



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

31 Elizabeth II

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Speaker*



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MANITOBA LEGISLATIVE ASSEMBLY
Thirty-Second Legislature

Members, Constituencies and Political Affiliation

Name	Constituency	Party
ADAM, Hon. A.R. (Pete)	Ste. Rose	NDP
ANSTETT, Andy	Springfield	NDP
ASHTON, Steve	Thompson	NDP
BANMAN, Robert (Bob)	La Verendrye	PC
BLAKE, David R. (Dave)	Minnedosa	PC
BROWN, Arnold	Rhineland	PC
BUCKLASCHUK, John M.	Gimli	NDP
CARROLL, Q.C., Henry N.	Brandon West	IND
CORRIN, Brian	Ellice	NDP
COWAN, Hon. Jay	Churchill	NDP
DESJARDINS, Hon. Laurent	St. Boniface	NDP
DODIČK, Doreen	Riel	NDP
DOERN, Russell	Elmwood	NDP
DOLIN, Mary Beth	Kildonan	NDP
DOWNEY, 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, 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, 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, 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

Tuesday, 7 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 Finance.

HON. V. SCHROEDER: Thank you, Mr. Speaker. I have a number of returns to file today: First of all, the Annual Report of Manitoba Data Services for the year ended March 31, 1981; second, the Public Trustee Report for the year ending March 31, 1982; next, a return under Section 30.2 of The Law Society Act; next, a return under Section 13 of The Special Municipal Loan and General Emergency Fund Act; then Volume 1 of The Financial Statements, Public Accounts, for the year 1981-82 ending March 31, 1982, as well as Volume 2 of the same report; and the report of the Provincial Auditor for the year ending March 31, 1982; and finally, the Quarterly Financial Report for the six months ending September 30, 1982; and, Mr. Speaker, I have a short statement to make with respect to that last document and I have copies available.

MR. SPEAKER: Is there a copy for the Chair?
The Honourable Minister of Finance.

HON. V. SCHROEDER: Thank you, Mr. Speaker. In recent weeks, governments across the country have been issuing updated reports on their financial positions. Consistently, right across the country, those updates have shown the same basic results. In every case, the national recession has undercut revenue growth, and the drop in revenues has led to substantial deficit increases. As our own Second Quarter Report indicates, the same trend - reduced revenue growth as a result of the recession - has inevitably affected our province's position as well.

The largest single adjustment we have faced is a reduction of about \$81 million in the forecast of corporation income tax revenues. This includes an allowance of \$16 million for a negative adjustment in respect of the 1981 taxation year.

Overall, we are now projecting a 1982-83 combined deficit of \$498.4 million, an increase of about \$155 million over the printed Estimates. This is a substantial increase in the deficit and we are concerned about it. It is important to remember that because most of the increase in the deficit results from the effect of the recession on revenues, it is reasonable to conclude that once a national recovery begins to take hold we will see a pick-up in revenue growth and a reduction in the pressure on our financial position.

We believe most Manitobans recognize that in a period of severe recession an increased deficit not only is unavoidable, but is in fact appropriate and

desirable to sustain and stimulate economic activity.

My colleagues and I, who attended the Economic Summit Conference in Portage la Prairie, were encouraged that many of the private sector delegates appeared to share this view and to agree that the alternatives to a larger deficit - drastic expenditure cuts or substantially larger, higher taxes - were definitely not what the economy needs at this time. Of course, some provinces have taken such action to a degree, such as, by closing hospitals, schools and laying off large numbers of staff, but most have recognized that such action is counter-productive.

Our revised Estimates of total expenditure for the 1982-83 fiscal year are within 1.8 percent of the initial Estimates. In fact, on a department-by-department basis, most of the projections are even closer to the original Budget targets. The main difference from the "print" is an increase in statutory public debt costs.

Our success in holding down expenditure growth without damaging essential programs has been achieved through detailed program reviews and reallocations of resources within departments wherever possible. This process is continuing. Much of the emphasis on shifting and stretching resources has necessarily, however, been focused on next year's plans and the results will be made known when the Estimates for 1983-84 are tabled in the House in the New Year.

I want to advise the House at this time that I have requested Professor Clarence Barber of the University of Manitoba, who has also been named recently to the Federal Royal Commission on the Economy, to look at our current system of presenting the province's accounts, to compare it with those of other jurisdictions, and to suggest ways in which we might make it more informative and meaningful, both to members of this House and to the taxpayers of Manitoba. We hope to have some suggestions from Professor Barber before we resume sitting in the New Year. If so, it may be possible for us to consider some improvements in the presentation of the 1983 Budget and Estimates.

To keep the deficit situation manageable, we are taking additional steps to contain expenditure growth, both for the balance of the current year and into the new fiscal year. Desirable but non-essential spending approved for 1982-83 which does not offer significant economic or social benefit will be postponed or cancelled.

To supplement corrective action already taken, the Government has recently adopted the following expenditure control measures:

Out-of-province travel will be limited to essential conferences and meetings, and the numbers travelling will be kept to an absolute minimum - generally one official, unless it is imperative that more than one attend.

No further additions to the Government's vehicle fleet will be permitted. Vehicle requirements must be provided from within the existing fleet.

Treasury Board must approve any new road construction projects, land acquisition, and drainage projects and all departments will be required to make additional efforts to remain within current approved

funding limits.

Finally, we intend to limit new hiring to all but the most essential positions. This is not a rigid, arbitrary staff "freeze," but it is definitely a "chill." It will mean that a number of positions will go unfilled.

To conclude, Mr. Speaker, the deterioration in our position as a result of the recession has been less severe than it has in some other Canadian jurisdictions. In part that can be attributed to the fact that our economic performance has been relatively favourable compared to that of other provinces, and in part to the fact that we have implemented a number of policies to secure our economic base and to protect Manitobans against the worse effects of national policies and national conditions.

Next week I will be attending a Federal-Provincial Conference of Finance Ministers in Ottawa. One of the major objectives of that conference is to ensure that all provinces and the Federal Government work together as closely as possible to ensure that the resources we do have available are allocated most effectively. I should emphasize that while we are fully prepared to co-operate with the Federal Government, we also look to the national Government to provide constructive leadership and to ensure that national policies contribute as much as possible toward reducing unemployment and ensuring a sustained recovery across the country.

MR. SPEAKER: The Honourable Leader of the Opposition.

HON. S. LYON: Mr. Speaker, we have just heard this Government convicted out of its own mouth for its incompetence, for its maladministration, for its inability to carry out the mandate of government in Manitoba.

Mr. Speaker, there is a phrase in the statement that was used by the Minister of Finance - if he still deserves to be called by that title after the first year of his control over the finances of this province - there was a statement to the effect, Sir, that other actions would be taken by the Government to secure the economic base of the province against recession. I say, Sir, the best action that could be taken by this Government to secure the province against economic recession would be for it to resign today.

Mr. