MR. SPEAKER: The Honourable Member for Logan.

COMMITTEE OF WAYS AND MEANS

MR. CHAIRMAN: Resolved that towards making good the supply granted to Her Majesty on account of certain expenses of the public service for the fiscal year ending the 31st day of March 1973, the sum of \$141,249,475 being 25 percent of the amount of the several items voted for departments as set forth in the main estimates for the fiscal year ending the 31st day of March 1973, laid before the House at the present session of the Legislature, be granted out of the Consolidated Fund. You have heard the resolution, is there any discussion? The Honourable Member for Morris.

MR. WARNER H. JORGENSEN (Morris): Mr. Chairman, since we don't have a copy of the bill before us, I wonder if the Minister would undertake to assure the House that this particular Interim Supply Bill follows the normal practice of interim supply bills; that there is nothing in there that would be considered unusual in the way of the presentation of such a measure and with that -- (Interjection) -- well, this is precisely what I am asking the Minister -- if he will give us that assurance. With that assurance then I will trust him.

MR. CHAIRMAN: The Honourable Member for Rhineland.

MR. FROESE: Mr. Chairman at this time I would just qualify whatever decision is reached and vote. Certainly this bill is for a certain percentage of the total estimates and I for one, certainly won't want to withhold my right to discuss the estimates as they come up and to make amendments to lower certain amounts if necessary; because just by giving approval to the bill should not be an indication on my part that I have approved the total estimates, the total amount of the estimates for this coming or the ensuing year.

I certainly want to reserve my position and I want this on record.

MR. CHAIRMAN: The Honourable Minister of Finance.

MR. CHERNIACK: I think it's absolutely clear that the Honourable Member for Rhineland has the right and it wouldn't be necessary for him to put it on the record; but lest he feel that necessary he has already done so and we will still be dealing with all of the estimates in accordance with the rules of the House.

In response to the comments of the Honourable Member for Morris I would point out to him that I had already made the kind of a statement which I thought would have satisfied him. It is my understanding that the bill which will be distributed as soon as we go -- reach the proper stage in the deliberations of the House after second reading -- or after first reading rather, that that is drawn in the usual form, the difference I have pointed out from the last couple of years is that it's 25 percent less than 30 percent of the amounts to be voted. I did point out that he will find that there is one particular section which is new for this year, and which is required to facilitate the transfer of funds for the Canada-Manitoba special ARDA

(MR. CHERNIACK cont'd) agreement from appropriation 22 to implementing departments prior to passage of the Appropriation Act 1972. Possibly I should point out that that appropriation is in the estimates as one sum because it is part of the agreement with the federal government but the implementation of the program is distributed amongst various departments and there has to be special provision apparently in this Interim Supply Bill to enable each of the departments to deal with their responsibilities under the Agreement. I am assured and I take responsibility for saying that other than what I have already said, that this Bill is in the regular form that has been submitted to the House from time to time.

MR. CHAIRMAN put the question and after a voice vote declared the motion carried.

MR. CHAIRMAN: Committee rise and report. Call in the Speaker.

IN SESSION

MR. SPEAKER: The Honourable Member for Logan.

MR. JENKINS: Mr. Speaker I beg to move, seconded by the Honourable Member for Ste. Rose that the report of the committee be received.

MR. SPEAKER presented the motion and after a voice vote declared the motion carried.

MR. SPEAKER: The Honourable Minister of Finance.

MR. CHERNIACK: Mr. Speaker, I beg to move, seconded by the Honourable the Minister for Colleges and Universities that the Resolution reported from the Committee of Ways and Means be read a second time and concurred in.

MR. SPEAKER presented the motion.

MR. SPEAKER: The Clerk.

THE CLERK: Resolved that towards making good the Supply granted to Her Majesty on account of certain expenses of the public service for the fiscal year ending the 31st day of March 1973, the sum of \$141,249,475 being 25 percent of the amount of the several items voted for Departments as set forth in the main estimates for the fiscal year ending 31st day of March 1973, laid before the House at the present session of the Legislature be granted out of Consolidated Fund.

MR. SPEAKER put the question and after a voice vote declared the motion carried.

MR. SPEAKER: The Honourable Minister of Finance.

MR. CHERNIACK introduced Bill No. 10, an Act for granting to Her Majesty certain sums of money for the Public Service of the province for the fiscal year ending the 31st day of March, 1973.

MR. SPEAKER presented the motion and after a voice vote declared the motion carried.

MR. SPEAKER: The Honourable Minister of Finance.

MR. CHERNIACK presented Bill No. 10, an Act for granting to her Majesty certain sums of money for the Public Service of the Province for the fiscal year ending the 31st day of March 1973, for second reading.

MR. SPEAKER presented the motion.

MR. SPEAKER: The Honourable Member for Rhineland.

MR. FROESE: Mr. Speaker, I have no intention of delaying the procedure of this bill on second reading. However I would like to ask the honourable minister whether he couldn't give us a further breakdown of the \$700,000 by way of departments or projects, whichever way is more suitable.

MR. SPEAKER: The Honourable Minister of Finance.

MR. CHERNIACK: Mr. Speaker, I will be closing debate if I speak at this stage.

MR. CRAIK: Mr. Speaker before, pardon me . . .

MR. SPEAKER: The Honourable Member for Riel.

MR. CRAIK: Mr. Speaker, just before the question is put we realize the traditional nature of this action that we are doing today and I think all of us are prepared to see the civil service paid beyond March 31st which the minister needs the money for. We may have a lot of issues we want to take up with him and will take up with him particularly on Ways and Means but at this time it's not our position to hold this over even the day or so of grace that's left before the deadline and therefore we'll support it at this time.

MR. SPEAKER: The Honourable First Minister.

MR. SCHREYER: Mr. Speaker, to expedite proceedings so as to provide at least some information to the Member for Rhineland so as not to cause the Minister of Finance to close debate by speaking now, I can indicate to the Member for Rhineland that the reference in the

(MR. SCHREYER cont'd); Bill before us to the \$700,000 for the ARDA 3(b), the Member for Rhineland will have an opportunity to deal with it during consideration of current estimates under Executive Council. I can tell him now in a preliminary way that the purpose of this allocation of monies is pursuant to the Special ARDA 3(b) agreement entered into between the Governments of Canada and Manitoba. The geographical area that this agreement covers is primarily that of Northern Manitoba, north of 53, east of Lake Winnipeg but also covering other communities in which people of native descent and disadvantaged economic opportunity predominate. The nature of the projects that are eligible for consideration for grants financing under special ARDA 3(b) are projects that would provide for improved transportation, improved communication facilities to remote and isolated communities; that would provide monies for the inception or the development of economic development programs which would in turn create job opportunities for people living in these same communities.

There are certain minimum criteria such as the fact that an application must show that there are more than three man years of employment generated as a result of the carrying forward of that program, etc. I hope that in a general way that satisfied the Honourable Member's curiosity for now, and as I say, when we come to the detailed consideration of current estimates, he will have the opportunity again to pursue it further.

MR. SPEAKER put the question and after a voice vote declared the motion carried.

MR. SPEAKER: The Honourable Minister of Finance.

MR. CHERNIACK: Mr. Speaker I move, seconded by the Honourable the Acting Minister of Public Works that Mr. Speaker do now leave the Chair and the House resolve itself into the Committee of the Whole to consider Bill No. 10, an Act for Granting to Her Majesty certain sums of money for the public service of the province for the fiscal year ending the 31st day of March 1973.

MR. SPEAKER presented the motion and after a voice vote declared the motion carried.

MR. SPEAKER: The Honourable Member for Logan.

COMMITTEE OF THE WHOLE HOUSE

MR. CHAIRMAN: Bill No. 10, sections 1, 2, 3, 4, 5, 6 were read and passed. Section 7 . . . The Honourable Member for Rhineland.

MR. FROESE: I know we are dealing with the last section. Is it the intention to give Royal Assent today?

MR. CHERNIACK: I expect it will get Royal Assent before the end of the month. In other words, it would be unfair to the administrator to ask him to stay by at all. We would assume of course that we will be able to pass the bill through third reading today and then at the convenience -- I am sure that Honourable Members would agree at the convenience -- when we can arrange for the Administrator to be present, we will obtain Royal Assent.

MR. CHAIRMAN: The Honourable Member for Arthur.

MR. WATT: Mr. Chairman I wonder if the Minister of Finance could tell us if, as we go through the estimates and the Ministers' salaries are reduced to 99 cents if this would affect the 25 percent of Interim Supply.

MR. CHERNIACK: Mr. Chairman, I would respond by saying that if that is the intent of the Honourable Member for Arthur, he ought to make sure that the estimates are dealt with quickly enough to prevent Cabinet ministers' salaries from being paid at all including the month of April let us say; but until the estimates are indeed passed then the cheques will go in their regular way, and no doubt if the motion suggested by the Honourable Member for Arthur passes there will have to be a bit of a problem dealing with how you deal with monies paid that are not authorized.

MR. CHAIRMAN: Section 7 passed . . . The Honourable Member for Arthur.

MR. WATT: Mr. Chairman, is the Minister of Finance suggesting that we should deal with the Ministers' salaries quickly and at the moment?

MR. CHERNIACK: . . .

MR. WATT: Are you suggesting that we should deal with the Ministers' salaries at the moment?

MR. CHERNIACK: I didn't hear what the Honourable Member said after the word "salaries".

MR. WATT: Well I'm not speaking probably into my microphone. Are you suggesting that we should deal with Ministers' salaries at the moment?

MR. CHERNIACK: We are of course bound to deal with all of the estimates and we should deal with them as quickly and expeditiously as possible bearing in mind of course the important function of the Opposition to explore the estimates in great detail and satisfy themselves in that regard.

MR. CHAIRMAN: (The remainder of the bill was read and passed.) Committee rise and report. Call in the Speaker.

IN SESSION

MR. SPEAKER: The Honourable Member for Logan.

MR. JENKINS: Mr. Speaker, I beg to move, seconded by the Honourable Member for Ste. Rose, that the report of the Committee be received.

