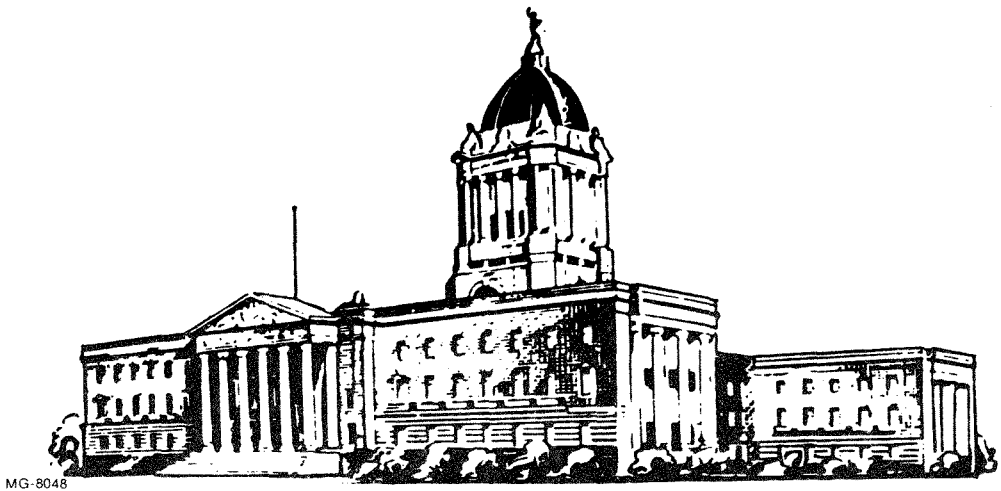




Second Session — Thirty-Second Legislature  
of the  
**Legislative Assembly of Manitoba**  
**DEBATES**  
and  
**PROCEEDINGS**

31 Elizabeth II

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The Honourable D. James Walding  
Speaker*



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**MANITOBA LEGISLATIVE ASSEMBLY**  
**Thirty-Second Legislature**

**Members, Constituencies and Political Affiliation**

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Name	Constituency	Party
<b>ADAM, Hon. A.R. (Pete)</b>	Ste. Rose	NDP
<b>ANSTETT, Andy</b>	Springfield	NDP
<b>ASHTON, Steve</b>	Thompson	NDP
<b>BANMAN, Robert (Bob)</b>	La Verendrye	PC
<b>BLAKE, David R. (Dave)</b>	Minnedosa	PC
<b>BROWN, Arnold</b>	Rhineland	PC
<b>BUCKLASCHUK, John M.</b>	Gimli	NDP
<b>CARROLL, Q.C., Henry N.</b>	Brandon West	IND
<b>CORRIN, Brian</b>	Ellice	NDP
<b>COWAN, Hon. Jay</b>	Churchill	NDP
<b>DESJARDINS, Hon. Laurent</b>	St. Boniface	NDP
<b>DODICK, Doreen</b>	Riel	NDP
<b>DOERN, Russell</b>	Elmwood	NDP
<b>DOLIN, Mary Beth</b>	Kildonan	NDP
<b>DOWNEY, James E.</b>	Arthur	PC
<b>DRIEDGER, Albert</b>	Emerson	PC
<b>ENNS, Harry</b>	Lakeside	PC
<b>EVANS, Hon. Leonard S.</b>	Brandon East	NDP
<b>EYLER, Phil</b>	River East	NDP
<b>FILMON, Gary</b>	Tuxedo	PC
<b>FOX, Peter</b>	Concordia	NDP
<b>GOURLAY, D.M. (Doug)</b>	Swan River	PC
<b>GRAHAM, Harry</b>	Virten	PC
<b>HAMMOND, Gerrie</b>	Kirkfield Park	PC
<b>HARAPIAK, Harry M.</b>	The Pas	NDP
<b>HARPER, Elijah</b>	Rupertsland	NDP
<b>HEMPHILL, Hon. Maureen</b>	Logan	NDP
<b>HYDE, Lloyd</b>	Portage la Prairie	PC
<b>JOHNSTON, J. Frank</b>	Sturgeon Creek	PC
<b>KOSTYRA, Hon. Eugene</b>	Seven Oaks	NDP
<b>KOVNATS, Abe</b>	Niakwa	PC
<b>LECUYER, Gérard</b>	Radisson	NDP
<b>LYON, Q.C., Hon. Sterling</b>	Charleswood	PC
<b>MACKLING, Q.C., Hon. Al</b>	St. James	NDP
<b>MALINOWSKI, Donald M.</b>	St. Johns	NDP
<b>MANNES, Clayton</b>	Morris	PC
<b>McKENZIE, J. Wally</b>	Roblin-Russell	PC
<b>MERCIER, Q.C., G.W.J. (Gerry)</b>	St. Norbert	PC
<b>NORDMAN, Rurik (Ric)</b>	Assiniboia	PC
<b>OLESON, Charlotte</b>	Gladstone	PC
<b>ORCHARD, Donald</b>	Pembina	PC
<b>PAWLEY, Q.C., Hon. Howard R.</b>	Selkirk	NDP
<b>PARASIUK, Hon. Wilson</b>	Transcona	NDP
<b>PENNER, Q.C., Hon. Roland</b>	Fort Rouge	NDP
<b>PHILLIPS, Myrna A.</b>	Wolseley	NDP
<b>PLOHMAN, John</b>	Dauphin	NDP
<b>RANSOM, A. Brian</b>	Turtle Mountain	PC
<b>SANTOS, Conrad</b>	Burrows	NDP
<b>SCHROEDER, Hon. Vic</b>	Rossmere	NDP
<b>SCOTT, Don</b>	Inkster	NDP
<b>SHERMAN, L.R. (Bud)</b>	Fort Garry	PC
<b>SMITH, Hon. Muriel</b>	Osborne	NDP
<b>STEEN, Warren</b>	River Heights	PC
<b>STORIE, Jerry T.</b>	Flin Flon	NDP
<b>URUSKI, Hon. Bill</b>	Interlake	NDP
<b>USKIW, Hon. Samuel</b>	Lac du Bonnet	NDP
<b>WALDING, Hon. D. James</b>	St. Vital	NDP

# LEGISLATIVE ASSEMBLY OF MANITOBA

Thursday, 16 December, 1982

Time 2:00 p.m.

**OPENING PRAYER by Mr. Speaker.**

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

## MINISTERIAL STATEMENTS AND TABLING OF REPORTS

**MR. SPEAKER:** The Honourable Minister of Health.

**HON. L. DESJARDINS:** Mr. Speaker, I'd like to table the Annual Report of the Alcoholism Foundation of Manitoba for the Fiscal Year 1981/82.

**MR. SPEAKER:** The Honourable Minister of Transportation.

**HON. S. USKIW:** Mr. Speaker, I want to make mention of an occurrence of yesterday for which I think I should apologize, especially to the members of the media and that is that the media received the wrong piece of information with respect to the bill that was introduced in the House yesterday. Of course, they were logically confused as a result and there was some mixed reporting as to the nature of the bill that was introduced in the House yesterday. It was not our intention to indicate any new legislation that would be forthcoming at this time but they received the original draft which was scrapped some time ago.

**MR. SPEAKER:** The Honourable Member for Pembina on a point of order?

**MR. D. ORCHARD:** No, I'm responding to the Ministerial Statement. The Minister of Highways and Transportation did indeed provide information to the members of the media that was not provided to members of the House and that has been the subject of a matter of privilege which is presently before you, Sir, and I commend the Minister of Highways and Transportation for being so forthright.

Now, having established that the Minister of Highways and Transportation acknowledges an error, the question that obviously comes to mind, Sir, is now that he has floated the trial balloon on helmets and seat belt legislation in the Province of Manitoba, can we expect that legislation to be forthcoming in another bill of amendments to The Highway Traffic Act, or will it be a separate Act? This, of course, is of concern to all Manitobans in the establishment of such compulsory legislation. — (Interjection) —

**MR. SPEAKER:** Order please. We have not yet reached Oral Questions.

The Honourable Minister of Education.

**HON. M. HEMPHILL:** Mr. Speaker, I ask leave to table the Annual Financial Report from the University of Manitoba for the year ended March 31, 1982.

**MR. SPEAKER:** Ministerial Statements and Tabling of Reports . . . Notices of Motion . . .

## INTRODUCTION OF BILLS

**HON. R. PENNER** introduced Bill No. 23, An Act to amend The Real Property Act, (2); and Bill No. 25, An Act to repeal the Statute of Frauds; Loi abrogeant la loi intitulée "Statute of Frauds".

## INTRODUCTION OF GUESTS

**MR. SPEAKER:** Before we reach Oral Questions, may I direct the attention of honourable members to the loge on my left, where we have two former members of the Legislature, Mr. Sid Green and Mr. George Henderson.

If I can refer the attention of honourable members to the gallery where we have 75 students of Grade 9 standing from the Carman Collegiate under the direction of Mr. Jones and Mr. Johnson. The school is in the constituency of the Honourable Member for Pembina.

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

## SPEAKER'S RULING

**MR. SPEAKER:** Further before we reach Oral Questions I took a proposed motion under advisement yesterday and I'm prepared to give an answer at this time. On December 15, 1982, the Honourable Member for Turtle Mountain rose in his place to allege that the Honourable Minister of Agriculture had misled the House on December 14th, with regard to documents tabled in the Legislature. The Honourable Member for Turtle Mountain concluded his remarks with a motion of privilege. After receiving the advise of several members I took the matter under advisement to review the relevant documents. When considering the matter of privilege Beauchesne makes it quite clear that only the House can decide whether a breach of privilege has occurred and that the Speaker is limited to deciding (1) whether the matter has been raised at the earliest opportunity; and (2) whether a prima facie case has been demonstrated.

The first condition was satisfied by the Honourable Member for Turtle Mountain raising the issue on Wednesday afternoon when Tuesday afternoon's Hansard was available. On the second condition Hansard shows that the Minister of Agriculture said, on page 217, "The honourable members obviously don't like the method that I have used in terms of providing them with as much information as I will be distributing to the public of Manitoba." The operative words being "as much information".

The documents tabled in the House and referred to by the Honourable Member for Turtle Mountain consist of a two-page press release entitled Farm Lands Ownership Act Now Before The House; and some 25 pages stapled together of statements, maps, letters distributed at the Minister's Press Conference. The use of the words "as much information" by the Honourable Minister of Agriculture imply an equality of

information in the two sets of documents. To determine whether this is the case would require a comparison of the contents of the two sets, which would constitute a consideration of the issue itself. A prima facie comparison would indicate that two pages do not constitute as much information as 25 pages.

I, therefore, find that the required two conditions have been met and that the House should now decide the matter.

**MOTION presented.**

**MR. SPEAKER:** The Honourable Member for Arthur.

**MR. J. DOWNEY:** Mr. Speaker, I am somewhat surprised in the Minister of Agriculture not standing to speak to defend himself on this particular motion of House privilege. I can only further point out to the people of Manitoba that it is a use of their majority power in this Legislature that will, in fact, dictate and rule the people of Manitoba without giving Her Majesty's Loyal Opposition the opportunity to truly know the full story as I am sure that each and every one of us would have liked to hear.

Mr. Speaker, as has been mentioned by many members of the media, this is not the first time that the kind of privilege that has been referred to has happened in this House. I find, Mr. Speaker, in speaking to this motion of privilege that it is becoming more of a practice of the government than I think the House should be prepared to deal with, and particularly those people who have elected us to this Assembly, and particularly the people who elected a majority government. I have to say that it is not a very good situation to ask Opposition members to continue to come into this House and keep their cool and be able to debate and put forward constructive objective ideas on government policies and legislation if they're not given the true straightforward facts, as we have to have them, Mr. Speaker, to inform our constituents and truly act as a Loyal Opposition.

