



Second Session — Thirty-Second Legislature
of the
Legislative Assembly of Manitoba

DEBATES
and
PROCEEDINGS

31-32 Elizabeth II

*Published under the
authority of
The Honourable D. James Walding
Speaker*



MG-8040

VOL. XXXI No. 161 - 2:00 p.m., MONDAY, 16 JANUARY, 1984.

MANITOBA LEGISLATIVE ASSEMBLY
Thirty-Second Legislature

Members, Constituencies and Political Affiliation

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

LEGISLATIVE ASSEMBLY OF MANITOBA

Monday, 16 January, 1984.

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 . . . Notices of Motion . . . Introduction of Bills . . .

ORAL QUESTIONS

Pension registration - City of Winnipeg

MR. SPEAKER: The Honourable Member for River East.

MR. P. EYLER: Thank you, Mr. Speaker, I have a question for the First Minister.

On Friday, the First Minister offered to consider legislation dealing with the City of Winnipeg pension plans provided the opposition agreed to expeditious treatment of that legislation, has the First Minister received a response from the opposition?

MR. SPEAKER: The Honourable First Minister.

HON. H. PAWLEY: Well, Mr. Speaker, I do anticipate that we will have opportunity for some discussions however.

Calling of Bill 116

MR. P. EYLER: A second question to the Government House Leader, Mr. Speaker.

In view of the fact that I have on the notice paper today notice of Bill No. 116, An Act to amend The City of Winnipeg Act; and, in view of the fact that under normal circumstances that could only be considered during Private Members' Hour for which there is no provision for the remainder of this Session, would the Government House Leader be prepared to call this bill as a matter of government business should the opposition agree to deal with it expeditiously?

MR. SPEAKER: The Honourable House Leader.

HON. A. ANSTETT: Yes, Mr. Speaker, certainly the commitment by the Premier last Friday was to that effect, and there would be no hesitation on this side to deal with that matter expeditiously and, subject to the discussions the Premier has indicated he hopes will take place shortly, the government is prepared to call matters in Private Members' Hour on which there is that consensus.

MR. SPEAKER: The Honourable Leader of the Opposition.

HON. G. FILMON: Thank you, Mr. Speaker, while we on this side are pleased to see the government taking

such rapid action after the urging from our side of the House that they proceed with this . . .

MR. SPEAKER: Question?

MR. G. FILMON: . . . Yes, my question to the Government House Leader is, is there no opportunity in the caucus meetings of the government to have questions, such as the Member for River East has just asked, answered?

MR. SPEAKER: The Honourable First Minister.

HON. H. PAWLEY: Mr. Speaker, I would like just to speak to a point of order pertaining to that question.

I would invite the Honourable Leader of the Opposition to review the question periods from 1977-1981. He will find that they were, day after day, after day, after day and probably properly so, Mr. Speaker. — (Interjection) — Oh yes, the Member for Emerson was leading the way. There were questions from members of the government backbench, and I remember again and again the front bench of that day saying every member in this House has the right, in fact the responsibility, to ask questions of the front bench.

MR. G. FILMON: Of course, Mr. Speaker, in those days there was quite a shortage of decent questions coming from this side of the House so we obviously had to assist the Premier in that.

MR. SPEAKER: Order please.

Michael Morgan and Associates - media campaign

MR. G. FILMON: Mr. Speaker, my question is for the Premier and it's in connection with the NDP Party's appointing the national advertising firm of Michael Morgan and Associates of Vancouver to conduct, as I understand it, a major media campaign in Winnipeg, in the Manitoba market, during the month of February; and my question is, is there any connection between this appointment and the Premier's party's desire to test the waters for a pending provincial election in Manitoba?

MR. SPEAKER: Order please. Would the Honourable Leader of the Opposition wish to rephrase his question to make it clear that it refers to a matter within the administrative competence of the government?

MR. G. FILMON: Mr. Speaker, I understand that the New Democratic Party has appointed Michael Morgan and Associates, a polling and advertising agency from Vancouver, to do some media market testing in Manitoba and my question is, is there any connection between that appointment and the desire of the Pawley

Government to test the waters for an upcoming provincial election here?

HON. H. PAWLEY: Mr. Speaker, I think you will note . . .

MR. SPEAKER: Order please. Order please. I'm still not clear that the question refers to a matter that is within the administrative competence of the government.

The Honourable Leader of the Opposition spoke of a party matter, which is clearly not within the administrative competence of the government, as such. Would he wish to rephrase his question?

MR. G. FILMON: Mr. Speaker, my understanding is that the Premier is the leader of the New Democratic Party in Manitoba - now I may be wrong on that - but if he is I would assume that he can answer a question that has to do with an appointment made by the New Democratic Party in Manitoba.

MR. SPEAKER: Order please. The affairs of any political party are not within the administrative competence of the government. The member's question should deal with matters that are within the competence of the government.

The Honourable Leader of the Opposition.

MR. G. FILMON: My question, Mr. Speaker, then is, has the appointment of the polling firm of Michael Morgan and Associates of Vancouver anything to do with the government's desire to test the waters for a potential upcoming provincial election?