MR. SPEAKER presented the motion and after a voice vote declared the motion carried. BILL NO. 10 was read a third time and passed.

MR. SPEAKER: The Honourable Minister of Finance.

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

MR. SPEAKER presented the motion and after a voice vote declared the motion carried and the House resolved itself into a Committee of Supply with the Honourable Member for Logan in the Chair.

COMMITTEE OF SUPPLY

MR. CHAIRMAN: Resolution 24(b)(1) . . . The Honourable Member for Fort Garry.

MR. SHERMAN: Mr. Chairman, I don't intend to reiterate the comments and arguments that we raised last night in inspecting this item in the Attorney-General's estimates nor do my colleagues or I intend to vote against this particular resolution. We don't want it suggested that we are opposed to the Human Rights Commission as an institution or to the kinds of things the Human Rights Commission stands for. What we do oppose is the whopping increase in requested appropriations. We've made that point. I reiterate that we consider it a frill and a luxury to increase the appropriation for this commission by some 200 percent or more in the light of the over-all increase in the provincial estimates and in the light of the over-all tax burden carried by Manitobans. We would like to recommend that the Attorney-General cut the item back from the \$248,700 level to as I suggested something very close to last year's figure speaking in round figures that's approximately \$80,000.00. We leave that suggestion for his consideration and we ask him to ask himself whether or not this is an area, a frill area in which some of the reduction in spending, some of the tightening in spending cannot be initiated.

MR. CHAIRMAN; The Honourable Attorney-General.

MR. MACKLING: Mr. Chairman, I just want to make it clear on the record that the remarks of the honourable members of the Opposition have been recorded in Hansard and Hansard will indicate the extent to which their criticism has reflected upon the operations of what is a fledgling development in our governmental structure. I have pointed out as strongly as I could that rights of people can only be enforced, can only be advocated when people are aware of what those rights are. And there are many people, many disadvantaged people in our society who are not aware of their rights and one of the -- one of the real efforts that must be made in our society and made by the Human Rights Commission is an educational process to bring home to people everywhere in Manitoba what their basic rights are and a good deal of the budgetary increase that's involved in this estimate is for that purpose primarily.

MR. CHAIRMAN: The Honourable Member for Fort Garry.

MR. SHERMAN: Mr. Chairman, I had intended that I had said my last word on the subject but the remarks of the Attorney-General make me rise to my feet again, Sir. He suggests that Hansard and the record contained therein will reflect unfavourably on the position of this Party as far as the Human Rights Commission is concerned. We stand by what's on Hansard, Mr. Chairman. I did not mean to suggest or imply when I stood up a moment ago that we'd withdraw one single remark or one single criticism that we levelled last night. Every one of them is legitimate, every one of them sticks. All I am saying is that in concept the Human Rights Commission is good; there is simply far too much money being spent on it at this point in time in the context of the taxload that Manitobans are already carrying.

INTRODUCTION OF GUESTS

MR. CHAIRMAN: Before proceeding I wonder if I could draw the attention of the members to the gallery where we have 19 members from the Graysville 4-H Club. They're under the direction of Mr. Funke and Mr. Murray. These guests are from the constituency of the Honourable Member for Pembina. On behalf of all the Honourable Members of the Assembly I bid you welcome.

Resolution 24(b)(1) -- passed; (2) -- passed; (c) -- passed; (d)(1) -- passed, (d)(2) -- passed; (d) -- passed; (c) -- passed; (f)(1) -- passed; (f)(2)--passed; (f)--passed; oh pardon me -- (3) . . . The Honourable Member for Rhineland.

MR. FROESE: Yes, on (f)(3) we again have an amount that's going to be recoverable from other appropriations. I wonder if the Minister could inform us on the details on this. Where is this money going to come from and just when we charge other departments on what basis is this? -- on the dollars spent, actual expenditure or is there some other formula by which amounts are levied?

MR. CHAIRMAN: The Honourable Attorney-General.

MR. MACKLING: The return is based on a time payment, based on the costs of the board at \$100.00 per hour -- isn't that the amount? -- which will cover all expenses.

MR. CHAIRMAN: -- passed, (g) . . . The Honourable Member for Assiniboia.

MR. PATRICK: Mr. Chairman, I wish to make a comment or two on Manitoba Lotteries Licensing Board and I believe that we are in an area which is very important, concerns all the people of Manitoba, and I would like to know from the Minister has he the kind of money that is spent for the Manitoba Lotteries Commission, how many members on the Board? What are the salaries for the members, for the commissioners? I understand there was a building that was constructed or is under way, and if it isn't the Minister can correct me later on. I would like to know what is the budget for the salaries for these people and is there a report from the Manitoba Lotteries Commission?

There's two areas, Mr. Chairman, the Manitoba Lotteries and the Sportstoto which involves millions and millions of dollars in this province. I think it's the responsibility of this Minister not only to tell us how much money comes in through the lotteries to the province and how much money that the Lotteries Commission collect, but also to tell us how much is spent for labour; how much is spent for administration; and how much goes back in the way of prizes and so on.

The same thing should be done in connection with the Sportstoto which involves millions of dollars and I think again it's the responsibility of the Minister to see -- I'm not saying that the Minister is not doing something right or wrong but I think it's the responsibility of this House and for the people of Manitoba so they would know how much money comes through the lotteries. Not only that but I think that quarterly reports should be made or quarterly statements should be perhaps printed in the two newspapers so the public would know just how much money comes in through the Sportstoto and how much money comes in through the lotteries to the Commission; and what is spent in the way of administration for salaries and so on; how much is returned back in prizes and what is returned to the public.

I think that this is sort of a new venture for Manitoba and I think that the Minister would be congratulated by everybody in this province if he would take the necessary steps and say look, the citizens of Manitoba will know how much money comes in, what is spent for administration; what is given in prizes and what is returned back for various civic organizations and communities as will be done by the Minister of Sports and Recreation. But I think the same thing should be done for Sportstoto because at the present time the people do not know how much money is coming in, what is spent and what is returned to the public. And I would like to see that the Minister -- and again I say that he will be held in high regard if he'll say, well we request that there be a publication in the newspapers sometimes how much money is spent and received and given back to the public. But I personally believe that it should come to this House, that we should have a report how much money is received, what is given back in prizes and what is the cost of administration for the lottery system in this province, and as well for the Sportstoto. So I think that everybody would welcome a statement -- not only the members here but all the citizens of this province.

MR. CHAIRMAN: The Honourable Attorney-General.

MR. MACKLING: Mr. Chairman, I'm sure the Honourable Member from Assiniboia would welcome my disclosing to him that the concerns that he was -- that he evidenced about a report

(MR. MACKLING cont'd) are all contained in my opening remarks, and if he will read Hansard where I reviewed the operations of the Manitoba Lotteries Commission he'll find contained within Hansard the answers that he seeks. I indicated the amount of the revenue, the amount of the operating expenses, the amount of the prizes and the amount of the monies that were paid to participating organizations. It's all there, it's all in Hansard.

Now he's concerned about Sportstoto, sorry, I'm not in a position to answer. That is not operated by government. That is a private lottery scheme that has been licensed under the Manitoba Lotteries Licensing Board and Item (g) deals with the Manitoba Lotteries Licensing Board, it's got nothing to do with the Manitoba Lotteries Commission.

The Manitoba Lotteries Licensing Board I referred to in the estimates or at least in my general remarks introducing the estimates, and they are a board of three people who review applications for lotteries' licenses on categories that are provided for pursuant to the amendments to the Criminal Code and as I indicated the amount of the licence fees more than cover not excessively, but more than just cover the amount of the administrative costs of this board and this board operates on a per diem basis in accordance with the number of meetings that they are obliged to hold. They have dealt with a large number of applications and have licensed an extensive number of organizations who wish to involve themselves in a lottery where the prizes involved will exceed \$3,500.00. If it's below that amount they go to their own local government licensing body, either the Clerk of the municipality, or the Clerk of the city and so on. So that that is the process that's involved in this and (g) deals with that Licensing Board. It has nothing to do with the Manitoba Lotteries Commission whose report I gave and as a matter of fact I had given publicity to the interim results of their first sweepstakes long ago and long before this House sat I again revealed the amount of the returns to date.

MR. CHAIRMAN: The Honourable Member for Assiniboia.

MR. PATRICK: Mr. Chairman, I believe the Honourable Attorney-General has misunderstood me. I'm not concerned with the Licensing Board and the expenditure of \$6,700, that's not my point. -- (Interjection) -- Yes, but I feel the Minister is still responsible for the lotteries as such in the Province of Manitoba and I think there should be some kind of a report given to this House because we're dealing with millions of dollars where people are involved in lotteries and we should know what the Commission is doing with it; how much money does come in, how many wagers are made or how many tickets are sold; and what kind of money is generated, what is the overhead and the expenditure; what is turned back in the way of prizes and what is turned back in the way of certain communities and so on. I think that this will probably increase and it's dealing with millions of dollars. I know we're dealing only with \$6,700 but I think the Minister should concern himself with the other operation and I think that there should be a report presented to this House. -- (Interjection) -- Well I know that the Attorney-General has mentioned it in his speech but I think if we can get a report from the Commission in a proper accounting would be much more appreciated than just a few statements that the Minister made.

MR. CHAIRMAN: The Honourable Attorney-General.

MR. MACKLING: Mr. Chairman, I think after a full year's operations the Lotteries Commission will in all likelihood be able to provide me with the kind of report which then I might be able to table in the House, but we have had two sweepstakes that have been operated under the aegis of the Commission and we haven't had a full period of operation of the Commission. But I did read into Hansard during the course of my opening remarks the net revenues that had been obtained and if my honourable friend wants me to repeat them at the expense of the House I'll do that. But I think it's an abuse of the time that is allotted for the questioning of my estimates. However if he wants me -- I'll read them out again.

MR. CHAIRMAN: Section (g) . . . The Honourable Member for Arthur.

MR. WATT: Mr. Chairman, I'd just like to ask the Minister one question. Could he tell the House or the Committee what becomes of the surplus derived from the Lotteries Commission. Does it go into the Consolidated Fund?