Mr. Speaker, the Member for Turtle Mountain the other day, in pointing out the fact that there was a very brief outline of a piece of legislation, Bill No. 3, that does have major significance, not only to Manitobans, but to 23 million other Canadians that have their rights taken away from them by this particular Government of Manitoba and this Minister of Agriculture through enacting Bill No. 3. I think, Mr. Speaker, with all respect to the people of Manitoba and the media, that should truly be understood and clearly explained.

But firstly, I think that the people who have elected us, people who are paying for our time, and the contributions of our many members who have sacrificed their own personal and their own day-to-day home lives to be here to do just that, and make sure that honesty and fairness is presented, not only in Manitoba but as it affects other Canadian, and should be carried out.

The Minister truly is in breach of that and the privileges that we have so traditionally held here in this Assembly.

So, Mr. Speaker, the fact that we have been given a very brief amount of information; the Minister of Agriculture walking out of this Assembly directly to a news conference. Mr. Speaker, I cannot substantiate this

but would only say, at this particular time, that there is some reason to believe that the same documentation that was presented to the media was in the Minister's hands and available and could have been distributed, as well, to this particular House at the same time as he distributed it to the news service, Mr. Speaker, and that really is where we're in a quandary and support the motion of privilege and that could have been done, I'm sure. I refer to this document which, again, was tabled, with several pages.

The other difficulty, Mr. Speaker, that I think the Minister is in breach of his privilege, is telling us that he was not going to give more to the media and to the public than he gave to us. But when he gave that package to the media and public, Mr. Speaker, I believe - certainly, in my estimation and I think particularly the majority of Manitobans - it would as well have been in their best interests, the media and their responsible reporting, that the total package of some of the things that have been presented to the Minister in that briefing that took place.

Mr. Speaker, as I read yesterday in question period, we have the Manitoba Farm Bureau - and I'll refer to it as a document that again should have been part of it; I tabled it yesterday and I won't read it again, just one part of it - the Farm Bureau said to the Minister of Agriculture on October 21, 1982: "... that only foreign speculators from purchasing farm land in Manitoba." That's who they really didn't want buying land; they would not support legislation which would deny the right to own farm land in the province to other Canadians who are not Manitoba residents. That, Mr. Speaker, as I'm indicating, was not made available to the media and the public at that particular time.

As well, Mr. Speaker, in indicating the Farm Bureau paper, that represents probably the largest number of farm people in the province through their membership and their organizational membership through the Manitoba Pool Elevators, the United Grain Growers, the cattle producers and all the many co-operated, particularly co-operative farm movements and marketing board organizations.

In fact, Mr. Speaker, I may not be quite correct but the Minister can certainly straighten me out, I even think that the Minister of Agriculture, through being a turkey producer himself and a member of the marketing board or marketing through that board - that the Turkey Marketing Board is as well, Mr. Speaker, a member of the Farm Bureau through that kind of a membership connection. So I think he would be well aware of that.

As well, Mr. Speaker, there was another piece of information I think is fairly pertinent to the amount of information that has been passed out, and the privilege that could have been as well tabled in this House, and given us more background information. The Minister keeps referring to meetings which he held throughout the province, or claims he had hearings or meetings, and who attended them and what was said at those meetings. There is, as well, a fairly strongly put forward document by a farmer, Mr. Speaker, from the area of my colleague from Pembina, which strongly opposes the kind of action that is to be taken by the government. As well, a brief or a presentation made by the Manitoba Farm Business Group, which is made up, I have to say, of mainly young farmers, beginning

farmers in the province who were strongly opposed to what is taking place. That kind of information should have first been distributed with the explanation of the bill, both sides of the story to be fair to the people of this House, as well both sides of it to the media, Mr. Speaker.

So I, in standing to support this motion of privilege, Mr. Speaker, have to say that I would hope in future practices carried out by this present government, if we're going to have a return of the proper kind of decorum in a proper debating kind of manner, all the information that is necessary so that both sides of the Chamber - and I have to ask the question of some of their backbenchers, Mr. Speaker, is there not a question in their minds at this particular point that they are not getting the kind of information that they need to talk to their constituents and tell them; or are they prepared to be as part of this kind of, I would say, providing information for convenience sake, of the kind of policies that this Minister or these Ministers want to put toward the people of Manitoba.

I don't support that, Mr. Speaker. I support the motion of privilege that has been presented and I would hope many other members would stand and speak out, particularly some of those backbench members that should speak out to protect the parliamentary system which, by the way, they are here to represent their constituents.

**MR. SPEAKER:** Order please. The Honourable Minister of Agriculture.

**HON. B. URUSKI:** Thank you, Mr. Speaker. In dealing with the motion that is before the House, Mr. Speaker, with respect to the information that was provided to this House and the statement that I made, I have to say that in terms of when the full package of information was distributed to the media, that I would apologize to the honourable members that that package was not given to them. It was distributed to their caucus and given to their caucus at the time my press conference was on, on that portion, Mr. Speaker.

However, dealing with the specifics of the information, Mr. Speaker, I instructed my staff to provide copies of that information to all members and to the respective caucus rooms that I gave to the media. Now let's deal with the specifics of the information that was alleged that members of this House were somehow misled, that all of the information wasn't given to them, Mr. Speaker.

The information that the honourable members talked about in terms of dealing with the brief of the Manitoba Farm Bureau, which was submitted to myself, they indicated that I should have released that information to them as well. Mr. Speaker, that information that was released to the public of Manitoba by the Manitoba Farm Bureau was available to everyone after they had presented the brief to myself and we had meetings with them. So that information was made public.

The information that they didn't like, Mr. Speaker, was information that was made available to the then Minister of Agriculture from the Manitoba Farm Bureau, from the Women's Institute, and from his own board, recommending changes to the then piece of legislation: information that I had no knowledge of,

Mr. Speaker, because all the files, when I came into office, had disappeared. There was not a piece of information in my office, Mr. Speaker, when I came into office. Mr. Speaker, we got this information from the department, with respect to the information they are now crying about that we should have released to them.

In fact, Mr. Speaker, this information was released to the public in June when the original Bill 54 was tabled in this House, this information was made public last June - and not that we have hidden it today - this information was released to all Manitobans, Mr. Speaker, when we had the meetings, when we travelled across the western part of the province; this information was made public to all of them, we handed this information out to them. Now the members of the Opposition indicate that I somehow breached the privileges of the House. I do acknowledge and I do apologize to them that, with respect to the information I gave to the media, was not delivered to them at the time - and I indicated yesterday that it was not ready - but they did get a copy because the Member for Turtle Mountain received and tabled a copy of this information there, Mr. Speaker, and that information was made public before. So I have not hidden anything from this House and from the people of Manitoba.

**MR. SPEAKER:** The Honourable Member for Pembina.

**MR. D. ORCHARD:** Thank you, Mr. Speaker, I certainly want to add a few comments to this matter, this serious breach of House privilege that the Minister of Agriculture has given us in his press conference.

I want to reiterate, Mr. Speaker, that the Minister of Agriculture, when being questioned in this House on his press conference, said he would give the people of Manitoba as much information as we received in this Chamber. He then turned around, Mr. Speaker, and presented at his press conference this series of documents, including a ministerial statement. Now he says we received this information at the same time. Well, we did not. It was not tabled in this House. It arrived at our caucus room, after we requested it, the following morning after his press conference, Mr. Speaker; that is when we received this in our caucus room. What kind of a misleading statement is the Minister giving us here today?

He furthermore says, Mr. Speaker, that this information was not available to him in his office because the files were gone. I might draw his attention to a Manitoba Women's Institute letter, the last one in the series of information he gave to the media but would not give to us, there is a stamp on it which says 'Minister's Office February 11, 1980' and I suggest, with all due respect, Mr. Speaker, that this Minister has just misled the House again. —(Interjection)— But clearly, Mr. Speaker, the Minister of Agriculture attempted to mislead the House in question period two days ago in terms of the information he was providing to us versus the information that the media received at his press conference.

There are a number of concerns. The First Minister raised his concerns over the method of why were we being touchy about his Minister tabling a bill 15 minutes before he calls a press conference to explain it, when traditions of this House say that 48 hours later

you explain the bill in Second Reading and then you call a press conference. The Minister tried to defend the indefensible and he tried to defend it by saying that from time to time Ministers of our government and previous governments have made comment in the hall about a piece of legislation they've introduced for First Reading. So be it, Mr. Speaker, and on each and every occasion when it was a major breach of privilege of this House those Ministers were duly censured.

Well, this is an awful lot different from stepping out into the hall and answering questions posed by members of the media. This is a Minister who tables his bill and within a half-an-hour is downstairs at a press conference he has called to explain the bill to the media and to Manitobans before he has the nerve to explain it in this House; that is a major breach of privileges of this House. Mr. Speaker, the important part to consider in this information, the important fact in this is that the Minister has very selectively chosen what information he wanted the media to receive. That is as close to manipulation of the media as we can come in this House.

He tables some letters that he claims he didn't receive but the Minister's office stamp is on them - he says he didn't have them but the Minister's office stamp is on them - and he tables only information which will support his case. He fails to table such information on the background of the bill, such as, the Manitoba Farm Bureau submission referred to by my colleague, the MLA for Arthur; very very selective information that the Minister is willing to table. Mr. Speaker, I can full well realize why this Minister selectively tables and avoids the Opposition in introducing this piece of legislation. He introduced it properly last time and he received the kind of objection that that kind of a terrible bill deserved and, as a result of that, this Minister did not want to face the Opposition when he brought in his new Farm Lands Protection Bill; he did not want to face us in the House. He tables the bill; scurries down to a press conference in the hopes that he can get the wrong impression out to the people of Manitoba again about the intent of his legislation. He refused to debate it in this House in the normal process, to allow a balanced representation to be made to the people of Manitoba on this bill.

Mr. Speaker, if that is not misleading this House then, Sir, I don't know what is and I would hope that members in the back bench, who might have one straw and semblance of freedom running in their veins yet, will vote for this motion to censure their Minister of Agriculture for misleading the House.

**MR. SPEAKER:** The Honourable Attorney-General.

**HON. R. PENNER:** Mr. Speaker, I propose to be brief. It's amusing to listen to the Member for Pembina go on at length with much wind and wabbit twacks. I only hope, and might express my thanks, that there aren't 75 members from a high school of the Member for Lakeside in the gallery, maybe his speech will be a little shorter.

The motion which is before us, which is the basis of the debate, reads - and I drew this to your attention yesterday, Sir, and to the attention of the House - that the Minister of Agriculture be censured," and I go to the substantive part, "in the matter of information

made available to the media and withheld from members of the Legislative Assembly." That is the substance of the allegation. It was clear yesterday from the information provided by the Minister of Agriculture; it is clear from the record; it is clear from his explanation today that the information which was provided to the media had, even prior to his introduction of the bill, been provided or sent to the Leader of the Opposition - who may deny it if he wishes - and was provided to members of the Legislative Assembly.

What we really have is a lot of posturing about nothing. They cry about freedom of information; that information was made available to the media after - and this is the point - it was made available to the media after the bill was introduced to the House. After the Minister spoke the bill was introduced and an explanation was given in the distribution. —(Interjection)— Well, there was. There was a copy of the press release circulated with the bill so that all members of the House had, in fact, the two documents, the bill - and that was not news to them; they had been familiar with the main components of the bill. If there was ever a piece of legislation in this particular session of the Legislature that has received full discussion, full debate, it was this particular piece. So they received the bill; they received the press release which was the Ministers explanation of the bill. They had - if not actually in their possession, it had been sent to their caucus room - the supporting documents, and prior to that there had been information provided to the Leader of the Opposition.

So I say, and that's all that's going to be said from this side, that you have, in this motion, a motion that is a lot of wind and a lot of posturing but does not call at all for the censuring of the Minister of Agriculture. We will, as one, oppose this motion.

**MR. SPEAKER:** The Honourable Member for Lakeside.

**MR. H. ENNS:** Mr. Speaker, I rise on this motion of censure not to in any way condone the action of the Minister of Agriculture but to simply commiserate with them to this extent, that I understand why he did it. I understand what really prompted this course of action. Mr. Speaker, more importantly, your ruling today is important for the way we will conduct public business in this Chamber, because it is my contention that this government intended to make the practice that was introduced or tried by the Honourable Minister of Agriculture into common practice as a way of introducing particularly controversial pieces of legislation into this Chamber.