MR. SPEAKER: The Honourable First Minister.

HON. H. PAWLEY: I'm prepared to check it, but I think I can pretty well assure honourable members of this House that the Government of Manitoba has not been involved in the appointment of the firm of Michael Morgan company from Vancouver.

I can't even tell you, Mr. Speaker, though it's out of the purview of this Legislature, whether the New Democratic Party has or not. So I can't very well answer a question that's out of the purview of this Chamber.

MR. G. FILMON: Mr. Speaker, will the taxpayers of Manitoba be paying for any polling that might be done by this particular agency after the advertising campaign has been conducted in Manitoba?

MR. SPEAKER: Order please. Order please. The question is somewhat hypothetical. The Honourable Leader of the Opposition, I believe, is permitted to ask of the government's intentions, but not to answer a hypothesis that he might put before them.

The Honourable Leader of the Opposition.

MR. G. FILMON: Mr. Speaker, my question is, is the government pretending to do any public opinion polling in the province within the next six months?

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

HON. H. PAWLEY: Mr. Speaker, there may very well be some market surveys, some polling and, Mr. Speaker, all governments do that from time to time.

MR. G. FILMON: What topics and what issues will be surveyed or are intended to be surveyed in the polling that's to be done.

HON. H. PAWLEY: It's very hypothetical at this particular point. As I indicated, Mr. Speaker, the governments do undertake market surveys, polling from time to time. I am not going to indicate to the honourable member there will be no polling, no market surveys within the next six months. What will they be? Well, Mr. Speaker, I am not going to gaze into my crystal ball at this particular point.

MPIC - life insurance and pensions

MR. G. FILMON: My question is for the Honourable Minister responsible for MPIC; and the question is whether or not the Minister or his department have yet completed the study which he had announced earlier with respect to the potential entry of MPIC into the life insurance industry in Manitoba?

MR. SPEAKER: The Honourable Minister of Housing.

HON. J. BUCKLASCHUK: Yes, thank you, Mr. Speaker. That study has not yet been completed.

MR. G. FILMON: Has the government conducted any public opinion polling with respect to their intention to enter into the life insurance industry in Manitoba?

HON. J. BUCKLASCHUK: I can categorically state that the government has certainly not conducted any polls on the potential entry into the life insurance industry. It may well be that MPIC, in the course of its studies, has as a Crown corporation.

MR. G. FILMON: As the Minister responsible for MPIC, can he tell us whether or not the corporation has conducted any public opinion surveys with respect to their potential entry into the life insurance industry in Manitoba?

HON. J. BUCKLASCHUK: Yes, as the Leader of the Opposition is aware, we did do some surveying last year with the MPIC agents throughout the province as an indication of their support for our proposal, and it may well be that there is a survey that may take place as part of our study. That has not yet been completed.

MR. G. FILMON: Will the government be announcing its course of intention with respect to their potential entry into the life insurance industry in the forthcoming Throne Speech for the next Session?

MR. SPEAKER: The Honourable Attorney-General on a point of order.

HON. R. PENNER: We are all familiar with the rules on this side, unlike that side. I believe that it is against

the rules to ask a question specifically with respect to the contents of a forthcoming Throne Speech.

A MEMBER: Gary didn't know that.

A MEMBER: Where? Quote us the rule.

MR. SPEAKER: Order please, order please. Does the Attorney-General wish to quote the exact rule?
The Attorney-General.

HON. R. PENNER: I'm looking for the specific citation.

MR. R. BANMAN: Check the yellow pages, Rolly.

HON. A. MACKLING: Do you know what question period is under you guys? Trivial Pursuit.

MR. SPEAKER: The Honourable Opposition House Leader to the same point of order.

MR. H. ENNS: Perhaps at times like this a bit of common sense prevails, Mr. Speaker. It's not that important to find the particular section of the rule book, that doesn't always cover all things that occur in this House.

Surely, Mr. Speaker, that a major initiative on the part of the government to enter into the life insurance business is always an acceptable question to be asked, and it is also acceptable if the government chooses not to answer. I want to indicate to you, as many many people in Manitoba are well aware of, in view of the activity that has been taking place and in the news media, by the insurance corporations, etc., that this is a question of interest to Manitobans.

My leader was simply asking whether government has intentions to move in that direction? I think common sense prevails that that is a legitimate question to ask.

MR. SPEAKER: The Honourable First Minister.

HON. H. PAWLEY: Mr. Speaker, I wonder if, in order to minimize the checking and rechecking re rules, etc., that may or may not exist, if I could just inform the Leader of the Opposition, yes, there are studies pertaining to possible government involvement in the life insurance industry; yes, there will be a policy announcement whether or not the government proceeds in respect to the entry by the Manitoba Public Insurance Corporation into the life insurance industry and if there would be an announcement, that will be made in due course.

MR. SPEAKER: The Honourable Leader of the Opposition.