MR. CHAIRMAN: The Honourable Attorney-General.

MR. MACKLING: Mr. Chairman, the honourable member was I believe a member of the House when the Bill was passed and the Bill was amended to underline with particularity that the net proceeds of the lotteries operation go into the Consolidated Fund of the Province of Manitoba in special trust account and the special trust account earmarked those funds for cultural and recreational purses and those only. And there have been a number of questions

(MR. MACKLING cont'd) addressed to my honourable colleague, the Minister of Tourism and Recreation as to guidelines as to how those funds are going to be paid out and there's been assurances made that there'll be disclosure to the House as to the allocation, and they're specifically earmarked for those things pursuant to the Bill.

MR. CHAIRMAN: The Honourable Member for Arthur.

MR. WATT: Thank you. Could he tell the committee if there is a loss or a deficit insofar as the operation of the lotteries is concerned in the province? Where will the money come from, from the Consolidated Fund, or where will it come from?

MR. CHAIRMAN: The Honourable Attorney-General.

MR. MACKLING: I'll answer this question but I would like honourable members to appreciate the fact that I really think that item (g) does not deal with this question. It was dealt with, I thought, in some fair detail under the first resolution dealing with my salary where it can be appropriately questioned and debated and discussed. Under (g) I don't think we really ought to be discussing this item. The Honourable Member from Assiniboia got us there and out of the goodness of my heart I wanted to give him the information. He wasn't present in the House when that was discussed and I appreciate that problem.

But in respect to the problem that the Honourable Member from Arthur raises there are funds that are in trust and I hope there'll always be those funds in trust available for a future recreation and cultural pay-out. But should it happen that there be a problem in respect to the lottery not actually making sufficient to pay for the prizes, I assume that there'll always be a back-log process and there'll be funds available. I don't foresee that problem in view of the operations of the lotteries today. It's inconceivable to me that in the short run that that could happen. It's possible, anything is possible in the long run. It doesn't appear that that is likely but should it happen there always will be, hopefully, funds that have been earned and that are in trust for a future spending which would be available and therefore the consolidated funds would not be called upon.

MR. CHAIRMAN: (g) . . . Oh, the Honourable Member for Rhineland.

MR. FROESE: I listened with interest to the remarks by the Honourable Member for Assiniboia. We're dealing with the Manitoba Lotteries Licensing Board and if Public Accounts do not give a statement of the monies received and disbursed and so on, if there's no proper accounting being given by the Public Accounts then certainly we as members of this Legislature are entitled to a report from the board as to its operations and receipts and so on. The Minister indicated that he had given us the necessary -- (Interjection) -- Well the Member for Assiniboia says "sketchy remarks," and I accept the statement that he did give, but I think there should be a formal statement which is audited by competent qualified auditors so that we as members know that there is proper accounting been done and likewise this should be made public to the people of Manitoba so that they also would know.

MR. MACKLING: Mr. Chairman, we're still out of order debating the operations of the Manitoba Lotteries Commission pursuant to item (g). I have no objection if we want to go on at length on this, but let me assure the Honourable Member from Rhineland that every Crown corporation of this province has to audit their accounts and the accounts of the Manitoba Lotteries Commission is no exception and will not be any exception. -- (Interjection) -- Well I indicated, if the honourable member was listening, that we have yet to complete a full year's operation and when we have had a full year's operation I anticipate that I'll be in a position to have the kind of full annual report that perhaps could be tabled. Okay?

MR. CHAIRMAN: Section (g) . . . The Honourable Member for Assiniboia.

MR. PATRICK: Mr. Chairman, I just have one suggestion, just one suggestion for the Honourable Minister. Lotteries have been very successful in Manitoba in the last year and a half and it has generated quite a bit of money and the proceeds we know what they're supposed to go to -- certain cultural and recreational centres. Would the Honourable Minister give consideration and would the government give consideration to using just part of the -- a small portion of that money and forming a revolving fund so that it could loan to certain communities or recreational people in various communities throughout the province and through this system I think that a lot of these people can get money at reasonable rates and still the lotteries would maintain some of this money.

MR. CHAIRMAN: The Honourable Attorney-General.

MR. MACKLING: Mr. Chairman, I would like to advise the honourable member that we have had the benefit of many, many sound suggestions from colleagues in the Cabinet and others

(MR. MACKLING cont'd) and one of the suggestions that the honourable member makes has been under consideration for some protracted period of time and was made from one of the members of our own caucus.

MR. CHAIRMAN: Section (g) -- passed. Resolution 24 in the amount of \$549,800 passed. Resolution 25: (a) . . . The Honourable Member for Riel.

MR. CRAIK: Mr. Chairman, I wanted to direct a comment on this. Under the Land Titles Office I wonder if the Attorney-General's department has at any time given consideration to allowing people who are transacting in their personal property, say a house, a piece of land, where the two parties are in mutual agreement, rather than dealing through their lawyers which can take a percentage off each party as they go through and search the titles individually and then they come together and make the transaction or it would at least involve one lawyer under the present conditions -- would it not be possible under standard cases, say of the transaction of a home say which is in the \$20,000 range and I think the fee for a lawyer would be around one percent or possible \$200 -- perhaps the Attorney-General can tell me -- I think it's fairly standard in the profession to charge a fixed fee -- as to whether or not they could not go directly to the Land Titles Office and make the transfer of title, unless there are no extenuating circumstances which would be recorded on the title. Thereby it would be making significant saving to both parties in the transaction -- probably of the order of \$150 to \$200 on the average household and the Land Titles Office in turn could make a charge of the \$5 or \$10 or whatever it might be to cover their very minor overhead. Now I'm not aware -- I know it is possible to go down to the Land Titles Office and search your own title and to get information on it but I think it would be very helpful to many people who would -- do not wish to -- may not have a lawyer or may not wish to individually go to lawyers but may be transacting between individuals where they simply want the thing made legal, can go down have it carried out at the Land Titles Office and avoid all this unnecessary cost.

MR. CHAIRMAN: The Honourable Attorney-General.

MR. MACKLING: Well, Mr. Chairman, the concern of the Honourable Member from Riel is legitimate. There are people who are buying or selling their home and they are faced with the expense that is involved in first of all the real estate commission on the sale and in respect to both parties legal costs and sometime survey and other fees. But if the parties, if the parties -- that is the buyer and the seller are agreeable then pursuant to the Law Society tariff they can arrange to use the same solicitor in which event there is a reduced tariff that applies and they're entitled to take advantage of that and there's no problem about the lawyer acting for both parties. But if a dispute arises then the lawyer is obliged to step completely out of the picture and ask both of the disputing parties to seek other counsel.

And although conveyancing -- the term that describes the purchase and sale of land and the drawing of documents to facilitate that can be a fairly routine matter -- the honourable member would be amazed at the number of times that problems arise in connection with the transfer of property. Details of the sale come under question and various items are disagreed upon, terms of the financing and so on. It would be very difficult for the Crown to be placed in the position of sometimes an arbitrator in deciding what two private parties consider to be the essence of the contract that they've signed; and that is why in 99 cases out of 100 people do use the services of a lawyer because there may be problems arise through their neglect or their omission that otherwise could be avoided through the use of counsel.

Now, I'm not arguing that the whole area might not be given further study and consideration. I want to point out to honourable members that in other jurisdictions real estate agents carry out the whole aspect of conveyancing and lawyers play a very minor role in connection with the transfer of property. Now that's something that honourable members might consider and I know that I have considered and thought about and one day we're going to -- it's not absolutely high in my priority list -- but we're going to have to look at the whole use of professionals and determine whether or not a particular role is vital in every case. At the present time I'm satisfied that many people have been spared great loss to their own estate and their own assets by sound advice when they are purchasing or selling property and some of the worst cases you find that are reported that deal with problems emanating from the purchase and sale of land are where people have tried to take shortcuts and have relied on some inexpert advice and found themselves in great difficulties. And one of the problems of course has been the formulation of the contract itself and during the course of my estimates, my succeeding estimates, I will comment on changes that have been made in respect to regulations under the Mortgage Brokers and Dealers Act.

(MR. MACKLING cont'd)

So that I don't dismiss the thought that further consideration might be given to the role of the professional in respect to land transactions but to suggest that the Crown ought to assume the responsibility would I think be embarking on a very uncertain course to say the least. And I think that some of your colleagues might really question whether or not the Crown should be intervening in the free contractual relationship that otherwise exists. Not saying, not saying that the Crown does not have a very substantial role to play in carrying out what has been agreed upon but the fact that people subscribe their names to a document in apparent agreement doesn't always indicate the complete agreement that they have made and problems can arise frequently as a result of some interpretations of the contract that they have entered into. And the Crown I don't think should be put in the position of adjudicating this in this area.

MR. CHAIRMAN: The Honourable Member for Riel.

MR. CRAIK: Mr. Chairman, just two points. It was noted some time ago the Attorney-General did go out of his way to take a pretty critical look at the role of the real estate dealers in Manitoba and indicated that he was going to examine their role and that he questioned, I suppose, the role that they are playing. But I would like to point out, Mr. Chairman, that he's now suggested that in other jurisdictions the real estate agent has actually carried through some of the details that is now carried by a lawyer here.

There is one important feature I think that should be pointed out. In Manitoba a real estate agent is engaged at the will of the person wishing to sell his house or the will of the person wishing to buy a house, but the same is not true of the lawyer. The situation in Manitoba is that a person, a party or parties must work through a lawyer; they can go jointly to one or if they so desire they can go each to his own. And what I'm suggesting here is not that the Crown become involved in all the transactions but on straight forward transactions that do not involve details of mortgages and caveats and so on that may apply to the property -- that where it can be determined that the transaction is a straight transfer of title that such should be made as a simple call to the desk at the Land Titles Office, and could this not be examined even though it may only represent 10 percent or less of the transactions but at least the person has the opportunity to go there and to make a transaction before being required to work through the legal structure.

MR. CHAIRMAN: The Honourable Attorney-General.