Why is that, Mr. Speaker? Because, Mr. Speaker, my honourable friend, the Minister of Agriculture, isn't bereft entirely of some natural common sense. He knows that when he hits his head against a brick wall it starts to hurt after awhile and he will not try to do it again unless he can help it. More importantly, Sir, his advisers, and indeed the advisers that are advising this government, are without the restraints that used to at least be there when a former Member for Inkster was still with them who had some competence with respect to being able to present the matters in this Chamber and not rely on Government Information Services, on glib propaganda machines, on expert writers to present the case for them. These gentlemen opposite have

come to the conclusion that rather than repeat what happened last time, particularly on this bill - he will recall it, members of the media will recall it - we stopped this Minister dead in his tracks from the day he introduced this bill, a similar bill in this Chamber, and he never recovered from it. So his advisers have now said, okay, let's do an end run on the House: let's get our polished writers to put out the package: let's get it into the hands of the farm press, into the hands of the media generally and then, no matter what happens in the Chamber, we at least get started on the right foot from his point of thinking.

Well, Mr. Speaker, I appreciate that that's what he was doing - as my Leader says getting started on the left foot as compared to perhaps others starting on the right foot. I can understand them wanting to do that but I appreciate, Sir, your ruling in this regard because I think it was fully the intention of the government to utilize this technique in a far greater way. I don't get really concerned about whether all the pages of information were the same or something like that. You have to really understand why they chose this approach. The reason why they chose the approach was to avoid the head-on initial clash in this House which did, in fact, on this particular matter set the tone for the bill throughout the last session, which caused them to back away from the bill, which caused the government to withdraw shamefacedly from the bill because it's wrong legislation. It was wrong legislation then, it is still wrong legislation and, Sir, we're going to make him back away from it again.

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

**HON. H. PAWLEY:** Mr. Speaker, I think a word or two is important in respect to the motion that has been made by the member across the way. If the Minister of Agriculture is indeed to be faulted he is to be faulted for giving too much information. I do not know, Mr. Speaker, of any other single piece of legislation or of government proposal that has not been preceded by the granting of so much information to Manitobans, information to members across the way, information to members of the press. Mr. Speaker, I recall very few instances where it could be said that there's been as much consultation in respect to any piece of legislation. A program and a piece of legislation introduced in this House that was preceded by a large number of meetings in various parts of Manitoba, particularly in the constituencies of members across the way, in communities that are represented by members across the way, in which members of the Treasury Bench, including the Minister of Agriculture did not hesitate, as the Member for Lakeside would have us think, to avoid or to be afraid of a head-on 'clash', as I believe the word was, but rather. Mr. Speaker, meetings in which information was provided, details were provided throughout the intervening months prior to the conclusion of the last session and the commencement of this short session.

Mr. Speaker, the Minister of Agriculture has indicated that he has given members across the way information, not only in this House but, in fact, delivered information to their caucus room, Mr. Speaker. So what are we arguing about in this Chamber? Are

we arguing that less information should have been given to the public? Are we suggesting that it is expected that this government ought to be less open, less the provider of information to Manitobans, both inside and outside this Chamber? Mr. Speaker, there may very well be some governments that want to operate on that basis. Indeed, Mr. Speaker, I know it is tempting for all governments from time to time to be less open. Let us trust, Mr. Speaker, that we can resist that temptation on this side to be less open with the public of the Province of Manitoba.

**MR. SPEAKER:** The Honourable Member for La Verendrye.

**MR. R. BANMAN:** Thank you, Mr. Speaker. We have just heard the First Minister using the argument that they were trying to disseminate more information to the public and that's why they took this course of action.

He asked what were we arguing about. Mr. Speaker, what we are arguing about is the importance of parliament. The First Minister should just read back into Hansard about some of the orders or the matters of privilege he raised when he was Leader of the Opposition. All he has to do is go and look at Hansard, April 30, 1979, where he had asked some questions and he believed that the Minister later had answered some of those questions to the reporter, rather than to this House. At that time the matter of privilege was raised and the Member for Concordia, the former Speaker, then indicated that, even though Beauchesne didn't have anything in the rules about this particular matter, it was important because the tradition was established in this House that all statements, all information that is asked for and required by this House, should be given in this House and not outside.

Mr. Speaker, the former Minister of Health and the Minister of Health now, back in '78 raised a matter of privilege because he also believed that some information had been given outside the House by the then Minister of Health to some reporters, to a question that he had asked within this House. He charged the Minister then of not giving the proper information inside the House. So all members on both sides of the House, through the years that I have been there, have acted as watchdogs to protect the integrity of parliament, to make sure that what happens in here, happens first in here and then outside later.

Now the Minister of Agriculture, I just want to make one point, the Minister of Agriculture, as the Member for Lakeside has pointed out, has used this tool, and I think if this tool is not checked and stopped here right now, is going to be used by many of those Ministers. But all you had to do right after that press conference, just to show you how well orchestrated this PR snow-job was supposed to be, you phoned the Propaganda Hotline number of this government, that's at 944-4287, and a few minutes after he had that press conference you picked it out and it was all laid out. You had the Minister on there, his whole press conference on this.

Mr. Speaker, they had orchestrated this thing because they are concerned. They know the Opposition is mounting to any restrictions that will be placed on Canadian residents in owning property. I want to say to the members opposite that history has shown in

this Legislature: that when there are things happening in here that should be kept in here and should be dealt with in here. We should not go out and speak to the press or put out different press releases dealing with matters.

So, Mr. Speaker, second reading, if it had been introduced properly would have given the members of the Opposition a chance to debate the bill right there. That was precluded by the Minister doing what he did and I suggest to you, that his whole PR machine was geared up to try and help him out of a difficult spot that he found himself in a year ago.

**MR. SPEAKER:** The Honourable Minister of Health.

**HON. L. DESJARDINS:** Thank you, Mr. Speaker. The member that just took his seat I think referred to some discussion that we've had in the House, where I have complained that a special question, a direct question that was asked a Minister of the Crown, was not answered in the House, and then the answer was given outside of the House and I certainly agree that is the case. I would stand by that and I hope that all the members of the House would also.

Now I think it is very important, especially when we are in session, that the information should come to the House first. I said that a few days ago. Now the concern is not just because of tradition, because if we don't draw the line there everybody will want a little more and that's a dangerous situation. I also said, Mr. Speaker, a few days ago, that the important thing is the information should be available in this House and this is rarely done. But the Minister of Agriculture gave the information in a copy of a press release, entitled Press Release. He didn't play games. He didn't head the paper by something else, he said press release and before it was given to the press he brought it in the House. It was distributed with the bill — (Interjection) — right, two pages. Then I was told that, fine, that was given to the press but there was added information.

I must admit that I was concerned when I heard that, but the explanation is very clear and I certainly take the word of the Minister. All the added information was information that was already public property. It was already public. Now if that isn't the case, I would probably disagree with my colleague and I would say maybe he should have brought the information in the House. But if something has come out, if some of the information we had, or the former government had, and they did it for some reason and that's their privilege I guess, they'd want to make it known, and if other information was information given by a different organization that he would repeat, I can't see where the Minister can be faulted at all.

Now I think it's much more serious because that is stealing property that isn't yours; then ministers, when there is a change of government, would take all the files with them or destroy the files and this has happened in many departments. It has happened in — (Interjection) — no, it's not a red herring, it's a fact. I think that's much more important. I would say that I understand there are some certain things that are internal matters, but those remain unless they are strictly personal files, this information should be stated.

Well then I don't know what certain ministers did if

everything was a personal file, what the hell did they do for the public of Manitoba, because all the files were gone in certain departments. I remember some department there was a little piece of pencil in the desk and that was all. I could quote some people, here sitting across from me, that held the responsibility as ministers and they didn't leave any files, including the last one that spoke. — (Interjection) — Not a bit, that's right and I think that is much more serious. If we're talking about open government; if we're talking about files that are public property, then that should have stayed there, not try to make a big thing, not try to disrupt this House by talking about certain things that have been public knowledge for a long time, that's public property, and another copy was given to the press.

So I certainly am in favour, and I hope that we will be very careful to make sure that while we're in session, and people from both sides of the House at times have been forgetful, I'll be charitable on that and I am talking about both sides of the House being forgetful, they forgot it was brought to their attention and I certainly agree with it. But I'm taking at face value the information from my colleague who's saying that what was given to the press was the bill that was passed in the House, a copy of the press release plus other information that was public knowledge, that had been public for some reason or another. I don't think there is any reason of wasting any more time of the House.

**MR. SPEAKER:** Are you ready for the question? The Honourable Leader of the Opposition.

**HON. S. LYON:** Mr. Speaker, in the time honoured tradition, I can say that I had not intended to participate in this debate until I heard some remarks from the Attorney-General, and those in turn reminded me of some comments, some implication that the Minister of Agriculture made in his statement yesterday, to the effect that I had been provided information, previous to the House sitting, of the same nature as he presented to the press, but not to the House, the day on which he met with the press in full and flagrant breach of the long-established traditions of this House with respect to second readings of bills being given in the House first, and then full explanation to the press thereafter.

Mr. Speaker, I don't think there is any necessity following upon the remarks that the Minister of Health, following the partial apology of the Minister of Agriculture, following upon, may I say, the honourable approach that was taken by the Minister of Transportation today to admit an error. We all make errors; we're human beings; we're God's imperfections; we all make mistakes from time to time. It takes a person with a certain amount of integrity to admit that, and I think that the Minister of Transportation this afternoon perhaps gave us an example of the kind of integrity that we wish was manifested in a greater way on the other side of the House, particularly on the Treasury Bench. May I call his example to the attention of his colleagues in order that they may benefit from it.

Mr. Speaker, the motion is very simple. The motion says, of course, that the Minister gave to the press things that he said were the same as what he gave to



the House. The evidence is clear. It's open and shut; he didn't. He gave a two-page press statement to the House, ground out by the propaganda division now conveniently located in the Premier's office. He said, you're getting the same full information that I'm going to give to the public through the press. Well, that turned out to be a patent untruth. That is why we have the motion here today.

There are those may glibly say, well, what has this got to do with the business of Manitoba? What has this got to do with the unemployed, and so on? This has to do, Mr. Speaker, with keeping parliament honest. The fact that in the last 10 days, the Opposition on three different occasions has had to bring motions of this nature to the attention of the House, all of which, by the way, Sir, were in order and all of which were followed by substantive motions, is a very very sorry commentary upon the absence of candour, forthrightness, integrity and truth on behalf of the front bench of this present transitory government.

So, Mr. Speaker, as I said in a debate the other day, if members of the front bench insist on going around shooting holes in their own feet, they mustn't stand in their place and try to suggest that the Opposition is the one loading and pointing the rifle. They are the victims of their own untruths and we will continue to call to the attention of the House on every occasion when we see them resorting to prevarications, to half truths, to shadings of facts and so on; misleading the people of Manitoba. We will call it to the attention of this House and we will have a substantive debate and we will, sooner or later, make them an honest government.

Now, Mr. Speaker, some reference was made to correspondence and information that was provided to me by the Minister of Agriculture. I think after we have been read the little lecture by the First Minister, who has a very convenient, selective and short memory on things of this nature, perhaps it would be instructive to the House to find out just how forthcoming, how free with information this particular government is. I think that this might be a small case in point, a small cameo example of how we can demonstrate it. As I said, I didn't intend to raise this matter, but it was raised as a substantive answer. It's no answer at all; it's an irrelevancy; it's a red herring that they're trying to dress up as a mock form of response or defence to a resolution in this House which is patently proved.