MR. G. FILMON: Mr. Speaker, in view of the fact that there are some 3,500 people employed by head offices of insurance corporations in Manitoba, we're very concerned about that potential entry into the life insurance field by the province, will the government give us some assurance that they will or will not make that announcement during the forthcoming Session of the Legislature?

HON. H. PAWLEY: Mr. Speaker, one thing that I would like to do - and I may very well be breaching the rules here but if the House Leader for the opposition will allow me to stray for a moment - I would like to because there was an ad in the paper on Saturday by the life insurance industry asking people to forward coupons to me at a box office number at the main post office in Winnipeg, I would want Manitobans to know that my proper address for mailing correspondence is Box 29, Group 347, R.R. 3, Selkirk.

Insofar as the question pertaining to the life insurance, I am just as anxious indeed, as is the Leader of the Opposition and all members in this House, that there be a policy announcement so that all those who favour and those who oppose, or those who are indifferent, will know the intentions of the government pertaining to the entry by the Manitoba Public Insurance Corporation into competitive life insurance sales.

MR. SPEAKER: The Honourable Member for Brandon West.

Calling of Bill 111

MR. H. CARROLL: Mr. Speaker, I have a question for the Government House Leader. He indicated very quickly that he would be prepared to call a bill if the Member for River East presented one, such as, 116. Could the Government House Leader advise if he'd be prepared to call Bill No. 111 which has been on the Order Paper since mid-summer?

MR. SPEAKER: The Honourable Government House Leader.

HON. A. ANSTETT: Mr. Speaker, I'm sure the honourable member was aware that the government and opposition came to an understanding last August as to which matters we were prepared to deal with up to that time and we are not prepared to revive debate on any of those items which were left on the Order Paper on August 18th.

The matter proposed by the Honourable Member for River East is a new item of current, very topical and urgent concern of the people of the City of Winnipeg.

MR. H. CARROLL: Mr. Speaker, a further question to the Government House Leader. This member of the Legislature was not a party to any such agreement. My question is if the opposition were prepared to have this matter called would the Government House Leader be prepared to call the matter?

MR. SPEAKER: Order please. Does the honourable member wish to rephrase his question so that it is not a hypothesis?

MR. H. CARROLL: Given that the opposition were prepared to have this matter called, would the Government House Leader be prepared to?

MR. SPEAKER: The Honourable Member for Fort Garry.

Accreditation of Ophthalmologists

MR. L. SHERMAN: Mr. Speaker, my question is to the Minister of Health and I would ask him whether he has had a chance to familiarize himself with the subject that I asked him about on Friday morning and that, in fact, was raised by the Winnipeg Free Press on the 27th of December, namely, the current threat to the accreditation of Ophthalmology at the Manitoba Medical School?

MR. SPEAKER: The Honourable Minister of Health.

HON. L. DESJARDINS: Mr. Speaker, I've requested the complete answer to this question and it should be available any day now and I'll make sure it is passed on to members of this House as soon as I get it.

Intensive care beds - H.S.C.

MR. L. SHERMAN: I thank the Minister for that assurance. I would ask the Minister whether he can advise the House whether the Health Sciences Centre is being advised or encouraged to keep some beds closed, particularly intensive care beds, in order to help reduce its projected \$2.6 million deficit for this year?

HON. L. DESJARDINS: Mr. Speaker, this responsibility of the beds being open or closed at any hospital rests with the board of that hospital, not with the Minister of Health.

MR. L. SHERMAN: Mr. Speaker, can the Minister confirm for the House that the Health Sciences Centre is facing an anticipated \$2.5 million deficit for 1983-84?

HON. L. DESJARDINS: That question was asked. I'm getting the information on that and I'll give complete information to the members of the House. I'm sure that there's a large deficit, as has been the custom - if you want to call it that - of these, especially the two teaching hospitals, for a number of years.

MR. SPEAKER: The Honourable Member for Arthur.

Expansion of cream quotas

MR. J. DOWNEY: Thank you, Mr. Speaker. I have a question to the Minister of Agriculture.

Last week we brought to his attention the concern of the dairy farmers in Manitoba, particularly those who are shipping cream to the creameries in Manitoba, that there was a concern brought to our attention, and it's continuing to be brought to our attention, that there is lack of quota, or will be lack of quota, for those people to continue their operations and maintain their livelihoods. Has the Minister of Agriculture expanded the cream quotas for those people who are in danger of being shut off or stopped from shipping cream? Can he now make an announcement that those 2,100 farmers and some 18 probably creameries in Manitoba, generating \$6 million to \$8 million, will not be in jeopardy because of his inaction?

MR. SPEAKER: The Honourable Minister of Agriculture.

HON. B. URUSKI: Thank you, Mr. Speaker. First of all, the honourable member may have raised this question in the Assembly last week and by that time we were already aware of this. I was aware of it, the Minister of Government Services, the Minister of Highways and Transportation were aware of this matter and we were having this situation investigated.