MR. MACKLING: With all deference I would like to correct a problem that the Honourable Member from Riel I think wouldn't want to have on the record. He indicated that purchasers or vendors must use a lawyer; that is not the case. If the Honourable Member from Riel is selling his home and wishes to conduct the affairs of the sale himself he can do that. The only obligation or the only problem that he may find is that he will have to have a Commissioner for Oaths take his affidavit; but everyone of the legislators here can be, if he is not already a Commissioner for Oaths and he can personally attend at the Land Titles Office, search the records of any property he wishes to purchase, can negotiate his own purchase and can prepare his own documents. In fact you know under our system, all manner of legal proceedings can be taken by the individual in his own name without a lawyer, in court, out of court, agreements, contracts of every kind. There is no obligation -- and I repeat categorically -- no obligation on the part of the Honourable Member from Riel or any citizen in Manitoba to engage a lawyer for his contractual arrangements. And it's not mandatory. The Law Society and most lawyers will counsel you that you will avoid more problems if you get legal advice than if you try and act on your own, and I think they're right.

MR. CRAIK: Mr. Chairman, just one final comment. My remarks were brought on by the Attorney-General's suggestion that there was provision for the two parties to go to the one lawyer at a reduced rate. What I'm basically asking for an examination here of whether it is not feasible to have a provision at the Land Titles Office for standard cases and I'm simply asking the Attorney-General to take this under consideration.

MR. CHAIRMAN: The Honourable Member for Rhineland.

MR. FROESE. Mr. Chairman, I would rather support the views of -- by the Member for Riel in that when we can effect savings to purchasers and others who wish to transact business of this kind that they be able to do so. Certainly the Attorney-General must be conversant with what is going on in B.C. and what the practice is there and we have legal aid in Manitoba. Why not extend legal aid to a certain part of this work? Certainly we could save the people of Manitoba large amounts of money and there is no reason why we could not extend legal aid to

(MR. FROESE cont'd) certain aspects of this. It might not involve all transactions but the very simple transactions and just those that need casual scrutiny by someone qualified to do so. Would the government give consideration to this? I would like to hear on this matter.

MR. CHAIRMAN: The Honourable Member for Churchill.

MR. GORDON W. BEARD (Churchill): Well, Mr. Chairman, I depart a little on what they've been speaking on in respect to the documentation of titles for land or change of titles for land other than say that I did note in the past that at one time the real estate dealers were in fact doing a lot of the documentation in respect to land titles office work, and in fact were almost persecuted by the law profession and being brought to task. They had to stop doing that part of the work and I suppose that really that would be the answer, that if you go to the real estate people and purchase your land then perhaps they should be able to help you with your legal work in registering your titles. I really don't see anything improper with that -- if they had some type of training they'd be able to assist in the type of transactions that the Member for Riel was talking about, the simple types that reflected the caveats or mortgages that were filed against the titles that were being involved. This is simple work that goes on in the Land Titles Office each day; it's checked by the Land Titles Office staff and there's very little chance of anything going wrong other than people changing their mind in the middle of the deal and of course that is between the two people themselves and that could happen if they were using one lawyer anyways. So unless they're going to go to the rich way of doing it and each having their own lawyer then I say that if there was a way of the real estate people picking up the slack that they lost in the changeover to Autopac maybe that would be the way to do it.

But in talking about Land Titles Offices I would think that in looking back through the history of land titles they possibly were one of the first parts of government that started the decentralization of government offices in Manitoba. I don't know just how this came about or why but it was a wonderful thing that the Land Titles Offices could be built in, what was it, Carman and Brandon and Neepawa and Dauphin, I believe Morden, wasn't it? -- some of those places -- and it was unfortunate that the government didn't have the intestinal fortitude at that time to follow through with many other government departments and decentralize many more of the things that could have brought about a better government for Manitoba.

But in thinking about this -- I come from northern Manitoba and I wonder whether or not then we couldn't get a Land Titles Office north of 53 because if we're going to come to orderly development and if we're going to complement the growth of -- an orderly growth in that area north of 53 then we are going to have to have such things as Land Titles Office; because if you're going to hurry up things such as transfers of land and make it more economic for government to operate and certainly more economical for people to operate within government and the use of government services then we must look to government to move those services to where the action is, and that is north of 53. And Dauphin being the last area, and of course the ridiculous situation you have of Neepawa being the point which looks after Thompson and Lynn Lake and Snow Lake and Churchill and all the other areas, it is very difficult for the lawyers -- granted they have a good telephone system, but even the mail is very difficult to communicate between Thompson and Neepawa.

I think that while Land Titles Office has come a long way in the last few years through new registration systems and certainly they have been able to hasten their ways of doing business so that they can help the legal professions I believe that the professions themselves could help the land titles office especially in the north if we were closer to that area. And I suppose at this time Thompson would be the logical place for a Land Titles Office. If I lived in The Pas I suppose I would say The Pas was the area. If I lived in Flin Flon I guess Flin Flon would be the logical area, and if I came from Churchill I would say that if you're really going to use your imagination then it should be Churchill. I will leave that up to the government to struggle with their conscience as to where they should locate the Land Titles Office, because they have other offices which fall under the jurisdiction of the Attorney-General which should be decentralized and there has been pressures on the Attorney-General's office for these many years to bring those services further north, and I think that this is the only one that I will speak on at this time and I would hope that you would consider it. I realize that the government would be saying that, well with the new systems that we're using possibly we won't require a new office or we won't have to decentralize any further but darn it all if you're going to move to the north then maybe we'd better take a look at some of the Land Titles Offices in the south and maybe the time has come to readjust down here and if necessary change some of the locations down

(MR. BEARD cont'd) here and certainly if we're going to look forward to northern progress then Land Titles Office must progress along with the business and the building of northern Manitoba.

MR. CHAIRMAN: The Honourable Attorney-General.

MR. MACKLING: Well, Mr. Chairman, in respect to the further remarks that have been made in respect to this item I would like to assure the Honourable Member from Riel that the Land Titles Office staff as is the case with departmental staff under the Attorney-General's Department, are most considerate of the public in respect to the needs when the public want to search records or register documents on their own and every courtesy is extended to people if they are acting on their own behalf and without counsel. The only problem as I indicate that an individual may find is in the formal execution of documents but there are a great number of Commissioners of Oaths who have been authorized to execute documents and pursuant to The Manitoba Evidence Act a large number of people by virtue of their office have a right to execute documents and take oaths, and I don't think that's a permissible problem. The one suggestion that might be provided for is that there be a resident Commissioner for Oaths in the Land Titles Office that could perhaps if called upon execute documents.

But there would be no taking of responsibility in connection with the validity of the documents and so on, because I turn to the questions of the Honourable Member for Churchill and point out that ours is a Torrens title system, it's not a simple registry system as they have in British Columbia, and the government assumes full responsibility for the worth of that title once the real property title has been issued by the Land Titles Office. Once the seal is on it, the signatures are there, that title is good against anyone in the name of the person in which it is written. And if there is any failure, anything that has happened in the interval between the holder of that title and some previous owner who had an interest in it for which there is liability then we as a government, that is the Government of Manitoba must provide compensation to that person and we have maintained an insurance fund for that purpose. But the system is handled very effectively and I am happy to say that very few are the claims against the assurance fund.

It's an excellent system and I think it's been the source of pride for previous governments and we acknowledge the excellence of the Torrens title system. It's been the envy of many people throughout North America, the excellence of our system, and we still have people that come to our Land Titles Office to study the techniques, administrative techniques, and the procedures which are followed in our Torrens title system. But to --(Interjection)-- Well if you just let me finish and then I'll -- but if you ask the Crown through its staff to assume larger responsibility then you could well have a great change in the kind of demand that might be made against that assurance fund. As it stands now the individuals either act as their own counsel and that they have a right to do or engage counsel of their own and the Crown does not get involved in interpretation of contract in any way, shape or form except the processing of the bargain once it has been agreed upon for processing so that that would lead into an area of great uncertainty and I hesitate to speculate on it.

Now if the honourable member wanted to ask me a question before I go on to other aspects . . .

MR. CHAIRMAN: The Honourable Member for Churchill.

MR. BEARD: The only thing about the fund that the Attorney-General speaks of though as I understand it, it is for the sole protection of the Land Titles Office and the government and not for the protection of the customer or the lawyer that is involved in the making of the transfer. It's for the protection of those people working in the office in case there is a mistake made in the registering of the title and the searching of the title.

MR. CHAIRMAN: The Honourable Attorney-General.

MR. MACKLING: No, Mr. Chairman. The assurance fund is there to provide for a fund out of which compensation can be paid, not to someone who sued under some action as a clerk of the Land Titles Office, not at all. The fund is there to protect any honourable member of this House or any citizen in Manitoba who can establish that there was some failure on the part of the Land Titles Office in processing documentation that was not authentic, not valid, was deficient in some way and ought to have been recognized as such by the land titles office in the processing. So it isn't a screen, it isn't a protection for the government. It's a protection for the people who entrust to the government the processing of their title.

Now going back if I can step back again to the remarks of the Honourable Member for

MR. MACKLING cont'd) Rhineland, I fully expect that under the legal aid system that there will be provision for civil legal aid, that is legal aid for civil matters which could include -- and I'm not certain of this but I would think could include conveyancing where the people are trying to purchase property and have but a nominal amount of money. If they had any substantial amount of money then they wouldn't qualify for legal aid. But if it was almost a no down payment or a very nominal down payment then it may well be that the criteria that will be provided for application for legal aid would encompass them. I'm not certain of that but I would assume that that would be a possibility.

In respect to the further remarks of the Member from Churchill about decentralization I recognize his concern about the need for greater relevance of the Land Titles Office to the quickening of commercial development of the north. Presently the land titles of northern properties are processed not in Dauphin but in Neepawa and I think the volume of transactions reflect the growing incidence of property development in the north and we are looking at that question. We don't know whether the volume presently warrants the substantial expense that would be involved in embarking on another Land Titles Office and we are all concerned with keeping a tight rein on costs of administration in government and that's one of the reasons that we just don't jump even though we can see that it would be a great convenience to some people. But there is a legitimate concern there and we've been looking at it.