Mr. Speaker, I'll take a bit of time of the House to detail the kind of information that I got and how I got it from the Minister of Agriculture. Mr. Speaker, the House adjourned here - when, on the 30th June 1982? On the 9th of July, some 9 days, 10 days after the House adjourned in 1982, the Minister of Agriculture turned out a press bulletin through the Premier's propaganda office, the Information Services Branch. The heading of it is, "Farm Lands Ownership Act to be discussed. Uruski reiterates need for protection." This was a document that was turned out, as I say, by the propaganda branch.

Shortly after that, to be exact on the 15th of July, 1982, I wrote to the Minister in these terms. "Dear Mr. Uruski: During the debate on The Farm Lands Ownership Bill, you may recall my request that you provide the House with all of the available statistics with respect to farm land ownership in Manitoba. It is

crucially important, in any review of such legislation, that all MLA's be working from the same statistical base. As I pointed out in my remarks, the term 'absentee ownership', even if used in a pejorative sense, does not always connote foreign or out-of-province ownership." Nor indeed can it be said to be always undesirable ownership.

"I note that Statistics Canada have recently turned out statistics based upon the 1981 census. From a cursory review of these statistics, the refined information on Manitoba does not appear to be available.

I would therefore appreciate receiving from you, as soon as possible, all of the up-to-date statistical information you and the government have on farm ownership in Manitoba. I note in your release dated July 9, you state that 'between 1978 and 1981 - non-farming corporations acquired about 206,000 acres of farm land, much of it prime agricultural land.' A refinement of this kind of information is what is needed before we embark upon further studies of foreign ownership in our province.

"Thank you for your co-operation in this matter. Yours very truly." I signed the letter.

Mr. Speaker, the next day with promptness, I received an acknowledgement from the office of the Minister of Agriculture signed by his secretary, Mrs. E. Hamerton. "On behalf of the Honourable Bill Uruski, Minister of Agriculture, I wish to acknowledge your letter of July 15, 1982 regarding The Farm Lands Ownership Bill.

"Your correspondence will be brought to the attention of the Minister and be dealt with as soon as possible."

That was the 16th of July, Mr. Speaker. Nothing having transpired in intervening weeks, on the 23rd of September, 1982, Mr. Speaker, I wrote to the Minister of Agriculture, in these terms and the file is available. I'll table it gladly after the debate is finished. "I would appreciate it, if you could advise when I might expect to hear from you in reply to my letter of July 15, 1982, regarding The Farm Lands Ownership Bill." That was a letter written on the 23rd of September, Mr. Speaker.

Nothing having come from this forthcoming Minister of Agriculture - the one that the Premier stands up and says he's giving too much information - I wrote the Minister of Agriculture again, Mr. Speaker, on November 10, 1982, addressed to the Honourable Billy Uruski, Minister of Agriculture, and this time, Mr. Speaker, I sent a copy to the First Minister because I thought that might jar them out of their lethargy and maybe get something going. Here's the letter that I wrote on the 10th of November, Mr. Speaker.

"On Monday, June 28, 1982, I spoke in the debate on The Farm Lands Ownership Bill (see Hansard, Page 3621, et seq.). During that debate I requested that you provide the House with the latest available statistics relating to farm land ownership in Manitoba. It is my impression that, from your seat, you agreed that these statistics would be made available as soon as possible so that we would all be working from the same statistical base in our consideration of farm land ownership legislation.

"Subsequently on July 15th I wrote to you renewing this request, pointing out that Statistics Canada had recently turned out new material based on the 1981 census, and asking to receive from you, as soon as possible, all of the up-to-date statistical information

you and the government have on farm ownership in Manitoba. On July 16th, I received only an acknowledgement to that letter.

Subsequently on September 23rd I sent you a tracer, again renewing my request for information concerning the statistical information previously requested. To date I have had no response to that letter.

"I, therefore, ask you again to provide me, and all members of the House with the most up-to-date statistical information available to you and the government with respect to the ownership of farm land in Manitoba. It is imperative that this information be in the hands of all Members of the Legislature prior to the House reconvening on December 2. I note that you have recently been reported as saying that a Farm Lands Ownership Bill will be reintroduced into the House. I am sure you will agree that it would be irresponsible for members of the House to be asked to consider such legislation without first having been informed of the contemporary statistical facts about farm ownership.

"I, therefore, trust I will hear from you at your earliest convenience." Signed by myself, copy to the First Minister.

This is the government, Mr. Speaker, that's so forthcoming with information that's just dying to tell everybody everything about farm land ownership in Manitoba, as the Premier just finished saying from his place in the House, yes. —(Interjection)—

Mr. Speaker, on the 16th of November, 1982 I received the following letter: "Thank you for your letter of November 10th, in reference to the latest available statistics relating to farm land ownership in Manitoba.

Your correspondence has been placed on the Minister's desk for his soonest attention and reply."

Fine, Mr. Speaker, placed on his desk on the 16th of November and now finally we got the mini jackpot, we finally heard from the Minister, Mr. Speaker, finally heard from the Minister.

I want to be very clear about this: On November 22, Mr. Speaker, I was pleasantly surprised to find that there was a letter on my desk bearing the signature and the letterhead of the Minister of Agriculture - this is the Minister who's been so forthcoming with information for all the people of Manitoba about farm land statistics and so on, the one that the Premier just stood up and defended so well - and here is what he said:

"Dear Mr. Lyon: Please be advised that, further to my November 19th letter to you," pardon me, November 19? November 19, sorry. "I wish to acknowledge receipt of your letters, requesting statistical information on farm land ownership in Manitoba." Reading from a letter dated November 19.

"Statistics Canada, unfortunately, does not compile an extensive amount of information on farm land ownership patterns. Researchers at the University of Manitoba, though, have prepared some useful information on the subject. J.O. Magnusson and Dr. Daryl Kraft in a study, 'The Influence of Non-Resident Investment on Farm Land Prices in Manitoba and Saskatchewan, have estimated the extent of absentee ownership of farm land in the province. They define an absentee owner as one who is not actively engaged in farming and who is not a resident of rural Manitoba. Using this definition as a basis, Magnusson has shown that absentee ownership of Manitoba's farm land increased substantially during the 1970's - from 1.1 million acres in 1971 to

1.8 million acres in 1977.

Ownership of land by absentee landlords varies considerably among individual municipalities. In the latter 1970's it was particularly heavily concentrated in the following municipalities," and then he proceeds, Sir, to list the municipalities." I'll table the letter so the information will be on the record. The source, as given, is Mr. J.O. Magnusson, Influence of Non-Resident Investment Farm Lands, and so on. There's a small table at the top of the page.

"While my staff have not updated Magnusson's and Kraft's data to the present, they have developed, over the past few months, estimates of the amount of land transferred to non-residents of Manitoba and to non-farm corporations over the period 1978 to 1982. Acquisitions of farmland by these two categories of absentee owners were as follows": then he gives the table demonstrating his alleged data finding.

"Over the first six months of 1982, approximately 20,000 acres of land were acquired by non-residents of the province and over 20,000 acres were acquired by non-farm corporations.

You should be aware that in calculation the 'costs' associated with absentee ownership of farm lands, this government has been very concerned about the flow of capital from farmers to non-farming interests. Based on the following assumptions;

(a) that 2.5 million acres of land is controlled by non-farming interest;

(b) that the average price of land is \$400 per acre; and

(c) that the average rental rate is 5 percent of the market value of land; "we have calculated that the annual outflow of capital from farming to non-farming interests is approximately \$50 million per year. A significant portion of these funds, it appears, are directed to owners who reside outside of Manitoba.

I trust these statistical data will be of use to you. I look forward to our upcoming debate on 'The Farm Lands Ownership Act.'" Signed, Billy Uruski.

Mr. Speaker, I add by way of parenthesis, he wasn't looking forward to the upcoming debate so much that he would not run off to the press and try to manipulate the information on it before he got into the debate in the House. Copy, by the way, to Premier Pawley because I suppose the original copy that went to him had elicited some response about, why don't you answer your mail?

Then, Mr. Speaker, on the 22nd of November a final letter from the Minister of Agriculture to myself. "Please be advised that further to my November 19th letter to you concerning absentee ownership of Manitoba's farm land, one figure should be corrected.

Acquisition of farm land by non-residents of Manitoba is estimated to be 70,000 acres rather than 80,000 acres, for 1980 (see Page 2).

"Also, for your information, I have attached two maps, which show - (a) the extent of absentee ownership of farm land by municipality, and (b) acquisitions of farm land by non-farm corporations over the period 1978 to mid-1982.

I trust this information will be of use to you." And attached, Mr. Speaker, were the documents that the Minister said, Absentee Ownership of Farm Land in Manitoba, three paragraphs on it; two maps were attached, and that, Sir, is the sum and substance of this deluge of information that the Attorney-General and the Minister of Agriculture have seen fit to refer to as being

the kind of comprehensive information that I was given after repeated requests trying to extract information, as one member to another, so that we would be working from what? For partisan advantage? No. So that we would be working, Mr. Speaker, from the same statistical base, so that we would know what we're talking about when we come to deal with something that is as fundamental as private ownership in Manitoba.

Now, Mr. Speaker, we'll get into this topic in the debate on the bill in due course. I know what animates and motivates a lot of the feeling across the way, not all of it, but a lot of the feeling across the way. It is that mean, narrow streak of envy which says that the only people who should own land are the state. That's what motivates the kind of tactics that we have seen; that's what militates the Minister of Agriculture in this province to try to do an end run on the Legislature; that's what animates him to do that, Mr. Speaker. My honourable friends can deny that all they want because we will look forward with a great deal of interest, Mr. Speaker, to see how well they support the concept of private land ownership in a proposed amendment to the Charter of Rights which was spoken to yesterday by the Attorney-General.

We know what lies behind their concern on farm land ownership. It is an animus against private ownership, we know that. And when all of the clouds have blown away, all of the dust, all of the red herrings and everything of that nature, Mr. Speaker, that's Square One that we're going to get down to in the debate itself.

But I participate in this debate merely following upon the remarks of the Attorney-General and particularly the remarks of the Premier which were irrelevant, which were misleading and which did not deal with the substance of this resolution before the House, Sir, which is that the Minister deserves to be censured because he said something in the House and then went and did something else. The Premier tried to draw a red herring over the trail and say, oh, we're giving too much information, we nice fellows over here. T'aint so, Mr. Speaker. I've taken a little bit more of the time of the House to explain how it isn't so and to ask the First Minister if he can explain how he can stand before the people of Manitoba and say that he believes in open government.

**MR. SPEAKER:** The Honourable Member for Turtle Mountain will be closing the debate.

**MR. A. RANSOM:** Mr. Speaker, I regret that it has been necessary for the House to take this amount of time this afternoon to deal with this question but, Sir, there has been altogether too much misleading information coming from the government. Perhaps the backbenchers on the government side should begin to exert some influence upon their Cabinet Ministers and urge upon them the necessity of being forthright with information and being direct in their answers when questions are placed to them by members of the Opposition.

Mr. Speaker, I was disturbed by the action of the Minister of Agriculture in what I believe was misleading the House two days ago and that is why I brought the motion before the House to censure the Minister for that. I am equally disturbed today by, first of all, the government's reaction. They, first of all, were simply prepared to stay in their seats and use the tyranny of the majority to simply vote it down. They were not even

going to rise and attempt to clear the record of the Minister of Agriculture. Then, Sir, when they were finally forced to their feet to attempt to justify it, they gave the sort of justification which concerns me as well, Mr. Speaker, because it didn't deal with the real question; it attempted to obscure the real issue by dragging red herrings across the trail, as my Leader said the First Minister had done, and indeed he did.

Let me deal with each of the arguments put forward by the Ministers opposite. The Minister of Agriculture tries to say that indeed we had the information. Mr. Speaker, it was clear to us, and I believe it was clear to you that we did not have the information. We did not have the information that the Minister gave to the press when he left this House two days ago. He now tries to tell us that, oh, he sent the information later on. Indeed he did, Mr. Speaker, when he found out, when he realized that he had indeed made an error and that he was going to be called on it, he then sent the information to us; I don't know whether he sent the information to all the members of the House. And what we're talking about here, Mr. Speaker, is not just a privilege of members of this side of the House; it's a privilege of every member in the House.