The honourable member should know, and I want to repeat again, that the decision made was not made by this government; it was made by a producer-elected marketing board and not by members of this government; and I'd like to provide for honourable members some of the background information that has been given to me by the Natural Products Marketing Council.

The Manitoba Milk Producers Marketing Board has, until November 1, 1983, maintained an open quota policy for all cream producers in the province. The board has, over the years, set aside a block of market-share quota for cream production. This block has continued to remain fixed at 1.224 million kilograms of butterfat which, for this dairy year, represents approximately 18.6 percent of the provincial market-share quota.

The board had maintained this open quota policy because the provincial cream production had steadily been decreasing reaching a low of 1.146 million kilograms in the 1981-82 dairy year, Mr. Speaker, when they were in government.

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

MR. J. DOWNEY: Mr. Speaker, on a point of order. I think it has been the rules of this Assembly, where the answer is long and expanded, that it would be helpful if the Minister would table that information so we could all peruse it and send it to our constituents.

The question was directed to him, has he resolved the problem? We know the history of it, Mr. Speaker. It's a bread and butter issue that the farm community want to know the answer to. Will he provide them quotas so that they can continue to ship their cream . . . ?

MR. SPEAKER: Order please. Order please. Order please. The honourable member should not turn his point of order into a speech or into a further question.

Indeed, it has been the practice that where an answer to a question is of some length or complexity that the Minister provide the necessary document to the House and to the member asking. Would the Honourable Minister indicate if it is a lengthy answer and . . .

The Honourable Minister.

HON. B. URUSKI: Mr. Speaker, the answer isn't that long, Sir, and I would just point out that I agree with the honourable member, when they rose last week expressing concern about this issue, along with members on this side who contacted me, and now to say we don't want to hear about the situation, Mr. Speaker, I don't understand what the honourable members opposite are doing, whether they just want to go around and score political brownie points or they want to help a sector of the economy that has difficulty, Mr. Speaker.

The open policy of the board permitted cream producers tremendous flexibility. It allowed for

individuals to expand their operations, overproduction of individual quotas without penalty, and permitted producers to come and go as they pleased as long as the provincial block - and I repeat again that was set by the Manitoba Milk Producers Marketing Board of 1.24 million kilograms - was not exceeded.

The situation facing the producer board, as well as the existing cream producers, is very serious and the actions of the board could be described as drastic. Mr. Speaker, the board imposed a quota on the producers. Until recently, the milk board maintained an open quota and, in anticipation of exceeding the quota maximum, the board had to introduce temporary quotas to individual producers to ensure that the maximum was not exceeded to a great extent. Over quota penalties would have to be paid by the board to the Canadian Dairy Commission if the block quota is exceeded. This levy would have to come from other milk producers because no levys are paid by cream producers to the board. Rather than tax other producers it was felt only fair by the Milk Producers Marketing Board that cream producers be more closely regulated so as no penalty is incurred by the board.

I want to say, Mr. Speaker, that we find this drastic action of concern to us and we would urge any producers who have been affected adversely by this action of the Milk Producers Marketing Board to lodge their appeal with the Natural Products Marketing Council so that those appeals against the actions of the board could be heard.

Mr. Speaker, the honourable member just raised a question. The Member for Arthur raised a question as to why we cannot have more quota. For two years, during their administration, they allowed marketing boards in this province to deal with quota situations on a national basis on the basis of other than comparative advantage. As a result we, in this government, for two years have been fighting a rear guard action protecting ourselves from the erosion of our basic position over the years vis-a-vis the other provinces.

Mr. Speaker, it was that government over there that eroded the position of the producers in Manitoba over the years.

MR. SPEAKER: Order please. Order please. Members of the House should not abuse the question period by turning either questions or answers into speeches.

The Honourable Member for Arthur.

MR. J. DOWNEY: Mr. Speaker, will the Minister of Agriculture quit protecting his political rear and protect the cream shippers of this province?

HON. B. URUSKI: Mr. Speaker, I want to repeat, again, that we want all producers who have been adversely affected by this board policy to appeal to the Natural Products Marketing Council.

I repeat, again, of it were not for the actions, the neglect, of the former administration to put Manitoba in a negative position vis-a-vis other provinces, in relationship to the national quota that is distributed amongst provinces, we would not be fighting the rear-guard action that we are now in all commodities, not only the dairy industry, Mr. Speaker.

MR. J. DOWNEY: Mr. Speaker, will the Minister of Agriculture give the assurance to Manitoba's cream shippers that none of them will be cut back in their ability to sell their cream and earn an income which has been traditional in the Province of Manitoba; will he make that statement to Manitoba's cream shippers, some 2100, that they will not have to jeopardize their incomes because of his inaction as our Minister of Agriculture?

HON. B. URUSKI: Mr. Speaker, the honourable member wants an answer that I cannot give him in terms of the . . .

MR. J. DOWNEY: He's not going to protect our cream shippers, that's the answer.

MR. SPEAKER: Order please.