But I want to reassure honourable members that there is also the consideration that it may be that we will decide to embark on that computerization of property, property registrations that I talked about earlier, both real and personal property so that you can go to one agency and pay a fee and the appropriate buttons and switches will be turned and your answers will come out of the great monster; it will record all data of all property on which a personal security is held. Now that is a realistic probability and yet I for one have had some of my faith shaken in these monsters by some of the things that have occurred and the Honourable Member from Lakeside I think through his smiles tacitly agrees that you know that sometimes these monsters can maybe get out of hand. So I think the Honourable Member from Churchill will recognize that we haven't overlooked the need there but we have been prudent in our careful consideration of priorities and developments before we leave it.

MR. CHAIRMAN: (Resolution 25 was read and passed. Resolution 26, Sections (a) to (f) were read and passed.) (g) (1) . . . The Honourable Member for Rhineland.

MR. FROESE: In connection with (g) are there cases being held up or delayed because of not having sufficient reporters for the various cases?

MR. CHAIRMAN: The Honourable Attorney-General.

MR. MACKLING: Mr. Chairman, the short answer to that is, to my knowledge, no. However, I don't want to be cute. There has been a continuing concern to provide sufficient reporting for the ever-increasing amount of demand that is registered for court reporters. We have involved, at least now, two commissions, three, if we count the Toal Commission that are involved in taking evidence. We have, in addition to the regular reporting in courts, and this is a heavy demand, we have a number of people who still use the shorthand technique and do an excellent job -- and by far and large that is the most effective way of court reporting because the person is right there and we have these people still who are capable of taking down commentary in very rapid fashion. But we have had to employ, because of declining expertise, people haven't been available with the same expertise, we have taken on other types of reporting facilities, one of them is the so-called steno-mask and if honourable members are familiar with it, it's a mask-like device that the reporter speaks into and tape records verbatim the conversation or dialogue that's being reported. They have developed a high degree of efficiency in respect to the use of this machine and we have been able to keep up with the demand.

But in addition to that, we have been looking at the whole question of much more effective mechanical recording, tape recording of proceedings in court. We are aware of the fact that some of these devices are used in other jurisdictions. England, for example -- in some courts in England they have some of these things. In Australia. But when you start into this field then you have to have expenses in other areas; you have to have certainly much better acoustics than we have in this Chamber at the present time, but that's understandable because of some things that are lacking in the Chamber right now. But with the renovations that may be carried out in the future in respect to our present Law Courts Building, it may be that at that time we will be able to introduce much more sophisticated recording equipment, together with acoustical betterment, and provide an upgrading in reporting, through those processes.

(MR. MACKLING cont'd) So we are alive to all of the problems and all the potential remedies to those problems and we are keeping in step with them.

MR. CHAIRMAN: The Honourable Member for Rhineland.

MR. FROESE: The additional money that is being voted to salaries, I take it that this is not just an increase in the salaries of individuals but that we are allocating more money so that we can engage more reporters. And another question in conjunction with this, I inquired as to the cost of getting reports from the present CFI inquiry and it seems that those reports are rather costly. Is there any subsidy being carried on at all, or are we making money on it or is this a cost or what is the case?

MR. MACKLING: In respect to the dollars invoiced, they do reflect not only the general administrative increase in salary but also three new positions for the following year to keep up with, you know, work load.

In respect to the costs of the reports of The Pas forestry inquiry, that's one of the smaller costs. The costs of this while thing are horrendous; I would be just horror-struck to even speculate at the total bill when we finally get it, but it's a necessary expenditure. As to making any money - I wish we could. Maybe it will be a best seller one day, Mr. Chairman, and if it is let's hope we can recoup something for the Crown but it's a necessary expense that we produce these transcripts for the commissioners and for counsel.

MR. CHAIRMAN: (G) (1) . . . The Honourable Member for Rhineland.

MR. FROESE: One final question in this matter. Maybe the Attorney-General could at this time advise the members of the House whether copies of that transcript or reports will be made available to members, of the CFI inquiry when it's completed.

MR. MACKLING: Mr. Chairman, I don't think any more copies than are usually made for an inquiry will be made in this case, because the costs are prohibitive.

MR. CHAIRMAN: (Sections (g) and (h) were read and passed). The Honourable Member for Rock Lake.

MR. EINARSON: Mr. Chairman, I just want to take a few moments on this particular item Legal Aid. This government in the past year particularly have indicated to the people of Manitoba and those who needed this kind of service, they gave the impression that they were out to help the small fellow and one who probably couldn't afford legal advice. I just want to inform the Minister that I have one case in my particular constituency that came in last fall, submitted his application and from what my constituent could understand, thought he had a case where assistance would be forthcoming. However, he received a letter saying that - under Mr. Meyers - the application could not be accepted. As a result a letter was written back to him informing of this decision. I wish to say to the Minister that I am wondering on what basis and what grounds this particular department based their decision. Nothing was said, I have the letter here before me, the gentleman in question from the town of Mariapolis, and they don't indicate as to why he should not be given legal assistance, and from what I was able to understand, I thought the gentleman in question certainly was deserving of it. It was a matter whereby he was working for a former employer and he was not paid the monies that he thought were coming to him and as a result he wanted to seek assistance in order to acquire these funds. So, Mr. Chairman, I am wondering if the Minister would like to comment on this. I think that the one area I want to re-emphasize again is that when a reply is made to a person making application, I think the reason should be elaborated as to why he is turned down or otherwise.

MR. MACKLING: Mr. Chairman, one of the things I would like to point out to honourable members is that my department didn't operate a Legal Aid program last year or in previous years. A program of legal aid has been operated by the Law Society of Manitoba and the Province of Manitoba has contributed sums of money throughout past years by way of assistance to this program and a limited program of legal aid has been operated by the Law Society accordingly, and the criteria for application to legal aid have been set by the Law Society, not by the Government of Manitoba. The new legal aid corporation will in turn be completely autonomous. It will have a board of directors appointed by the Lieutenant-Governor-in-Council but it will not be just another department of the Attorney-General's department. It will be a separate Crown entity responsible for the operation of a legal aid program.

Now in the particular case that the honourable member refers to, I don't have the particulars that he indicates exists in respect to this case. I assume thought that the Law Society Legal Aid Director received the application and considered it on the basis of the criteria that

(MR. MACKLING cont'd) the Law Society had set. It could well be that the individual had property, and if he owns property, that's one of the considerations as to whether or not the person has the means with which to pay for legal counsel. And if they have, that may be one of the reasons they denied the request for legal aid.

Now I'm not going to suggest what the criteria of the new corporation is going to be, but one of the problems that does exist I'm sure in many parts of rural Manitoba is that people can own property but they haven't got money, and they haven't got a ready opportunity to convert that property into cash with which to afford counsel, and those problems will have to be considered. So I don't say that there will be an immediately different program enunciated by the new corporation, but they will have to look at the kind of criteria that ought to be available and ought to guide the administration of the new fund.

Now the honourable member says that it involved monies that were due from a former employer. Well it's always been my understanding, and I think it's still the case, if my colleague the Honourable Minister of Labour were here, that the Labour Relations Act of Manitoba does provide for a Labour Board and an administrative capacity to seek out employers who are not paying in accordance with minimum wages or the Employment Standards Act and can on behalf of an individual seek recovery from the employer; and if that wasn't the case, then perhaps it didn't fall within the criteria of that department. It obviously was a unique case that didn't fall under the Labour Relations Department but pursuant to the criteria of the Law Society program was not available either. I don't know whether in fact that kind of need will be covered under the new program or not.

MR. CHAIRMAN: The Honourable Member for Rock Lake.

MR. EINARSON: Yes, Mr. Chairman, I thank the Minister for his comments but I just want to make this one point. That while he says it's the legal society, the Law Society that are doing this, and I appreciate it, I don't want any misunderstanding here, but the fact is the government's got money involved here and I just want to say that I think that the proper answer should be given when a case is decided upon.

. . . . continued on next page

MR. CHAIRMAN: (j) passed. Resolution 26 in the amount of \$3,953,500 passed. 27 (a) -- passed; (b) passed. Resolution 27 in the amount of \$127,600 passed. Resolution 28 . . .

The Honourable Member for Morris.

MR. JORGENSON: Mr. Chairman, I am prompted to rise on this occasion under the title of Law Enforcement as a result of the statements made in this Chamber last night by the Attorney-General. A somewhat - I shouldn't say it was an innocuous resolution - but a somewhat routine resolution was presented before the House and it has been presented before this House on other occasions, asking for stiffer penalties for the crime of rustling.

The Minister saw fit to rise in his place and usurp the time that is supposed to be used by private members to enunciate a philosophy, a philosophy of this government that the more I thought about it the more intriguing it became. What he said in effect, Sir, was that every rustler is entitled to one steer. Every person that was engaged in the business of rustling should be treated lightly the first time. In other words, the first one is on the house - the farmer can pay for that one. Well, Sir, the intriguing possibilities that are inherent in that proposal surely does not escape many of us.

In a Socialist society, there is the tendency on the part of what was once free entrepreneurs to look at himself and how he can better himself in the society; in a Socialist society most people, because mediocrity is the rule and is rewarded, there is a premium on mediocrity in Socialism, everybody looks over his shoulder and wonders how the neighbour is doing. So if a bank robber is engaged in his profession and he is told, as indeed the Minister has told us, that the rustler is entitled to one steer, well then has he not got the right to say I'm entitled to rob the first bank free? That one's on the House! Is not the jewel thief entitled to the same consideration? This is what invariably happens when you start giving things out from the government and the Attorney-General has indicated that the first steer is going to be free.

Naturally the murderer is going to demand the same consideration. The first one is on the house. And of course the rapist will think the same way; he must have some consideration as well. So what you have inherent in the Minister's statement last night is an invitation to the complete deterioration of law and order in this country. And then of course, if there is a criminal who is caught and brought to justice on the first offence, and is penalized by the Courts, is he not then entitled to the services of the Human Rights Commission? Because there is obviously discrimination. Why let one criminal get away with something and penalize the second one for another offence?