The Minister of Agriculture stood in this House and said that he would provide the same information to the press which he had provided to the members of this House. That was clearly not the case. The statement which the Minister made to the press, the ten-page (sic) printed statement which he made to the press, was clearly the type of statement that would have been made on second reading in this House. That was not provided to us at any time and no similar information was provided to us at any time prior to the Minister distributing the bill in the House and distributing the two-page press release.

The Minister of Health seems to believe that somehow when a question is placed in the House it is important that the Minister not give any response to that question outside of the House. He seems to believe now as he did in 1979 that that constituted a point of privilege. Mr. Speaker, I don't believe that a question asked in the House is any more important than the matter of dealing with a bill which the government hopes is going to become part of the laws of the province. Surely, if the Minister of Health had a matter of privilege when he rose in 1979, there is a matter of privilege when the Minister of Agriculture tries to bypass the legislative process and misleads the House while doing so.

The one point, Sir, which I acknowledge is not relevant to this debate but it has been raised by the members opposite and since they were not brought to order, I wish to deal with it. Two Ministers at least raised the matter of not finding ministerial files in their offices when they assumed government. I want it to be clearly on the record, Sir, that the Minister of Agriculture when he assumed office in 1981, received exactly the same amount of information that the Minister of Agriculture received in 1977. When we assumed office in 1977, there were no ministerial files in the office of the Minister of Agriculture. Since there were no ministerial files in the Minister's office, the Member for Arthur assumed, that being the practice, there was no necessity of leaving files when he departed in 1981. Similarly the Member for La Verendrye when he went to his office in 1977, the office vacated by the now Minister of Community Services and Corrections, there were no ministerial files, Mr.

Speaker. Let these Ministers not rise now and try and tell the public that somehow we, in the Opposition, practised something that they had not practised previously, Sir. The Government House Leader, Mr. Speaker, attempts to use the same argument that the Minister of Agriculture used, that the information had been provided to the House. I believe I've dealt with that. Clearly the information had not been provided to the House.

He also said something that I find rather disturbing and I'm going to have to review the transcript carefully to see exactly what he said, but he seemed to indicate that we should somehow be satisfied with a bill being distributed along with a press release, that that should be sufficient for us. That's the information that we require, but the Minister is then free to go out and make whatever statements he wishes outside the House and to distribute information. Mr. Speaker, we'll read the record. I believe if the Attorney-General looks at the record he may find that that indeed is what he said.

But the response of the First Minister, I think, concerns me more than the response of any of the other Ministers, Mr. Speaker, because the First Minister either missed the point of the motion which is before us today, or else he understands the motion and was indeed attempting to drag the red herring across the path, because what we are talking about here is one of his Ministers misleading the House - one of his Ministers misleading the House, Mr. Speaker. He should not condone that in any way, shape or form. I gather from his answer today that he is less than forthright in condemning that action by his Minister. He seems to indicate that somehow, simply because he and his Ministers have been conducting extensive consultation with the public, directly with the public, that somehow that allows the First Minister and his Ministers to bypass this Chamber. Mr. Speaker, that is something which we find unacceptable. He mistakes the presentation of information to the public as being a replacement for dealing with this House and providing information to these members. He seems, Mr. Speaker, to be going the route of our Prime Minister and we know that over the years the Prime Minister, remember the catch phrase of participatory democracy, which was simply another way for the Prime Minister to bypass parliament and attempt to go directly to the people and not to deal with the elected representatives of those people.

Now I have absolutely no objection to the First Minister and his government carrying out extensive consultation with the public and providing the public with information but that should not be an excuse to bypass the elected representatives. You can contact all the people directly that you want but, nevertheless, the 23 members of our party that sit on this side of the House are the members who have been elected to represent those constituencies and you must deal with us, the government must deal with this institution, Sir, and I hope that our First Minister is not going the direction that Prime Minister Trudeau has gone.

Mr. Speaker, there is an opportunity here for some of the backbenchers, at least, to express their dissatisfaction with the sort of actions that we've been getting from the government and to support this motion in censuring the Minister of Agriculture for misleading the House.

**QUESTION put, MOTION defeated.**

**MR. A. RANSOM:** Yeas and Nays, Mr. Speaker.

**MR. SPEAKER:** Call in the members.

It is moved by the Honourable Member for Turtle Mountain, seconded by the Honourable Member for Arthur,

THAT this House do censure the Minister of Agriculture for a breach of the privileges of its members by misleading its members in the matter of information made available to the media and withheld from members of the Legislative Assembly.

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

### YEAS

Messrs. Blake, Brown, Downey, Driedger, Enns, Filmon, Gourlay, Graham; Mrs. Hammond; Messrs. Hyde, Johnston, Kovnats, Lyon, Manness, McKenzie, Mercier, Nordman; Mrs. Oleson; Messrs. Orchard, Ransom, Sherman, Steen.

### NAYS

Messrs. Adam, Anstett, Ashton, Bucklaschuk, Corrin, Cowan, Desjardins; Mrs. Dodick; Mr. Doern; Ms. Dolin; Messrs. Evans, Eyer, Harapiak, Harper; Mrs. Hemphill; Messrs. Kostyra, Lecuyer, Mackling, Malinowski, Parasiuk, Pawley, Penner; Ms. Phillips; Messrs. Plohman, Scott; Mrs. Smith; Messrs. Storie, Uruski, Uskiw.

**MR. ACTING CLERK, G. Mackintosh:** Yeas, 22, Nays, 29.

**MR. SPEAKER:** The motion is accordingly defeated.  
The Honourable Member for La Verendrye.

**MR. R. BANMAN:** Mr. Speaker, I was paired with the Minister of Finance. Had I voted, I would have supported the motion.

### ORAL QUESTIONS

#### Higher deficits

**MR. SPEAKER:** The Honourable Leader of the Opposition.

**HON. S. LYON:** Mr. Speaker, a question to the First Minister. Reading the material presented yesterday by the Minister of Finance which, presumably, he is giving to the meeting of the Ministers of Finance today as Manitoba's position and reading in that material, Mr. Speaker, the statement that higher deficits are appropriate for Canada and for Manitoba at the present time because of the high unemployment situation and other economic problems, can the First Minister tell us now, this statement is being made I take it seriously to the Government of Canada, can he tell us now the size of a deficit that he considers to be appropriate in the circumstances that we face in this province today, one year after he took office, saying that he was going to turn around the economy?

**MR. SPEAKER:** The Honourable First Minister.

**HON. H. PAWLEY:** Mr. Speaker, I thank the Leader of the Opposition for the question because it provides me with the opportunity to discuss briefly the thrust which the Minister of Finance is providing by way of leadership on his part to the Finance Ministers' Conference and, I believe, a thrust that will be joined, indeed, by a number of the counterparts from other provinces: that if we are to overcome the short-term difficulties in Canada of rising unemployment, of dropping retail sales, then it will be unnecessary for an overall co-ordinated and strategic effort on behalf of all 11 governments in Canada in order to overcome the present economic debacle.

Mr. Speaker, that has been the position of Manitoba, February 2, 1982. It was the position of the Manitoba Government in August of 1982. I am pleased to note that the Federal Government, finally, after some 11 months, appears to be coming around to the same point of view and, in addition, that same point of view has been supported, it appears, by statements that have been made in the last few hours by some of the other Finance Ministers, including the Finance Minister for the Province of Ontario, that has made it very very clear that he, too, accepts the fact that for the short term it is inevitable that governments do, indeed, increase their capital borrowings even if it be at the price of some additional capital deficit, in order to launch a co-ordinated and full-scale attack upon unemployment.

Mr. Speaker, if there was a war declared tomorrow there would be no problem in finding the money to put people to work in order to conduct a war. Mr. Speaker, at the same time there is no reason why we ought not to be in a position to find the money to utilize the resources in Canada in order to put people to work in peace time, to end unemployment and to bring about economic recovery.

**HON. S. LYON:** Well, Mr. Speaker, we, of course, appreciate the First Minister's dilations upon his view of the state of the economy. The question, however, Sir, was: what level of deficit does he and his Minister of Finance, and presumably the front bench and the caucus - if indeed, they're consulted on matters of this sort - what level of deficit does he consider to be appropriate to support the statement that is being made by his Minister to the other Ministers of Finance of Canada today? What is the level of deficit? Because clearly, if the statement is made that Canada and Manitoba should both be having higher deficits, then the First Minister must have something in mind as to a figure. Is it \$750,000.00? Is it a billion? What is the size of the appropriate deficit that the First Minister is advocating?

**HON. H. PAWLEY:** It would be quite simplistic on my part to be giving figures to the Leader of the Opposition. The amount that will be involved will be dependent upon (1) the need which is reflected by the amount that is required to again get the economy of Canada stimulated to restore consumer confidence, so that we will consequently have public and private investment again in Canada; (2) it will depend a great deal insofar as what Manitoba would do as to the extent of co-operation, the extent of co-ordination, the extent of strategic development of joint effort on the part of the Federal Government in all other 10 provinces. Manitoba cannot do it alone, but Manitoba is prepared to do its fair share if, indeed, 10 other provinces and the Federal Government

together all join in a concerted effort to turn the economy around, to create employment, to restore consumer confidence so we get back on the path to proper economic progress in Canada.

### Unemployment increase

**HON. S. LYON:** Mr. Speaker, I'm sure that all Canadians would support the ideal of a fully employed work force in Canada, which we all want. All Canadians, of course, Sir, particularly share the concern for the unemployed in this country at the present time, particularly the 52,000 unemployed in this province, some 24,000 more people unemployed than there were a year ago at this time.

But, the very simple question, Mr. Speaker - with respect, it is not a simplistic question - to the First Minister is, first of all, what level of deficit does he intend to recommend to the people of Manitoba to support the thrust of his Minister; secondly, if he is unable or unwilling to give a figure, will he say that there's no limit at all to the size of the deficit he's prepared to recommend?

**HON. H. PAWLEY:** I believe that question was posed just a few moments ago and I'm delighted again to respond to the question. Mr. Speaker, the amount that is required depends upon, as I indicated before, the degree of co-ordination that is agreed to by all 11 governments in Canada, the extent to which all 11 governments are prepared to commit funding towards an all-out effort. I'm pleased to see, Mr. Speaker, that the Minister of Finance, at least by way of musings, prior to this Finance Minister's Conference has indicated that indeed that is the thrust now of the Federal Government.

It's interesting that on February 2, 1982, the Federal Government denied that there was any major problem pertaining to the economy in Canada. In May and June of 1982, the Federal Government indicated the major problem was inflation and all we needed was 6 and 5 and the economy would be turned around.

Mr. Speaker, I am pleased now that there's a recognition on the part of the Federal Government, as indeed we have said for months and months - and I know criticized by members across the way for our analysis - that the problem confronting Canada is not principally one of inflation, but is principally one of unemployment, joblessness within this land. The amount that is required, Mr. Speaker, depends of course upon the amount that is required to stimulate the economy and (b), insofar as Manitoba is concerned, the extent of participation and involvement by the Federal Government and all other Provincial Governments in Canada.

Mr. Speaker, as I mentioned earlier, if war was declared tomorrow and Canada was in the thick of warfare, we would not be debating how much money was required in order to wage war. We would find the money in order to successfully defend the country. Mr. Speaker, in the same way, it is essential and crucial for Canadians, wherever they live, whether they be of the Maritimes, whether they be of Central Canada, whether they be of the Prairies or British Columbia, to similarly commit themselves to ending joblessness in this land during peacetime.

**HON. S. LYON:** Well, Mr. Speaker, as I've said earlier, we all, with some interest, note the oratorical dilations of

the First Minister. Would he please direct his waning attention however, Sir, to the question, which is: is he saying in effect that there is no limit to the amount that this province can borrow or pledge the credit of yet unborn Manitobans for? Is that really what he is saying in the course of these red herrings about states of war and so on? We're talking about Manitoba, 1982, December of that year, 54,000 unemployed, 24,000 more than last year. Is the First Minister saying there is no limit to the amount of deficit that he will load unto the backs of the people of Manitoba?