HON. B. URUSKI: Mr. Speaker, the honourable member should be aware of what the Manitoba Milk Producers Marketing Board has done. Since August 1, 1983, the board had a cream conversion policy wherein a registered cream producer could, over time, convert his milk-cream quota to a milk quota. As a result, they allowed overproduction by many producers into cream and then converted into milk far beyond their allocated quota, but the producers went far beyond what the board expected.

As a result, the board had to introduce some very serious measures. We are very concerned about those measures, Mr. Speaker, and so we want to have this matter appealed to the board. But what the honourable member is suggesting, that we should allow the overproduction of cream and milk in this province, Mr. Speaker, so that all producers could be levied the heavy fines of the Canadian Dairy Commission so that member could stand up in this House and say, what are you going to do with the penalties that we are overpaying on the over-quota, when they ruined the quota base in this province, Mr. Speaker.

Bilingualism legislation

MR. SPEAKER: The Honourable Member for Elmwood.

MR. R. DOERN: Mr. Speaker, I would like to direct a question to the Minister of Municipal Affairs. Given that the government's second final deadline of January 15th has passed, and there were no earthquakes or dire consequences resulting, what is the new supposed target date for its bilingual legislation; is it the Ides of March?

MR. SPEAKER: The Honourable Government House Leader.

HON. A. ANSTETT: Mr. Speaker, I am tempted to offer the Ides of March if the honourable member is offering himself as a sacrifice, but I must emphasize, Sir, that this government has never had deadlines. Deadlines were imposed by others; we adopted those as targets.

Mr. Speaker, what is important is that this government has made a commitment to achieve a "Made-in-Manitoba" solution based upon a consensus of the will

of Manitobans. If that takes another week or another month, Mr. Speaker, we are not concerned about being pushed to the wall by anyone. We have the obligation to find, implement and pass that consensus.

MR. SPEAKER: Order please. The Honourable Member for La Verendrye on a point of privilege.

MR. R. BANMAN: Mr. Speaker, the House Leader has just indicated that the government had not set any time frames. Mr. Speaker, I refer you to a document called "Constitutionally Speaking," which was sent out to all Manitobans, in which the government spells out that Canada and Manitoba have to adopt this agreement before the 31st day of December, 1983.

I would like the Government House Leader to withdraw the comment that the government did not set certain guidelines.

MR. SPEAKER: Order please. The honourable member did not have a point of privilege.

The Honourable Member for Elmwood.

MR. R. DOERN: Mr. Speaker, I would then ask the Minister whether, in fact, that he would concur that the Attorney-General, who was the former House Leader

Mr. Speaker, I am being interrupted here by the honourable member. I wonder if I could have the courtesy of asking my question.

MR. SPEAKER: The Honourable Member for Elmwood.

MR. R. DOERN: Mr. Speaker, my question is this, is the Minister of Municipal Affairs saying that the Attorney-General created a false impression by repeatedly referring to a December 31st deadline; and is it not a fact, as was already indicated, that in "Constitutionally Speaking" it said that it was an important point in the proposed agreement between Manitoba and Canada that Canada and Manitoba to adopt this program before the 31st of December, 1983? Was that a false impression that was being bandied about by the Attorney-General in regard to this?

MR. SPEAKER: The Honourable Government House Leader.

HON. A. ANSTETT: Mr. Speaker, clearly the Member for Elmwood and some other members opposite, including the Member for La Verendrye, are under a misunderstanding. The original discussion between the Government of Canada and the Province of Manitoba was that we would set as a target December 31st for the passage of the resolution to amend The Manitoba Act.

Mr. Bilodeau said that if it wasn't passed by December 31st he would proceed with his court case. I understand that since that time he has extended that. Our purpose is still to pass the amendment and the bill as expeditiously as possible, but we will not be held to ransom, as I am sure members opposite would not, by someone else's imposed deadline.

Mr. Speaker, it appears that Mr. Bilodeau is willing to accommodate and has not asked his counsel to set

down a date for the Supreme Court to hear the matter, I think he appreciates that both the government and the opposition are trying to provide a resolution to this question and trying to pass this matter through this Legislature.

MR. R. DOERN: Mr. Speaker, I would like to then ask the Minister, again, what is the new target, or what is the new guideline; and can the Minister also indicate whether in the setting of that new date, formerly believed to be a deadline, that he has had discussions with the SMF, or Mr. Bilodeau, or somebody from the Federal Government?

HON. A. ANSTETT: Mr. Speaker, I thought I made it clear that there is no deadline. Mr. Speaker, I had, as was reported in the media, asked the Attorney-General to consult with Mr. Bilodeau in mid-December about whether or not he was prepared, in view of the government's very strong commitment to find a consensus for a Made-in-Manitoba solution, and having found that consensus, our desire to introduce and pass it through this Legislature, he was prepared to waive the December 31st deadline that he had set for the Government of Manitoba and the Government of Canada. He was, Sir. I have not asked the Attorney-General, nor do I believe he has asked Mr. Bilodeau for any extension.