Well, Sir, the possibilities are limitless. Now we have also - the suggestion in addition to the suggestion made by the Attorney-General last night - and he has a capacity of rising in his place and making some of the most ridiculous statements. If the Minister wonders why it takes so long to get through his estimates, the reason is because the Minister makes statements that simply must be challenged and I most certainly challenge him to argue that the rustler must be given the first steer on the house.

Well now the Member for Thompson is laughing in his seat because he knows that's what the Attorney-General said, and if that's going to be the rule of the day, if that's what the Minister - if that's what the Attorney-General is going to be giving to the people of this province in the way of justice - and I might say that the first responsibility of a government is the maintenance of law and order to protect citizens from those who would rob, steal, murder and commit other crimes. That is the first responsibility of any government, and for the Minister to stand up in his place and say, "Oh, the first one is on the house", has to be about as ridiculous a statement as any Minister has ever made.

MR. CHAIRMAN: Point of privilege? The Honourable Attorney-General.

MR. MACKLING: Mr. Chairman, on this point of privilege . . . Sit down. I am on my feet, now be . . .

MR. CHAIRMAN: A point of privilege has been raised. Will the Honourable Attorney-General state his point of privilege please.

MR. MACKLING: Yes.

MR. BILTON: Mr. Chairman, he has no right to demand anybody . . .

MR. MACKLING: You sit down, you're not recognized.

MR. CHAIRMAN: Order! Order! I will determine who will sit down and who I'm going to recognize. The Honourable Attorney-General.

MR. MACKLING: Mr. Chairman, I've listened long enough to the honourable member imputing to me remarks that I did not make in this House.

MR. CHAIRMAN: Point of order.

MR. ENNS: Is the Attorney-General now making a specific point of order, or making a speech?

MR. CHAIRMAN: ... a point of privilege.

MR. MACKLING: Mr. Chairman, I've listened not once but many times -- the Honourable Member, the Honourable Member from Lakeside can sit down.

MR. CHAIRMAN: Order. Order. Would you state your point of privilege, please.

MR. MACKLING: Mr. Chairman, I intended to state my point of privilege and I would like to be able to do so without interruption.

MR. CHAIRMAN: Proceed.

MR. MACKLING: I've listened, Mr. Chairman, to the Honourable Member from Morris say in three or four different ways and manners that I have stated something which in fact I have not said in this House, and whether he wants to say it with a joking smirk or smile or otherwise it is still false, and I did not say the words that he attributes to me now and I want him to apologize.

MR. CHAIRMAN: The Honourable Member for Morris, on the same point of order?

MR. JORGENSEN: No, Mr. Chairman, I intend to resume my remarks. Insofar as the point of privilege is concerned and if I must deal with that I can deal with it very -- (Interjection) -- You've already dealt it. The fact is that the Attorney-General during the course of this debate . . .

MR. CHAIRMAN: Order. Order, please. I'm asking the Honourable for Morris if he's rising. I have yet to settle the point of privilege. Are you speaking to the point of privilege now, Sir?

MR. JORGENSEN: I state there is no point of privilege because the Attorney-General, as he well knows, we're in the middle of a debate that allows the exchange of views back and forth across the floor. He's not limited. He can reply when his turn comes. There is no question of privilege.

MR. CHAIRMAN: The Honourable Attorney-General.

MR. MACKLING: Speaking to the point of privilege. No one in this Chamber is entitled to indicate by his manner of recollection a deliberate falsehood, and that is what the Honourable Member from Morris has engaged in -- not once but several times -- and no amount of repetition can overcome the fact that in no way, stretch or form did I say in this House that anyone was entitled to steal anything.

MR. CHAIRMAN: The point is well taken. I think the Honourable Member for Morris should examine Hansard quite closely and . . .

MR. JORGENSEN: Sir, the Attorney-General exercises himself unduly. The record will show what he said. I have the opportunity in this Chamber, Sir, to make my remarks. He has the opportunity to make his remarks, and I sat during the course of that debate last night and I did not interrupt him, I did not interrupt him, I listened to him and I took careful note of his remarks.

MR. CHAIRMAN: The Honourable First Minister. On a point of order?

MR. SCHREYER: Yes, Mr. Chairman, I do rise to the point of order. It is all very well for the Member for Morris to say that each member has in turn his right to make his remarks. However, Mr. Chairman, you do have the unenviable responsibility of deciding whether or not a person's right to rise in his place and make remarks go so far as to include the kind of licence where certain statements are attributed to another honourable member which the other honourable member repudiates, not only in part but entirely. At that point, Mr. Chairman, it does become a case of ruling as to whether or not a member is being either misquoted in whole or in part, and whether he's being willfully so misquoted.

What is specifically before you, Sir, with the words of the Honourable Member from Morris to the effect that the Attorney-General was advocating the theft of certain property, whether it be a steer or whatever, without any enforcement follow-up by the Crown. It is not simply a case of a member being able to rise in his place and make remarks, whether they be in a half bantering way or not.

MR. CHAIRMAN: The point is quite well taken. On the same point of order, the Honourable Member for Lakeside.

MR. ENNS: With due respect to the remarks just made by the First Minister, I suggest to you, Sir, that there is nothing wrong in the process of debate of interpreting remarks made by a member in this Chamber and carrying them on to logical or illogical conclusion, whatever

(MR. ENNS cont'd) may be the member's desire. The Attorney-General, and only the Hansard record will show, Sir, made a statement yesterday. I would suggest to you, Sir, that with respect to the demand for withdrawal would have to be impingent to some extent on what the written record shows and you may well be advised to take that particular subject matter of order that the Attorney-General raises under advisement until the Hansard is before you and we can recollect accurately and correctly what in fact was said.

The fact of the matter was though that the Attorney-General made a statement from which the conclusions drawn by my colleague the Member from Morris are not out of order and can be correctly drawn if extended to cover whatever the imagination allows. The fact of the matter is that during the course of that particular debate on the resolution of cattle rustling, the Attorney-General did indicate to all members in the House his position of leniency towards the first offender and as we were talking about cattle rustling in particular terms, the suggestion was certainly implied and stated that the first steer was on the house.

MR. CHAIRMAN: The Honourable Attorney-General. On the same point of order?

MR. MACKLING: Yes. Mr. Chairman, I'm not prepared to tolerate indefinitely the kind of aspersions that are made on me as a member of this House and not let them go unanswered. The Honourable gentleman who has just spoken accused me - - (Interjection) - - Mr. Chairman, I want - - the honourable member - - you allowed him to speak at some length on the point of order.

MR. CHAIRMAN: just saying order to the Honourable Attorney-General because I heard a comment that I don't want to hear repeated in this Chamber by someone in the back.

MR. MACKLING: The honourable member who had just spoken suggested that I am some way interfering. The honourable member who spoke accused me in this House of doctoring Hansard and has yet to apologize to me in this House. Now we have the Honourable Member from Morris saying that I said certain things, and I said no such; casting aspersions which he expects later will be passed off when the tape, Sir, and Hansard is checked, and that's the kind of innuendo that he thinks I should tolerate in this House. And I say to you, Mr. Chairman, no one in this House has to tolerate innuendo, character assassination, by rephrasing what someone has said in this House and saying that's what they said.

MR. CHAIRMAN: I have carefully considered and I think that the Honourable Member for Morris should withdraw the remark because I think he's imputing a motive that the Attorney-General did not intend in his speech. I would ask the honourable member to withdraw that statement.

MR. JORGENSON: Well, Mr. Chairman, I don't know what it is you want me to withdraw - my entire speech? - because my entire speech was related to the subject matter that was raised last night under the resolution.

MR. CHAIRMAN: Order, please. If I may elaborate, I think the remark that you should withdraw that the Attorney-General said that the first steer was on the house. I don't think at any time that he said that within his remarks and imputed that motive and I would ask the Honourable Member for Morris to withdraw that remark.

MR. JORGENSON: Mr. Chairman . . .

A MEMBER: We'll change that to the second one. Would you believe the second?

MR. CHAIRMAN: . . . ask the Honourable Member from Morris if he is prepared to withdraw that remark.

MR. JORGENSON: I never imputed the remark to have been said by the Minister. I said, in effect, and those were my words not the Minister's; and, Sir, surely I am entitled to use my own words in this House. I never repeated what the Minister said. All I said was: "in effect the conclusions that one can draw from the remarks that he said last night that we should go easy on the person that rustled the first steer." We should go easy on him. What does he want, the ability-to-pay principle for thieves? Now surely, Sir, I'm entitled to draw my own conclusions, and I'm not imputing motives.

MR. CHAIRMAN: The Honourable First Minister.

MR. SCHREYER: Mr. Speaker, I would like to rise on a point of order and refer my honourable friend, the Member for Morris, to Citation 141 of Beausnesne. It is only one of several citations in Beausnesne which do relate to the specific of order which we have addressed ourselves to in the last few minutes, and that is specifically the question as to the circumstances under which a member in the course of a speech makes remarks which tend to - - and I'll quote the Citation from Beausnesne: "When the Speaker observes upon any expression as personal and disorderly and tending to introduce heat and confusion and this

(MR. SCHREYER cont'd) appears to be the general sense of the House, the member offending ought immediately to make an apology and to ask pardon of the House for this breach of their order in as large and liberal expressions as possible so as in such apology to comprehend the person of whom the words were used."

I think, Mr. Speaker, that the Citation here is adequate enough in itself although there are other Citations that can be referred to, because, Mr. Chairman, Sir, I do submit to you that the Member for Morris as is his wont from time to time was speaking in a half bantering way when he made reference to the Attorney-General as having said allegedly that the first steer to be rustled ought not to be - - the person committing that offence ought not to be dealt with by law enforcement.

I submit to you, Sir, that even though the Member for Morris was saying that in a rhetorical and half bantering way that it is causing "confusion", the specific word referred to in Beauchesne, that it is engendering confusion and ought not to be allowed to go on the record unchallenged, and in that particular respect the Attorney-General does have, I submit to you, a valid point of privilege.