**HON. H. PAWLEY:** Mr. Speaker, I welcome the question from the Leader of the Opposition because it provides me with an opportunity to present what I think is a position that is, if I can say so, in dire need now, not only in Canada, but throughout the North American route. Indeed, if you check country by country, you will find that those governments that have best dealt with unemployment, best dealt with their economies, have been countries such as Austria, West Germany and other nations of the land that have indeed followed activist and social democratic approaches.

Mr. Speaker, I say to the Leader of the Opposition that if the present recession is not turned around and if the present recession continues to deepen, as indeed it appears in some quarters as though it is continuing to deepen, the recession will bring about larger and larger deficits throughout the entire North American and western world economies.

Mr. Speaker, if we are indeed to reach a point where we can ensure that there be economic recovery, so that again governments can reach a point of lessening their deficits and moving towards more balanced budgets, whether it be in jurisdictions in Canada or elsewhere, there will have to first be a concerted effort in order to overcome the joblessness, the lack of consumer confidence, the lack of investment which is taking place. The laissez-faire approach, Mr. Speaker, will mean greater and greater and greater deficits. We are against the continuation of greater and greater deficits, as are the inevitable result of the present policies that are being pursued.

**HON. S. LYON:** Mr. Speaker, I quote from the brief that was presented yesterday by the Minister of Finance this brief quotation and ask the First Minister if he supports this position. I'm quoting from Page 1 of The Unemployment Crisis in Canada: Manitoba's Proposals for a Co-ordinated National Response. "Responsibility for the unemployment crisis now facing Canada cannot and should not be assigned totally to a single circumstance, a single policy, a single sector, a single government or a single order of government. There have been many causes and there are no simple solutions."

Mr. Speaker, if that is the position of the Government of Manitoba today, why, a year ago was the First Minister, on a signed document that he gave to the people of Manitoba, saying, "We can build a dynamic future in Manitoba, we can turn around the harsh economic circumstances of the past four years." Mr. Speaker, I would like to find out from the First Minister, has he now totally disowned this piece of election literature? Which statement are we to believe?

**HON. H. PAWLEY:** Mr. Speaker, again I am pleased that

the Leader of the Opposition has referred back to the period a year ago because a year ago we had just come through the period 1978, 1979, 1980, and into the early part of '81 when Manitoba was suffering a mini-recession in this province, a recession indeed that was not shared by the rest of Canada, a recession that was introduced, Mr. Speaker to this province because of the policies of acute protracted restraint pursued by the previous administration in Manitoba. Mr. Speaker, it is unfortunate that the recession in Manitoba was then joined by the worldwide and North American recession in 1981 compounding the overall problem.

Now, Mr. Speaker, I would like to read on from where the Leader of the Opposition had read in the document which was released yesterday, just for his benefit and so we can obtain the total picture in the Chamber. The paragraph following continues: "Without doubt the high interest policy of the Federal Government and the Bank of Canada has played a dominant and damaging role in dampening economic activity, reducing employment and eroding consumer investment confidence across the country. However, there have been other significant contributing factors as well, including less-than-adequate co-ordination among governments on a national basis in planning and implementing an all-out effort to encourage recovery, restore confidence and create jobs.

Mr. Speaker, we recognize that there is a problem in the land that requires co-operation and co-ordination of all levels of government, that requires levels of government, requires peoples to put aside some of the partisan bickering which has taken place over the past, to join together in order to overcome this crisis during peacetime insofar as joblessness is concerned.

**HON. S. LYON:** Mr. Speaker, I think every member in this House is concerned about the social damage that is done to unemployed persons in all parts of this country. My honourable friend need not think that he has any monopoly on that kind of concern.

I merely wish to ask the Honourable First Minister, Mr. Speaker, when the 24,000 more unemployed people in Manitoba today - 24,000 more than there were a year ago - what can he tell them when they ask, why did you tell us that you could turn around the harsh economic circumstances of the last four years? Mr. Speaker, those 24,000 people all had jobs a year ago, they haven't got jobs under this stumbling government. What's he going to tell them now?

**HON. H. PAWLEY:** Mr. Speaker, I want to advise the Leader of the Opposition that I, for one, have no problem discussing joblessness and the present state of the Manitoba economy with those that are unemployed. I went to Leaf Rapids, went to Lynn Lake, went to Thompson and other areas so that I could speak directly to the unemployed in the areas that are hardest affected. But, Mr. Speaker, what I have noticed - and I am proud of this fact - that Manitobans are intelligent; they are sophisticated. We sometimes in this Chamber don't give Manitobans proper respect for the intelligence they indeed possess. Mr. Speaker, what I have said to Manitobans is, we can overcome the economic mire that we're in. What is required are policies, and I have enunciated those policies in this House, and what is required is an all-out concerted effort not only on the part of Manitoba, but

required on the part of the Federal Government, the other Provinces of Canada, and together, if we put aside this partisan bickering - because it sure is time that we do that. Mr. Speaker - we can overcome the present joblessness in the country. I have every confidence that with that kind of approach throughout this land, throughout Canada, we can indeed turn around the harsh economy that presently exists.

**HON. S. LYON:** Mr. Speaker, we all want to co-operate in helping the unemployed in Manitoba and across Canada. Can the First Minister tell us when he is going to renounce the false statements that he made to the people of Manitoba a year ago telling him that he can turn around the harsh economy? When, Mr. Speaker, is this kind of traveling snake-oil salesmanship going to end and the truth emerge?

**HON. H. PAWLEY:** Mr. Speaker, I certainly don't mind providing what may be another repetitious answer to what has been a further repetitious question, if that indeed is your wish. Mr. Speaker, I indicated earlier, Manitobans are fully aware of the root cause of the present economic debacle. They are quite aware of the fact that not just Manitoba, but other parts of this country share even more difficult circumstances. In fact, Manitoba has stood quite well by way of comparison; the Conference Board Report certainly confirms that, Mr. Speaker.

What Manitobans also recognize is that there is additional unemployment in this province, but they also know that there is a government in this province that does not accept a passive approach but an activist approach, a government that does not support tight money and high interest rate policies but supports a different monetary approach to the economic problems confronting this country. They know that there is a government in this province that is prepared to declare quite openly that if the Federal Government is prepared to undertake certain actions that we will not be hung up on narrow jurisdictional or political lines, but we will join hands with those in the Federal Government in order to work co-operatively to overcome the problem. They know that we have a government that is prepared also, if we can obtain this kind of support from other provinces, to work with other provinces to overcome the present difficulty.

Manitobans know that there is in Manitoba a government that is prepared to work towards this objective, a government that states very clearly, and has stated for the last ten months that jobs are the major problem in Canada - not inflation, but jobs, Mr. Speaker - and are prepared to develop programs, positive programs to overcome those difficulties.

Mr. Speaker, I must just say by way of comment that as I indicated, I've had opportunity to speak to hundreds of the jobless in this province in the last few months and I share with them, as all Members of this House share - I am sure the Leader of the Opposition feels the same concern - the plight that they're in, the loss of self-esteem, the psychological and emotional distress that this causes, but at the same time, Mr. Speaker, the unemployed know full well the root costs, the monetary system, the lack of action on the part of so many governments of the world in order to deal with the depressing and archaic situation that exists in the world.

**MR. SPEAKER:** Order please. The Honourable Member for Turtle Mountain.

**MR. A. RANSOM:** Mr. Speaker, my question is for the First Minister. Has the First Minister recommended to the Federal Government that if the provinces don't co-operate in a co-ordinated program, that the Federal Government should force them to do so?

**MR. SPEAKER:** The Honourable First Minister.

**HON. H. PAWLEY:** Mr. Speaker, I would not expect that that be the case. I think the provinces in Canada have reached a point where they recognize, only through co-operative federalism, only through co-ordinated and joint approach can this be overcome.

Mr. Speaker, if indeed the provinces of this country don't respond to a co-ordinated and joint effort, then I think the Federal Government will have to find ways and means of utilizing its proper responsibility, the government chiefly responsible for the economy, will have to find ways in order to deal with that. Specifically answering, no, I have not communicated any such advice to the Federal Government but in fairness I say to the member that if the provinces don't assume action then at some point the Federal Government will have to assume action.

### Headingley bypass

**MR. SPEAKER:** The Honourable Member for Assiniboia.

**MR. R. NORDMAN:** Mr. Speaker, I have a couple of questions, through you, to the Minister of Highways. The Minister of Highways and I have been in conversation on several occasions, not only with him but with his office, with regard to the proposed bypass in the Headingley area. I have a group of very concerned people out there that would like to know, first off, has there been a definite route established for the bypass?

**MR. SPEAKER:** The Honourable Minister of Highways.

**HON. S. USKIW:** I don't believe that the surveys have been completed to the point where we can define a plan for expropriation, it's somewhere in the process, but I don't believe it's ready.

**MR. R. NORDMAN:** Mr. Speaker, through the rumour mill I understand that there is some land that has already been expropriated, or in the process of being expropriated, and some land being purchased. Is that correct, Sir?

**HON. S. USKIW:** Well from recollection, Mr. Speaker, I believe there was a property on which there was going to be some structures built and in that instance we decided that we had better move quickly in order that we not be faced with the proposition of having to expropriate structures that are yet to be built. So there has been some purchasing, or offers of purchase, I'm not sure if the purchases have been completed.

**MR. R. NORDMAN:** Finally, Mr. Speaker, in view of the concerns of the citizens of the immediate area of Headingley, would you assure me that a public meeting will

be held to consider their concerns in the very near future?

**HON. S. USKIW:** Mr. Speaker, I have attempted to respond to every individual and every group on that question and the office is open for any group that wants to meet with me. I want to indicate and reinforce the fact that the decision was made some time ago, that we will eventually construct a new route. At the moment all we are doing is land banking and it will be some other government some day that will decide when to proceed with the construction.

**MR. SPEAKER:** The Honourable Member for Pembina.

**MR. D. ORCHARD:** Thank you, Mr. Speaker. It would seem from the Minister of Highway's answers to my colleague's questions that indeed a route has been established, that a plan of survey is in the process of completion and certain properties are being acquired. In view of that fact I would like to ask the First Minister to explain why in his letter to Councillor Stefansson, dated November 22nd, 1982, this in reply to a resolution from the City of Winnipeg, and a letter to the Premier from Councillor Stefansson in which Councillor Stefansson indicates, "I am sending this to your attention because the Minister of Highways has not replied to date and has also not returned telephone calls," this being in regard to the construction of a bypass around Headingley.

The Premier indicated to Mr. Stefansson that when the exact status of the No. 1 Highway has been determined by Mr. Uskiw, that information will be available to everyone on an equal basis since it is quite evident that the location of the bypass has been established. Can I ask the First Minister why there has not been a meeting with the residents of Headingley as he has indicated in his November 22nd letter that information would be provided when available?

**MR. SPEAKER:** The Honourable First Minister.

**HON. H. PAWLEY:** Mr. Speaker, I apologize, I didn't hear the earlier line of questioning from the member. But insofar as the commitment respecting the Headingley bypass, that depends upon the need for proceeding with that bypass timewise. It may be a number of years before any construction work would take place in respect to that bypass. It's my understanding that an exact or precise route has not yet been determined so, Mr. Speaker, I'm not quite conscious of what the member is trying to establish.

**MR. D. ORCHARD:** Well, Mr. Speaker, with all due respect to the First Minister I would suggest that if a plan of survey is being completed and properties are being acquired, indeed a route for the Headingley bypass has been chosen. What the citizens of Headingley and the constituency of Assiniboia wish to have, and the First Minister has assured them they will have that by his reply to Councillor Stefansson, is that those citizens will have the same opportunity to be heard by this government as to the location of the Headingley bypass as the residents in the Logan area have had with this government in the Industrial Park concern. Can the First Minister assure the citizens of Headingley and Assiniboia that such an informational meeting will take place to listen to

their concerns before the route is chosen, not after the fact?