Mr. Speaker, we believe that Mr. Bilodeau and others with whom we - quite frankly since then have not discussed this matter - respect the desire of this government to settle this in Manitoba with a Made-in-Manitoba solution, rather than a court-imposed solution. Mr. Speaker, I am pleased that members opposite arrived at the same conclusion last Friday.

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

Abortion clinic - Dr. Morgentaler

MR. G. MERCIER: Mr. Speaker, I have a question for the Attorney-General, Mr. Speaker. Could the Attorney-General advise whether or not the conspiracy to commit abortion charges against Dr. Morgentaler have been formally staid and new charges laid, and if not when does he expect that to take place?

MR. SPEAKER: The Honourable Attorney-General.

HON. R. PENNER: The procedures referred to would normally take place and in fact will, I expect, take place at the opening of the next assize, which I believe to be the 27th of January of this year.

Cost of constitutional proposal

MR. G. MERCIER: Mr. Speaker, a supplementary question to the Attorney-General. The Attorney-General had undertaken last summer to not only provide the Legislature with a copy of the survey on the acceptability of their constitutional proposal, but to inform the House as to the cost of that poll. He's provided the House with a copy of the survey and I would ask him when he will be advising the House as to the cost of doing that work.

HON. R. PENNER: Right now. The cost of the poll with respect to the development of the questionnaire, field testing, sample development, field work, 600 completed calls, long distance charges, editing, coding and keying, computer charges, supervision and analysis and report, \$14,452.51.

Pension benefits legislation

MR. G. MERCIER: Mr. Speaker, a supplementary question to the Minister of Health. Could he advise the House as to the cost to the Health Sciences Centre of implementing the changes to The Pensions Benefit Act that the government passed last summer?

Mr. Speaker, I'm asking the Minister of Health, I don't think he heard. I would like to know what the additional cost is to the Health Sciences Centre of implementing the changes to the pension benefits legislation that was passed by the government last summer?

MR. SPEAKER: The Honourable Minister of Health.

HON. L. DESJARDINS: Mr. Speaker, in the absence of the Minister responsible for pensions, I'll take the question as notice. I haven't got the information.

MR. SPEAKER: The Honourable Member for Minnedosa.

Gasoline prices - Manitoba

MR. D. BLAKE: Thank you, Mr. Speaker. My question is to the Minister responsible for Corporate and Consumer Affairs. In the past week or so there was a substantial increase in the price of gasoline in the Province of Manitoba, particularly in the City of Winnipeg, I wonder if the Minister responsible has received a satisfactory explanation from the gas companies involved for the increased price.

MR. SPEAKER: The Honourable Attorney-General.

HON. R. PENNER: No, I'll take that as notice, and I'll also take the implied suggestion that we look into that. I think, indeed, there is a problem that suggests that action might well be taken under our legislation.

I should, at the same time, advise the House that as the House is aware, a study has been undertaken by my department with respect to the differential north of 53 in terms of gasoline prices. I have an interim report on that and will be proposing some action based on that interim report in due course.

MR. D. BLAKE: I would thank the Minister for taking the question as notice, Mr. Speaker. He might also during his investigation and take as notice why the prices at the Petrocan stations are in some cases higher than they are at other stations seeing as it's our gas company.

Possibly, he could provide us at the same time with the report of the study that was done by the former Minister responsible on gas prices - I think about a year ago there was a study done - if he could give us that study also it would be helpful.

HON. R. PENNER: Yes, I most certainly will. I should indicate that the interim report to which I referred a few moments ago does raise the question not only of the differential north of 53, but the differential in some instances, all too many instances, as between city and rural prices; that is, a differential which first indications are has no apparent reason for existing.

MR. SPEAKER: The Honourable Minister of Agriculture.

Expansion of cream quotas

HON. B. URUSKI: Mr. Speaker, the Honourable Member for Rhineland as well raised some questions dealing with cream shippers in the province. I should point out to him that, as I understand the change by the Milk Producers Marketing Board, is that new producers will not be able to enter the industry at this time, and producers whose quotas were cancelled due to four consecutive months of non-production will not be allowed to restart production; and the existing producers' quotas will be guaranteed at current levels of production. However, farmers will not be allowed to begin production, nor will existing producers be allowed significantly to increase production at this time because of the temporary buildup of cream production.

With respect to the question raised by the Honourable Member for Arthur about quotas, I should point out to him that the market share quota allocated by the Canadian Dairy Commission to Manitoba ranged from a 1979-80 amount of 6.608 kilograms - that's a million kilograms of butter fat - to today's amount of 6.693 kilograms of butter fat, and it's been ranging upward over the years, Mr. Speaker.

MR. SPEAKER: The Honourable Member for Arthur.

MR. J. DOWNEY: Mr. Speaker, without prolonging the issue on the subject, I have a direct question to the Minister of Agriculture.

Are there any other agricultural commodities that come under this government's restrictive agriculture production policy, now that we've heard about the cream shippers, the disallowing of new entrants and people who had gone out of the business, how many other commodities will now come under the restrictive production policy of the NDP Party?

MR. SPEAKER: The Honourable Minister of Agriculture.