MR. CHAIRMAN: The Honourable Member for Morris.

MR. JORGENSEN: so I can conclude my remarks and give the opportunity to the Attorney-General to rise in his place and reply, then I will withdraw if I have said anything that suggests that the words that I used were his. I take full responsibility for them, they're mine, they're mine. That's what I said in the first place, they were mine. I did not suggest for a minute that they were the words of the Attorney-General. I used the term, "the first one is on the house", and surely, Sir, I'm entitled to use that as coming from myself. Now if that is satisfactory then I'll proceed with my remarks.

MR. CHAIRMAN: The Honourable First Minister.

MR. SCHREYER: Well, Mr. Chairman, just to help the Member for Morris end this particular battle on a point of order. I would concede the point that an honourable member under the rules may misinterpret if he wishes but he cannot misquote. You can misinterpret all you like, so carry on.

MR. CHAIRMAN: The Honourable Member for Morris.

MR. JORGENSEN: Sir, I was not misinterpreting. I was drawing my own conclusions as to what the Minister said, and surely I have the right to do that under the rules of the House. Now if the Attorney-General takes offence to those remarks - and I'm beginning to get the message that I think he does - then he has the opportunity to rise in his place and refute to his heart's content. The fact was that he made a statement last night that I could not allow go unchallenged and I thought in the interests of the Minister himself, so that he could on this occasion rise in his place and make sure that there was no doubt as to the interpretation of his remarks - that's why I'm giving him that opportunity very early in the game, so that he can now rise in his place and say that which he did not say. That he can now put the question straight so that everybody understands, so that every rustler in this province knows precisely what he can expect - - (Interjection) - - so that every rustler in this province knows where he stands with the Minister, so that he can proceed to do whatever he feels is best for him to do under the circumstances, and it's a good thing to have this matter cleaned up.

The Minister no doubt is going to rise in all his fury and refute those statements that he made in this Chamber last night. Because, Sir, there was an interpretation that could be placed on his remarks, and I have placed that interpretation this afternoon. If they're wrong then the people of this province, particularly the cattle ranchers, are entitled to know exactly what he meant when he said, "well let the first one that is rustled, let's go easy on him" or words to that effect. And I don't see him jumping to his feet to deny that so I can presume that is a reasonable facsimile of what he said. And if he meant entirely the reverse then that should be placed on the record as well. I think the people of this province are entitled to know what they can expect in the way of law enforcement in this province and how criminals who commit crimes are going to be dealt with.

Is it going to be on the ability-to-pay principle such as the Minister suggested last night? Or are they going to be dealt with according to the laws of this country? That's really, Sir, my only purpose in rising at this time because there are a lot of people in this country and particularly in this province who are becoming more and more concerned about law enforcement. Why the Solicitor-General in Ottawa has come up with another suggestion - and I won't

(MR. JORGENSEN cont'd) . . . go into that one and combined with the one that the Minister made last night that represents something that is somewhat in the way of a departure from what most people in this country expect in the way of law enforcement.

MR. CHAIRMAN: The Honourable Attorney-General.

MR. MACKLING: Mr. Chairman, we have just witnessed what we've come to "appreciate", and I put that in quotation marks, to be quite a regular occurrence in this House. The Honourable Member from Morris considers himself to be one of the better actors in this House and he considers that as long as he says it in a jocular fashion then he can get away with saying the most nefarious, the most unscrupulous, the most highly inaccurate statements and have them interpreted as fact, and of course he says this is what so and so said, that's what it amounts to. In effect that's what someone said. He said substantially this and so on.

Now that may be the style of the Honourable Member for Morris but I hope that other honourable members won't emulate that gutter type technique of debate that the Honourable Member for Morris exemplifies, with such a smile and such a smirk, and he's having a great time of it by acting for all the world to see how smart and clever he is about twisting and turning the words that another honourable member has used and saying that's what he said, that's what he said it amounts to, that's the way I interpret it and that's the kind of brain that the honourable . . .

MR. CHAIRMAN: Order, please. The Honourable Member for Morris, on a point of order?

MR. JORGENSEN: Mr. Chairman, my point of order is a very simple one. We're dealing with Section 28 of the estimates and that deals with law enforcement. The Minister apparently thinks that enforcing the law is putting me in my place.

MR. CHAIRMAN: The Honourable Attorney-General.

MR. MACKLING: The fact that the honourable member had to rise and try to interrupt indicates that, you know, he likes to dish it out but he sure doesn't like to take it. I tell you, Mr. Chairman, that the honourable member is very effective with a pitchfork and what he throws on it is customary, it's not dirt, it's manure. The honourable member thinks that as long as he's joking, as long as he smiles, then he can get away with anything in this House.

The honourable member says that Attorney-General sanctions or adopts some very very easy approach to people who have run afoul of the law. And that is not what I said last night. The resolution we were dealing with last night counselled very heavy minimum penalties against individuals and I indicated that the court - - the court had to take into consideration the particular circumstances of every individual that came before it, including their age, whether or not they were juveniles or adults, whether or not they had a propensity to crime evidenced before, what the circumstances of the individual were, and I counselled that in every case you don't tie the hands of the magistrate such that he has to invoke a penalty like put him in jail, hang him. That's right. That's the kind of attitude that exemplifies the thinking of some honourable members on the opposite side. Because their property interests, the property interests that they're concerned about are in any way jeopardized - hang him, put him in jail, invoke heavy penalties.

MR. CHAIRMAN: Order.

MR. MACKLING: And, Mr. Chairman, that exemplifies the attitude of the traditionalists; property before people. That's the foundation of our laws, the laws at least of some of the old time political hacks founded throughout the ages. Protect property at all costs. Don't worry about the people, don't worry about the man who steals a loaf of bread; put him in jail he's stolen the baker's loaf of bread. Now I'm not counselling that people should steal; I'm not suggesting that in any case we ignore the crime, any crime that is committed in society, but I want to implore honourable members that you just don't fix minimum standards and tie the hands of the magistrates and the judges in every case. The judges are there to deal with the laws on the basis of not only the law but equity and determine what is right and proper in every given occasion when sentencing is required. To suggest that people have to go to jail, that they have to pay a minimum fine of a very substantial extent which means in effect that they go to jail is just being barbaric. It's going back a thousand years to the kind of thinking that seems to still predominate in what is called a cranium of the Honourable Member for Morris. He's an old time, in my opinion, Mr. Chairman, an old time circus actor that still thinks he's performing. He's performing in this House and any of his antics can go by unnoticed and accepted so long as he smiles and jeers and says that's what I think

(MR. MACKLING cont'd) and that's the way I interpret what the honourable member has said. And the Honourable Member from Lakeside is typical, he sneers, he sneers and then he walks out. No apologies come, no apologies come. This is the kind of smear that I have become accustomed to in this House but I needn't tolerate.

The Honourable Member from Morris knows very well the submission I made to this House last night was that we have some consideration for the circumstances of every individual whether he steals from a bank, whether he steals from a department store or whether he steals from a farmer. All of the circumstances must be looked at. We just don't shunt people into jail, because that's the kind of thinking that is completely, completely opposed to any modern concept of man in society. I suggest that the Honourable Member from Morris should hang his head in shame at the kind of technique that he follows in this House. He acts like a rooster that's lost his flock. He keeps crowing and dancing, - and you know what his feet are stepping in, and he enjoys scratching around in that and throwing up as much as he can. But you know the old rooster over there is in bad company. The hens are all dried up and he's not in shape to do much about it. The honourable member . . .

MR. CHAIRMAN: The Honourable Member for Assiniboia.

MR. MACKLING: Well another one of the chickens has come alive . . .

MR. PATRICK: Mr. Chairman, on a point of order. Can you tell me under what clause we are at the present time?

MR. CHAIRMAN: We're under Resolution 28.

MR. PATRICK: What is it?

MR. CHAIRMAN: Law enforcement.

MR. MACKLING: Mr. Chairman, the Honourable Member for Morris just revels in his nonsense tales. You know he used to tell us about the little red chicken house and I suppose how the little red chicken house had to be guarded by the militia against the theft of the little red hen and then in other occasions he's brought in other animals and now he steps into more fantasia. He's looked at Alice in Wonderland. I say that the honourable member should look in the mirror sometime and wonder about what he sees because he sees a clown, a clown performing in this House in such an asinine manner that it puts a cloud over every contribution of every member in this House if it's left to the Honourable Member for Morris to misinterpret and blatantly sneer at conscientious logical argument in this House, because he interprets it in some different way. I say that the honourable member should have apologized and should refrain from the asinine conduct he displays in argument.

MR. CHAIRMAN: The Honourable Member for Fort Garry.

MR. SHERMAN: Thank you, Mr. Chairman. There is no way that I am going to either (1) attempt to touch any of the propositions put forward by my colleague the Honourable Member for Morris, or attempt to match the high level of debate injected at this stage of the proceedings by the Attorney-General in the remarks he's just completed. I want to talk about another aspect of law enforcement and the cost of law enforcement, Mr. Chairman, and that is in follow-up to remarks that we made on this side of the House the other day when we were first looking at the Attorney-General's estimates under the General Administration vote.

Mr. Chairman, I will be brief on this subject because I think we've devoted probably an overly sufficient proportion of time to the consideration of these estimates now. There are a good many other departments we want to inspect and scrutinize very closely, so I'll condense what I have to say on this point into a fairly brief form if I can do so.

Mr. Chairman, the appropriation asked under Law Enforcement by the Attorney-General, by the government, for the fiscal year is an amount of money that constitutes an increase of 1.18 million dollars over the amount that was asked last year. The amount asked last year was \$3.3 million and the 1.18 million increase represents an increase of 35 percent. Year previously, law enforcement costs, law enforcement appropriations had been boosted by some seven percent by this government, and now we're talking about going up another 35 percent.