**HON. S. USKIW:** Well, Mr. Speaker, the member was obviously not listening when I gave my first answer to the Member for Assiniboia, wherein I indicated that an announcement had been made to the effect that a relocation plan was already decided upon, but it's a futuristic decision and the construction of that new route will likely not take place within the life of this government and we don't know when it would take place. But in the meantime, because of the developments that were taking place in the area, we wanted to bank land in that area for a new route, and it's merely a land banking exercise at the moment.

We have provisions in The Expropriation Act which allow for any citizen to challenge the wisdom of that decision when an order of expropriation is filed. That is the process, I believe, the First Minister would be alluding to when he said that the normal process of hearings would be undertaken. It's provided for in The Expropriation Act. One can argue a case for or against the location, or whatever variation thereof, or the need of the project if there's an inquiry officer appointed. So nothing is final until that process is complete. That is due process, well established in this province and we don't intend to violate that.

**MR. D. ORCHARD:** Mr. Speaker, thank you. I refer a question then back to the First Minister. We are not discussing the process of Headingley resident input after the decision on location has been made. What the First Minister has indicated to Councillor Stefansson is that they will have input on the decision. That apparently will not happen and I ask the First Minister, will he allow the citizens of Headingley in the constituency of Assiniboia the opportunity to be heard and their concerns to be listened to by this government on the location of the Headingley bypass similar to the method in which this government listened to the citizens of Logan in constituencies held by members of the New Democratic Party? Will he give constituents and residents of Assiniboia, a constituency held by a member of the Opposition, the same opportunity of equal access to this government in attempting to help it make its decisions?

**HON. H. PAWLEY:** I should refresh the honourable member's reflection that it was the previous government that had cut off an inquiry officer from holding hearings under the legislation pertaining to Logan. It was the concern of this government that there be fair and proper hearings that caused the appointment of an inquiry officer and, I believe, the honourable member across the way was part of the Treasury Bench at the time that must have participated in an agreement to waive the hearings under The Expropriation Act pertaining to the Logan Avenue expropriation. I just want the record to be clear.

Also, I want the record to be clear on another point because there is an insinuation in the member's statement that this is a government that's not concerned about ridings across the way. Mr. Speaker, let me assure honourable members across the way that I've spent more time in communities this past year, and I've enjoyed it very much, represented by honourable members across the way. I've spent time in Boissegvain, in Melita, in Souris, in Virden, in Russell, in Gilbert



Plains, in Roblin, in Minnedosa - in fact, I could go on and on to Morris and other communities. So, Mr. Speaker, let there be no implication left in this Chamber that this is a government that some way or other only represents a part of the Province of Manitoba. We're interested in all of Manitoba.

Mr. Speaker, insofar as the concerns expressed by the Member for Pembina I would share those concerns. I believe that prior to proceeding with construction of any bypass that that work ought not to be proceeded with until there has been a proper opportunity for discussions with the residents involved. The Member for Lac du Bonnet, the Minister of Transportation, has indicated that there are no immediate plans to proceed with construction of the highway. So, Mr. Speaker, I don't know what the discussion is really all about, in view of the fact there are no immediate plans to proceed with construction.

### Co-op housing

**MR. SPEAKER:** The Honourable Member for La Verendrye.

**MR. R. BANMAN:** Thank you, Mr. Speaker. I direct my question to the Minister in charge of Co-operative Development and would ask the Minister if he has hired any additional new staff to deal with co-op housing?

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

**HON. J. BUCKLASCHUK:** Thank you, Mr. Speaker. I'm not aware of any new staff having been hired. I'll take that question as notice.

**MR. R. BANMAN:** A supplementary question to the same Minister, Mr. Speaker. Has the Minister given any grants to any new housing co-operatives or has he implemented any new policies or programs with regard to co-op housing?

**HON. J. BUCKLASCHUK:** Thank you, Mr. Speaker. I'm not aware of any new grants that have been going out to any new co-operatives at this time but I'll take that as notice as well.

**MR. R. BANMAN:** In light of the response to that question, I wonder if I could direct a further question to the First Minister and ask him, in a report tabled by him, I believe, several weeks ago, a report on action taken by the NDP Government in their first year in government they say part of the action includes increased assistance to co-operative housing. I wonder if he could explain what that assistance has been? —(Interjection)—

**MR. SPEAKER:** The Honourable First Minister.

**HON. H. PAWLEY:** I'm afraid I don't catch the joke across the way, Mr. Speaker —(Interjection)— well, I don't want to be impolite. There have been enough members being impolite these last few days without adding to that, Mr. Speaker.

In August, if members will refer to the announcement re the \$50 program re expansion of housing, we indicated very clearly that the housing program would be of

a mixed nature; that it would involve homes in Manitoba; it would involve additional initiative pertaining to Critical Home Repair and for Renovation Programs. Also, Mr. Speaker, we would be prepared to provide funds re the development of co-op housing projects and that is certainly part and parcel of the overall housing program that was announced, I think, it was last August 7th or 8th.

### Seat belt legislation

**MR. SPEAKER:** The Honourable Member for Elmwood.

**MR. R. DOERN:** Mr. Speaker, I would like to direct a question to the Minister of Highways and ask him whether he can confirm that Newfoundland has become the fifth province to introduce seat belt legislation and that over 80 percent of all Canadians now live in provinces with such legislation?

**MR. SPEAKER:** The Honourable Minister of Highways.

**HON. S. USKIW:** Well, Mr. Speaker, to the extent that I believe the written word, written by the media, I suppose I can confirm that. I haven't researched it through the department, Mr. Speaker, but I believe that to be accurate and that, indeed, the vast majority of Canadians now live under that kind of regulation with respect to the operation of motor vehicles.

### Co-op housing

**MR. SPEAKER:** The Honourable Member for La Verendrye.

**MR. R. BANMAN:** Mr. Speaker, a further question to the First Minister. In light of the report which he tabled to all Manitobans showing the so-called action that was taken by the New Democratic Government in Manitoba between December '81 and November '82, could he now confirm that even though the action that he has said the government has undertaken, that particular action as far as co-op housing is not a factual statement?

**HON. H. PAWLEY:** Mr. Speaker, I believe the Minister of Housing wants to add some further information. The statement is very very accurate and I'm pleased that the Minister of Housing wants to elaborate further and provide the honourable member with, apparently, some information that the honourable member is not conscious or aware of. I regret that, because it means that maybe the constituents in La Verendrye have not been informed of some programs that they should be.

**MR. SPEAKER:** The Honourable Minister of Housing.

**HON. J. STORIE:** Mr. Speaker, as the former Minister of Co-operative Development should recognize, if he had been involved at all in co-operative development in the housing area, you simply cannot develop a co-operative housing program overnight. First of all, you have to identify a group that is interested in co-op housing, then you have to have them develop some expertise in the area of co-op housing.

Mr. Speaker, since the announcement in August, the individuals responsible for co-operative housing in the Department of Co-operative Development have met

## SECOND READING - GOVERNMENT BILLS

### BILL NO. 2 - THE LAW ENFORCEMENT REVIEW ACT

**HON. R. PENNER** presented Bill No. 2, The Law Enforcement Review Act; Loi sur les enquêtes relatives l'application de la loi, for second reading.

**MOTION presented.**

**MR. SPEAKER:** The Honourable Minister.

**HON. R. PENNER:** Mr. Speaker, The Law Enforcement Review Act is intended

To promote a high standard of professional conduct among police officers in Manitoba;

To guarantee each citizen in Manitoba opportunity for independent investigation and review of complaints against municipal police officers;

To provide a mechanism for the resolution of those complaints in a manner that is fair both, Sir, to police officers concerned and to citizens, and

To ensure that the conduct of police officers is consistent with the rules of law and the ideals of a democratic and open society.

The Act will in no way diminish or limit the rights of citizens and police officers to secure remedies at law in either civil or criminal courts; nor, Sir, is it intended to interfere with existing procedures in matters of police discipline which do not involve private citizens.

The scope of the Act is as follows: The Law Enforcement Review Act will deal only with citizens' complaints against the police. Where no citizen is involved in a police matter, the existing internal disciplinary procedures will apply. Conversely, where a citizen is involved and in the event of a conflict between the Act and internal disciplinary procedures, the provisions of the Act will prevail.

Under the Act, one member of the public will be entitled to complain about police treatment of another member of the public. However, a citizen will not be entitled to complain about the speed or thoroughness of a criminal investigation. Such complaints will be channelled elsewhere, as they are now.

The Act will only affect those members of a police force who are in day-to-day contact with the public through law enforcement operations. Thus, where in the Act we have terms like "member" or "member of a police department," the definition of that will be such that any person employed by a police department, having the powers of a constable or of a peace officer, or employed as a peace officer by any municipality in the Province of Manitoba, will be within the definition.

The Act will expressly affirm the authority of municipalities to regulate their own police forces and of chiefs of police to issue directives with respect to discipline within the force and the maintenance of law and order in municipalities. However, these powers will be subject to the provisions of the Act concerning citizens' complaints and any regulations made under the Act.

The review process contemplated in the Act will be initiated by means of a complaint defined as a complaint by a member of the public respecting the conduct of a member of a police department towards the complainant or some other member of the public.

with myself, have met with staff at MHRC to initiate action in co-op housing. We have also had contact with a resource group and currently they are negotiating a contract with the MHRC to provide the kind of liaison between the co-operative groups out there and MHRC.

Further, Mr. Speaker, we have had assurances from CMHC that they will fund co-operative housing in excess of the present non-profit allocation that is coming to this province so that we can be assured that non-profit housing, the co-op housing, will be taking place in the near future.

**MR. SPEAKER:** The Honourable Member for La Verendrye.

**MR. R. BANMAN:** Well, Mr. Speaker, a question to the Minister of Housing.

What new programs that were now already in place, the high impact grant, all these things were in place over the last, I believe, eight years, and CMHC has provided funding for that and we were involved in that - but what new initiative has this government implemented, Mr. Speaker, implemented, taken action on, since they have taken office other than existing programs that were there before?

**HON. J. STORIE:** Mr. Speaker, if we're talking about the number of units, there are approximately 1,400 co-op units and there is ongoing support to those co-ops. I've just indicated to the honourable member that you do not develop a co-op program overnight. I have indicated that we are in the process of negotiating with a resource group to co-ordinate the activities. Those actions have been undertaken.

There is also a need and activity on our part, and I have met with community groups interested in co-op activity. Co-op housing is continuing in the province.

**MR. SPEAKER:** Order please. The time for Oral Questions having expired, the Honourable Member for Rhineland.

## HANSARD CORRECTION

**MR. A. BROWN:** Thank you, Mr. Speaker. I rise on a point of privilege. On Page 252 of Hansard, Wednesday, 15 December, 1982, under the heading "MACC - interest rate," and the second sentence of the question that I asked, "The Farm Credit Corporation has dropped its interest rates on regular farm loans to 9.25 from 15.75." That should be 13.25. The 9.25 should be changed to 13.25.

**MR. SPEAKER:** The Honourable Member did not have a point of privilege, but his correction is duly noted.

## ORDERS OF THE DAY

**MR. SPEAKER:** The Honourable Government House Leader.

**HON. R. PENNER:** Thank you, Mr. Speaker, would you call Bills No. 2 and 14 first, please?

There will be a Commissioner and the Commissioner's Office will be a clearing house where all citizens' complaints against the police; that is, for example, any complaint made to a police officer or to the chief of police must immediately be referred to the Commissioner, so it becomes a clearing house.

The Commissioner's initial role will be to investigate all complaints made by citizens against the police. The Commissioner will have all of the powers of a Commissioner under Part 5 of The Manitoba Evidence Act, so that the Commissioner may make reasonable inquiry into any relevant matters.