HON. B. URUSKI: Mr. Speaker, first of all, I do not at all accept the premise of the honourable member's question. Let's just understand the situation as I had tried to explain earlier.

When he was the Minister of Agriculture he allowed the Manitoba Turkey Producers Marketing Board to agree to a national quota allocation on other than comparative advantage basis. They allowed population, they allowed historical market share and comparative advantage. They placed heavier emphasis on other items than comparative advantage.

Since that time, Mr. Speaker, we have had to fight tooth and nail to get back to the main position that

Manitoba took when we entered into the national agreement that was fought so very hard by my colleague, the Minister of Industry and Trade in this government and small business. The Honourable Member for Lac du Bonnet, who fought tooth and nail to have placed in the federal legislation the one key point, that comparative advantage shall be the major criterion in which to establish national market share quotas.

Mr. Speaker, they blew it. They allowed that to lapse. They allowed more to take another course of action other than was in the legislation, Mr. Speaker. Now, he tries to make a charge that is totally phony, Mr. Speaker.

MR. SPEAKER: Order please. The time for Oral Questions having expired.

ORDERS OF THE DAY

MR. SPEAKER: The Honourable Government House Leader.

HON. R. PENNER: Mr. Speaker, would you please call the Adjourned Debate on Bill No. 115.

MR. SPEAKER: On the proposed motion of the Honourable Minister of Municipal Affairs, Bill No. 115. The Honourable Member for Niakawa.

MR. A. KOVNATS: Stand, Mr. Speaker

MR. SPEAKER: Order please.

MR. A. KOVNATS: Mr. Speaker, I'm not sure of the exact remarks that were made from across the House, but I would be prepared to allow any other member of this House to speak on this Bill 115 as long as it's allowed to stand in my name.

MR. SPEAKER: The Honourable Government House Leader.

HON. A. ANSTETT: Mr. Speaker, we're not prepared to allow this matter to stand further, it has stood for three days. I advised the Opposition House Leader that we would not allow the matter to stand further. Members on both sides know that this matter is part of an important package before the House now.

MR. SPEAKER: The Honourable Opposition House Leader.

MR. H. ENNS: Perhaps just to avoid - on the same point of order, Mr. Speaker - to make sure there is no misunderstanding, I have consistently, as Opposition House Leader, indicated to the Government House Leader our desire to deal with the important constitutional resolution that is currently before us, and to deal with that important matter first, not to confuse the two issues and not to throw a further confusion in minds of the public which, I believe, is somewhat confused at this particular stage. I appeal to the Opposition House Leader to let us get on with the business of dealing with the constitutional resolution before us.

Sir, we indicated our good faith on Friday by proceeding with an important amendment to that resolution and certainly it would be our desire to keep on talking about that resolution. The bill that is being referred to and being called now, quite correctly as the House Leader said, has been before us for about three or four days. It is a substantial bill, a bill that requires considerable research, and should be handled in the normal manner. We, in the opposition, are not prepared to deal with Bill 115 at this point in time.

MR. SPEAKER: The Honourable Government House Leader to the same point.

HON. A. ANSTETT: Yes, Mr. Speaker, to the same point of order raised by the Opposition House Leader. The bill has been stood for three consecutive days, but members have had the bill as of two weeks tomorrow. Members had it distributed in this House a full 10 days ago. Members consistently refused leave for the bill to be introduced, either at first reading or for second reading. Mr. Speaker, had members granted leave, there might be a disposition to grant a similar leave now, but certainly we're not prepared to have the matter stand. If members opposite are not prepared to speak I suggest, Sir, you put the question.

MR. SPEAKER: On the same point, the Honourable Member for St. Norbert.

MR. G. MERCIER: On the same point of order, Mr. Speaker, let the record show that, although the Government House Leader asked for leave last Monday to introduce the bill for second reading, he failed to introduce it for second reading on Tuesday when he had every right and opportunity to do so and waited one further day.

MR. SPEAKER: The Honourable Government House Leader to Bill 115.

HON. A. ANSTETT: To the same point of order, Mr. Speaker. I would draw to the attention of the House, and most particularly the Member for St. Norbert, that the rules specifically provided that, without leave, the earliest date on which that bill could be introduced was Wednesday of last week, and the Order Paper on Tuesday, specifically did not include that bill, it first appeared on the Order Paper on Wednesday of last week. I'm sure the honourable member is aware of that rule, I'm sure he's aware of the fact, too, that this bill has been before the House and in the hands of all members, for all intents and purposes, for two full weeks.

In fact, Mr. Speaker, the bill has been in the hands of members of the opposition since December 25th in almost its final form.

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

MR. H. GRAHAM: Mr. Speaker, on a point of order. Mr. Speaker, it is very seldom, in fact, this is the first time in my history in this House that we have dealt with matters of Constitutional amendment. They are

very grave and important matters. Those matters are before us in the form of a resolution. We have a bill before us which is contingent and part and parcel of this resolution, it depends on what we do with the resolution as to how it will effect the bill.