Now admittedly, Sir, this is an area which is of crucial and critical concern to the good order and peace of the Province of Manitoba and the people of Manitoba and I would hope that nothing I say or that we say on this subject in the next few minutes will be misconstrued or misinterpreted as to our fundamental belief in the importance of reinforcing the law enforcement agencies that we have in Manitoba and reinforcing the institution of police and of law enforcement insofar as that is humanly and politically possible. What I have to say has to do with the cost of it that is a direct burden to the taxpayer and it's in that context, Mr. Chairman, that I rise

(MR. SHERMAN cont'd) at this juncture to be critical of the appropriation asked by the Attorney-General.

Mr. Chairman, the money being sought, the increase being sought is like a number of other increases cited in these estimates, a number to which we've already referred in the estimates of the Attorney-General's Department too high in the opinion of this party in the context of the tax burden being carried by Manitobans today. The value of law enforcement and of the strongest, most effective law enforcement agencies cannot be overstressed. The importance of all parties in this House and all political parties in this province reinforcing their faith in our police agencies and law enforcement officers cannot be overstressed. But the value in assuring the people and the voters of Manitoba that the people elected here and serving in this Legislature at this time have concern for the kinds of taxes that they're being asked to bear, the kinds of burdens that they are being asked to carry at the present time in their tax bills, in equally, is equally vital, is equally critical, is equally needful of articulation and expression and it's our position that the area that we're looking at the present time is one of those in which savings in budgetary terms where the average Manitoba taxpayer is concerned can be effected

Savings can be effected through the expedience of shifting the remaining burden of educational tax or as much of it as it is possible to shift off the back, off the shoulders of the real property owner in such a way as to free that real property owner to pay for his own police and security services, to pay for his own law enforcement agencies, to pay for his own protection by the police.

The alternative budget being proposed by the Conservative Party and by my leader recommends a reduction over all in the estimates, the spending estimates for the forthcoming fiscal year, of something in the amount of \$20 million, most of which of that, Sir, is pegged to, is geared to education costs, is geared to a reduction in education costs and a shift of that education load in terms of taxation burdens off the back of the real property owner. If that were done, if that \$20 million were achieved or if any major or substantial portion of it were achieved, the real property owner would be relieved of a taxation burden to an extent, Mr. Chairman, that would more, that would more than provide fiscal elbow room for support of his own law enforcement services.

There are many communities in Manitoba in fact that can't afford proper law enforcement, proper protection of life and limb and property because of the education cost burden which they are carrying. There are rural municipalities, there are rural villages, there are communities in unorganized territory which are not able either to meet the cost, to meet the bill of RCMP protection or to provide local protection of their own. The reason substantially for this, Mr. Chairman, is that they are carrying an overload in terms of education costs. The answer, Sir, does not lie in subsidizing police protection; the answer lies in reducing the taxload on real property and on the real property owner so that municipalities can raise their own taxes to finance their own police protection.

Now this proposition cannot of course be accepted in isolation from other parts of the budget, from other parts of the fiscal recommendations which our party will be proposing on a continuing basis through the consideration of these estimates. It cannot be divorced from the kind of thing to which I've referred in the area of education and in education costs. But taken as a part of that program which would call for and propose the mechanics of making that kind of a shift, taken in concert with the over-all budgetary proposition, Mr. Chairman, it provides the fiscal elbow room to enable the appropriation requested by the Attorney-General for law enforcement to be held down, if not to the figure at which it stood last year, at least to something half way between last year's appropriation and the \$4.5 million appropriation being asked in the coming year. It would enable that direct cost, that direct expenditure being sought by this government to be kept within acceptable parameters of increase and there would be no consequent diminution or reduction of law enforcement or protection of life and property in the province.

It's therefore our suggestion, Mr. Chairman, that the appropriation for law enforcement be looked at in that light and in the context of that over-all budgetary proposition, that over-all education tax shift to which we will be referring, and that the Attorney-General reduce the appropriation for law enforcement contained in his present estimates by upwards of 50 percent of the 1.18 million dollar increase requested.

We would emphasize again, Sir, that this should in no way be taken as a reflection or an

(MR. SHERMAN cont'd) indication that we do not believe that law enforcement in Manitoba deserves everyone's earnest support; because we do believe that the hope and future of our society and of our people rests among other important institutions and among other considerations very crucially on proper support for our police and our law enforcement people but the burden of education costs has made that kind of hope, that kind of ideal, that kind of concept a purely hypothetical one for many Manitobans, Mr. Chairman. Many Manitobans as I have suggested are not able to live with the kind of police protection that they deserve, that they require and they deserve, because they simply can't afford the bill. They don't have the tax base that a major municipal centre like Winnipeg has of course, they don't have the tax base to carry the dual costs of education and of police protection and unless some kind of shift of this nature is carried out they won't have the police protection that they need. So our proposition, Mr. Chairman, is tied to that kind of a shift and we would recommend that the Attorney-General begin in terms of holding his budget in line and the budget of the province in line, right there at law enforcement by looking for this other method, by pursuing this other means of providing that law enforcement and reducing his present appropriation by anywhere from 50 percent up of the increase asked for.

MR. SPEAKER: The Honourable Attorney-General.

MR. MACKLING: Mr. Chairman, I want to be very clear about what the Honourable Member from Fort Garry is suggesting and I am not like one of his colleagues - I was going to say honourable colleagues, I'll just say colleagues. I am not going to put words into his mouth or suggest that in effect he has said something. I would like to characterize what he has said, get it in a simplified form and see whether he agrees by way of a synopsis whether or not that is in effect what he said.

Let me assume at the outset that he does not wish to see any substantial diminution of effective police forces in Manitoba; quite the converse, he wants to see more effective protection of people and property in Manitoba. But what he suggests is that the Province of Manitoba by shifting educational property tax away from real property taxpayers we then ask the individual municipalities, villages and towns to assume a greater share of the cost of protecting persons and property by direct payments themselves and therefore cut back on the monies that are spent by virtue of the Attorney-General's estimates. Is that correct? And then if it is I would like to go on.

MR. SHERMAN: No, it isn't necessarily correct; that's one alternative - the other alternative is to provide their own police protection.

MR. MACKLING: Well I assume that when these individual municipalities, towns, villages and cities provide their own police protection, they have to find the funds for it and they would have to tax their people - right? - - (Interjection) - -

Yes, all right. Now let me deal with - - (Interjection) - - off their real property taxes. Now let me deal with the situation as it is. Mr. Chairman, the Honourable Member from Fort Garry I frankly advise has not done his homework, nor has the Honourable Leader of the Opposition if this is his scheme, because what he is suggesting be done is that taxes be removed from the real property taxpayer and then responsibility returned to them so that they have to put more money out again to - they really don't gain all that much if what they save on the one hand is added on the other, so really they lose. Now let me tell you why they lose. We have provisions now under a contract that was negotiated by a previous administration for the allocation to this province of policemen. The individual police constable costs the contracting parties, that is the Province of Manitoba and the government of Canada, \$19,900 for the salaries and equipment that is estimated to be necessary for the deployment of one police constable. We pay pursuant to the contractual arrangements that we inherited, 47 percent of that cost or \$9,353 this fiscal year.

Now, these highly trained intelligent policemen are available pursuant to extension contract which I outlined earlier in my opening remarks to any city or municipality, town or village that wishes to provide for this police service by way of extension contract and we merely pass on to that community the costs involved. Now, to replace the kind of police service we have in many of these communities by their own police, would double the cost to that community, double the cost to the taxpayers of Manitoba - may that be very clear - - so there is a direct loss involved in asking them to provide their own police services under their own arrangements.

The extension contracts are good ones so far as we do get some very tangible benefits

(MR. MACKLING cont'd) from federal funding. But what the honourable member indicates is that there are people, communities that have too small a tax base to have effective police forces and that is so, and that is why the province of Manitoba assumes the policing costs of all the province except in communities where there are 500 people or more, and the theory is that where there are 500 individuals in a community they will be able by virtue of their tax base to hire their own police. But what the honourable gentleman is suggesting is we take away from these communities who are now policed at the general taxpayer s' expense, the general taxpayers of the province of Manitoba, and ask those people in communities less than 500 to hire their own police, because that is the responsibility of the police in Manitoba. The provision in this estimate is for the hiring of police for highways and for those areas in Manitoba that don't have a population of 500 or more. They don't cover, they don't cover - where they cover I should say communities where there is a population of 500 or more there is a revenue return appropriate to the expenditure that's involved here, so that where within the budget we have \$9, 353 for every one of the policemen that is hired that is again released on extension contracts, there is a revenue return of the like amount.

So what the Honourable Member of the Opposition is suggesting is completely at variance with what they want to do. They want better police services in Manitoba - - well then you don't eliminate monies from this budget because this budget does provide for communities that don't have a tax base, that can afford to hire police. To suggest that we can somehow - - they can provide their own police on the basis of their real property tax, if there is an educational tax shift, is completely illogical. Those people don't provide their own police now. As I have indicated those people who are in communities of 500 or less do not provide for their police now and if we cut back this appropriation we will have to ask the small communities of 500 or less to provide their own police forces because we don't have the monies in our budget to police them. We have to police the highways, we have to police the general areas for the administration of justice; so to suggest that we cut this budget by half or by a third is flying in the face of what the honourable gentleman says ought to be done, that there ought to be better and improved police protection throughout Manitoba. It just simply cannot be done by a cutback and you can't benefit any one by suggesting that this ought to be picked up out of real property taxation, because it is being picked up in communities of 500 or now more, 500 or more now. You're not relieving anyone. So that the arguments that are advanced are completely illogical and completely without any foundation for any effective change or shift that would produce any equity - quite to the contrary, it would have the reverse effect and people would be paying more for less service.

MR. CHAIRMAN: The Honourable Member for Pembina.

MR. HENDERSON: The other day when I made my comments, I was talking about contracts that were entered into by the villages. They were signed by the Attorney-General yourself and they were signed by another individual Mr. Weins and then later on, the village was billed for approximately \$1, 000, and we understand in local policing that any additional cost the next year will be taken into consideration and the town will have to pay more, but why should you be able to make that retroactive and bill them back, and that's my question.

MR. CHAIRMAN: The hour being 5. 30, I am leaving the Chair to return at 8. 00 this evening.