The Commissioner, Mr. Speaker, will have the power to utilize whatever resources he or she may deem necessary in investigating a complaint. However, except as otherwise provided in the Act, that is, at the request of the complainant himself or herself, the Commissioner shall not employ for purposes of investigations any person who is or was at the time of the occurrence, which is complained of, a member of the police force involved in the complaint. That person is excluded from the investigative procedures.

At the written request of the complainant, the Commissioner may refer the matter to the police department for internal investigation, so that if the citizen has filed a complaint with the Winnipeg force, for example, and upon being contacted by the Commissioner who states that he would rather it be investigated by the Winnipeg internal investigation unit, then that shall be done. When that investigation has been completed, the internal investigation unit, however, must report to the Commissioner and the Commissioner will consult with the complainant in order to determine what, if any, further action is required.

After there has been investigation by the Commissioner, the Commissioner may deal with the matter in a number of ways. First of all, and this will really be primary, that is an attempt to resolve the matter informally among the complainant, the member and the chief of the force involved; or the Commissioner, in order to weed out what might be frivolous and merely vexatious, may dismiss the complaint if it appears to the Commissioner to be frivolous or vexatious or to be outside the parameters of the Act. Before making such a ruling, in order to observe the requirements of due process the Commissioner must give the complainant the opportunity to be heard. Where the Commissioner has dismissed the complaint, the complainant will be able to apply to the Manitoba Police Commission for an order requiring the Law Enforcement Review Board to conduct a hearing into the complaint, but that will then be the decision of the Manitoba Police Commission and in that case will be final and not appealable.

Where the Commissioner believes that a disciplinary default may have been committed and that informal resolution is not possible or desirable, he or she will refer the complaint to The Law Enforcement Review Board for adjudication. When making any referral to that board, the Commissioner must specify the maximum penalty, if any, to be assessed against the member and the Commissioner will determine the appropriate maximum penalty after consulting the Chief of Police and after examining the member's service record of discipline and of course the board adjudicating, if it finds that the member was at fault, may assess less than the maximum. The purpose, Sir, of that provision, as has been

tested for some years now in British Columbia, is that many police officers when advised that the maximum penalty stipulated is relatively minor may dispose of the matter without formal adjudication. At all times during the investigation by the Commissioner the member will have the protection of due process. For example, he or she will have the right to see any documents held by the Commissioner, subject only to the rules of privilege. Also, a member will have the right to retain counsel at any stage of the review process including investigations by the Commissioner.

No member against whom a complaint is made shall be bound to make any statement to the Commissioner or to answer any questions asked by the Commissioner or asked by anyone employed by the Commissioner in the course of an investigation. The right to silence is preserved in this Act. The member will be entitled to see copies of any statements made by witnesses in the matter. All statements made by the member to the Commissioner during the investigative part of it are privileged at the member's request. Now in order to facilitate what is a prime thrust here, that is, informal resolution of as many complaints as possible, any statement made either by the complainant or the member to the Commissioner for purposes of resolution will be privileged for all purposes, including privileged for purposes of a hearing by the Law Enforcement Review Board and privileged with respect to any civil matters arising out of the complaint.

The Act will authorize the Commissioner to recommend changes in any organizational or administrative practices which may have contributed to any disciplinary defaults by an individual police officer.

Finally, Sir, with respect to the Law Enforcement Review Board itself, the Cabinet will appoint, for such terms as it directs, seven persons to constitute the board. Now, these are not full-time appointments; these are just persons who will constitute in a panel available for adjudication. The seven board members will include a chairman and a vice-chairman, both of whom must be legally trained and have at least five years at the Bar. Either the chairman or the vice-chairman will preside over a hearing and three members of the board will constitute a quorum, so the normal hearing will be three persons, one of whom shall be either the chairperson or the vice-chairperson.

The board will have all the powers of the Commissioner under Part (5) of The Manitoba Evidence Act. Evidence will be given under oath or affirmation, as the case warrants, and evidence will be recorded. Both the complainant and the member will have the right to be present at board hearings to call witnesses, to cross-examine witnesses, to be represented by counsel. A member who faces a complaint will not be compellable as a witness at a board hearing. So all of the normal attributes of due process, protection of a person who is alleged to be at fault, will be preserved.

All board hearings, and this is important, will be public unless the board believes that the maintenance of order of the proper administration of justice or the ends of justice require an in-camera hearing. The burden will be on the complainant to prove that the member has committed a disciplinary default; the standard of proof will be the balance of probabilities.

Finally, the Commissioner shall submit an annual report to the Attorney-General and to all police-employing authorities in the province, and the Attorney

General so table the report in the Legislature.  
I commend this bill to the House.

**MR. DEPUTY SPEAKER, P. EYLER:** The Honourable Member for St. Norbert.

**MR. G. MERCIER:** Mr. Speaker, just a question to the Minister for clarification, because I don't believe I heard any reference to it in the Attorney-General's remarks. Could he indicate what effect this bill would have on the collective agreement of the City of Winnipeg Police Association with the city?

**HON. R. PENNER:** Yes, it is mentioned in the speaking notes, a copy of which the member has, conversely where a citizen is involved, and in the event of a conflict between the Act and internal disciplinary procedures, the provisions of the Act will prevail. More specifically, and it does appear in the Act, that where there is a complaint of a citizen against a police officer and it is going through the law enforcement review process, then that process, the law enforcement review process, takes precedence over the collective agreement.

**MR. G. MERCIER:** Mr. Speaker, I move, seconded by the Honourable Member for Sturgeon Creek, that debate be adjourned.

**MOTION presented and carried.**

### **BILL NO. 14 - AN ACT TO AMEND THE ELECTIONS ACT**

**MR. DEPUTY SPEAKER:** The Honourable Attorney-General.

**HON. R. PENNER** presented Bill No. 14, An Act to amend The Elections Act; Loi modifiant la loi électorale, for second time.

**MOTION presented.**

**MR. DEPUTY SPEAKER:** The Honourable Attorney-General.

**HON. R. PENNER:** Thank you, Mr. Deputy Speaker. My remarks in introducing this bill will be briefer than those in introducing the last bill.

Bill No. 14 contains several amendments which are of a rather substantive nature and a much larger number of technical amendments. Virtually all of the amendments are being introduced by the government in response to recommendations contained in the review of The Election Act prepared by the Chief Electoral Officer and submitted to the government.

The Chief Electoral Officer's review of The Election Act was conducted immediately after the 1981 provincial general election and many of the changes he has recommended are in response to difficulties which occurred during the administration of the Act during that election. These amendments, therefore, are not unusual and the process that preceded it is not unusual.

The last election was conducted under a new Elections Act passed by the previous government in 1980 and that legislation, which was sponsored by the Member for St. Norbert when he was Attorney-General,

was essentially a complete rewrite of an old, and at that time, archaic piece of legislation and the fact that Bill No. 14 in fact contains so few amendments attest to the fact that we're dealing with a relatively new statute.

The technical amendments deal with such things as the rules for publishing and posting of election proclamations, the fixing of Tuesdays as polling days, changes in the withdrawal procedure, changes in oaths or the provision for oaths for incapacitated voters, clarification of marks allowed on ballots at the count and several other similarly technical amendments.

The major policy amendments include the adoption of the, what we believe to be, successful federal election practice of a continuous advance poll held in the returning officer's office. This allows their appeal of provisions for continuous revision. In addition, the bill provides that the occupation of the candidate will no longer be required on the ballot paper. It is the government's wish to provide maximum opportunities for eligible voters to participate in the process; therefore, the requirement that voters who have been left off the list at enumeration and revision will no longer be required to bring two enumerative voters from the same constituency to the poll with them to swear their knowledge of that voter and of that voter's residency. This practice tends to disqualify many people who, although resident in the constituency, do not know other qualified voters who are resident in that constituency.

Since many of the amendments are of a technical nature, I will be prepared to discuss the detailed impact to each particular section and both, of course, in debate on second reading, but more particularly, when the bill goes to committee.

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

**MR. G. MERCIER:** Mr. Speaker, the Honourable Attorney-General referred to a report by the Chief Electoral Officer; I don't believe we have a copy of that. I wonder if the Attorney-General would be kind enough to supply us with a copy of it. I note that there is in this bill somewhere a provision that there be an annual report from now on which is a good idea. Perhaps this is something along that line, and I would think we would like to have the benefit of having a copy of that report.

**HON. R. PENNER:** Yes, I will be pleased to provide the Member for St. Norbert with the report, to which I alluded, being the report of the Chief Electoral Officer.

**MR. G. MERCIER:** Mr. Speaker, I move, seconded by the Honourable Member for Fort Garry, that debate be adjourned.

**MOTION presented and carried.**

**MR. DEPUTY SPEAKER:** The Honourable Attorney-General.

**HON. R. PENNER:** Mr. Speaker, will you call in the following order Bill No. 6, then Bill No. 7, and finally Bill No. 3.

### **BILL NO. 6 - THE PESTICIDES AND FERTILIZER CONTROL ACT**

**HON. B. URUSKI** presented Bill No. 6. An Act to amend

The Pesticides and Fertilizer Control Act, for second reading.

**MOTION presented.**

**MR. DEPUTY SPEAKER:** The Honourable Minister of Agriculture.

**HON. B. URUSKI:** Mr. Speaker, it is my intention to be very brief on this piece of legislation. It is essentially housekeeping amendments. Their purpose is to clarify the definitions as they apply to commercial applicators and fertilizers and to improve the procedure for monitoring the use of pesticides and fertilizers in our province. The present Act provides a procedure for licencing of retailers and commercial applicators. This procedure includes training courses and examinations to ensure that retailers and commercial applicators fully understand the safe handling and usage of pesticides and fertilizers before they are granted a licence. The amendments that are proposed in Bill No. 6 are to strengthen this procedure.

**MR. DEPUTY SPEAKER:** The Honourable Member for Arthur.

**MR. J. DOWNEY:** Mr. Speaker, I move, seconded by the Member for Pembina, that debate be adjourned.

**MOTION presented and carried.**

#### **BILL NO. 7 - THE DAIRY ACT**

**HON. B. URUSKI** presented Bill No. 7, The Act to amend The Dairy Act, for second reading.

**MOTION presented.**

**MR. DEPUTY SPEAKER:** The Honourable Minister of Agriculture.

**HON. B. URUSKI:** Mr. Speaker, the purpose of the amendments in Bill No. 7 is to formally establish the Manitoba Dairy Board and to authorize remuneration to be paid to board members who are non-civil servants. I have to say to the honourable members, we've been appointing the Dairy Board for years and years but there's never been a formal authority in the legislation to approve it.

Well, Mr. Speaker, we have had the board for many years giving advice. I don't know, maybe my honourable colleague, the Member for Arthur, never even knew that there was such a board but there is and there has been.

The main purpose, Mr. Speaker, of the Dairy Board is to determine the economic liability of proposed dairy plants in Manitoba and to advise the Minister. The board takes into consideration such things as location, volume of production, marketing facilities and other factors that may affect the development of the dairy industry in the district to be served by a proposed plant. After receiving the recommendation that a proposed dairy plant is viable, the Minister may then make the decision to issue a permit with establishment of the plant.

The board also may make recommendations to the Minister before he issues a permit for the proposed enlargement or alteration of a plant or installation of

equipment in a plant. Should the application for a permit be turned down, the board may act as an appeal body. The present Act does not properly establish a Manitoba Dairy Board to carry out the above responsibility and these amendments, Mr. Speaker, should rectify this situation.

**MR. SPEAKER, Hon. J. Walding:** The Honourable Member for Arthur.

**MR. J. DOWNEY:** Mr. Speaker, I move, seconded by the Member for Lakeside, that debate be adjourned.

**MOTION presented and carried.**

**MR. SPEAKER:** The Honourable Attorney-General.

**HON. R. PENNER:** Mr. Speaker, may we call it 4:30? It is the intention for the House to continue meeting this evening at 8:00. There is no business for Private Members' Hour.

**MR. SPEAKER:** Is there agreement that the House continue at 8:00 o'clock and finish now? (Agreed) Order please.

The time being 4:30, I am leaving the Chair to return this evening at 8:00 p.m.