I would suggest, Mr. Speaker, that if there's any sense or any semblance of reason on the government side they would proceed with the resolution to its finality before they proceed with the bill so we could handle things in a logical matter in this House.

MR. SPEAKER: Order please. Members have tended to stray slightly from the question before us which is whether or not the matter should stand. Is it the pleasure of the House to have this bill stand in the name of the Honourable Member for Niakwa.

Since leave has not been given, the Honourable Member for Niakwa.

MR. H. ENNS: Yeas and nays, Mr. Speaker.

MR. SPEAKER: The Honourable Opposition House Leader.

MR. H. ENNS: Mr. Speaker, you asked the question of the House whether or not the House would permit the matter to stand, and we indicated that . . .

MR. SPEAKER: Order please, order please.

MR. H. ENNS: On the point of order, Mr. Speaker, if I may just one further appeal to the honourable members opposite, and particularly to the Government House Leader, as my colleague from Virden pointed out, Sir, we are dealing with the first constitutional amendment to the Manitoba Act.

Mr. Speaker, the whole purport of bringing us back together is for easy dealing with that question.

MR. SPEAKER: Order please.

MR. H. ENNS: I appeal to the Government House Leader to reconsider his imposing closure on us which, in effect, he's doing on Bill 115 in the manner and the way which he's doing it. That is precisely what he is doing, he is enclosing closure. We have indicated that we are not prepared to speak on that important Bill No. 115 before us. He has asked for the question to be put. Mr. Speaker, that is closure.

Mr. Speaker, from the response that I am getting from the honourable members I have not other option to do other than to move that this House do now adjourn, seconded by the Honourable Member for Arthur.

MR. SPEAKER: Order please. The honourable member knows that he cannot rise on the point of order or move a motion. The question on the bill was not being put before the House so there is nothing that can be appealed by the Honourable Member for Lakeside. The Honourable Member for Niakwa has been recognized to speak to the bill on second reading.

It has usually been the case in the past that the House has provided leave for the debate to stand in the name of the honourable member who is recognized.

In order for that to happen it requires leave. I have asked if the House will grant leave in this particular case and they have said, no they will not. Therefore, I call on the Honourable Member for Niakwa to make his remarks on the second reading.

The Honourable Member for Niakwa.

MR. A. KOVNATS: Mr. Speaker, I beg to move, seconded by the Honourable Member for Emerson, that this House do now adjourn.

MOTION presented.

MR. SPEAKER: Does the Honourable Attorney-General have a point of order?

HON. R. PENNER: Yes, Mr. Speaker. I would just like your ruling as to whether or not that motion is in order when a member has been called to speak on the bill and, instead of speaking, rises to move adjournment of the House. That's one question.

The second question is what then is the status of that member with respect to his future right to speak on the bill?

MR. SPEAKER: Order please. The motion to adjourn the House is in order.

QUESTION put, MOTION defeated.

MR. SPEAKER: The Honourable Opposition House Leader.

MR. H. ENNS: Ayes and Nays, Mr. Speaker.

MR. SPEAKER: Order please. I have been advised by the Official Opposition Whip that the Opposition will not return before 2:00 p.m. tomorrow afternoon.

In view of this advise I have informed Chamber staff that they will not be required to remain on duty outside of normal working hours. I have made arrangements to secure the Chamber and the sounding of the bells will be minimized to the greatest extent possible.

I am accordingly leaving the Chair to return at 10:00 p.m. today in order to adjourn the House.

(And the Division bells having stopped ringing at 10:00 p.m.)

MR. SPEAKER: Order please. It is now almost 10:00 p.m. Before leaving the Chair I wish to assert its prerogative and make a brief statement.

Earlier this afternoon the Honourable Member for Niakwa moved a motion for the adjournment of the House. Yeas and Nays were called but the Whips have not indicated that the House is now ready to vote. It is, therefore, my view that the provisions of Rule 3(3) must supersede the adjournment motion moved earlier. This decision is supported by Erkiné May on Page 295 which states: "Dilatory motions, i.e. motions for the adjournment of the House, or of the debate, or that the Chairman do now report progress, or to leave the Chair, pending at the moment of interruption lapse without question put"; and by the actions of the Speaker of the House of Commons of Canada in similar

circumstances on May 17th of last year, and again on May 24th.

Our Rules make no reference to this particular situation and precedents in this House provide no solutions to this particular procedural problem. In the present circumstances I believe it is in the interests of the House that I should take an initiative. As far as the Chair is concerned the dilatory motion moved this afternoon sought a decision of the House as to whether or not it should adjourn. The issue was as simple as that. As the House had not seen fit to vote on this

motion by 10 o'clock I have decided that Rule 3(3) must come into force. The normal procedures of the House, including the right to move dilatory motions are not thereby affected and will continue to be available to honourable members. The convention whereby the Whips indicate when the House is ready to vote is also not affected.

The motion has, therefore, lapsed and in accordance with Rule 3(3) the House is accordingly adjourned and will stand adjourned until tomorrow afternoon at 2:00 p.m. (Tuesday)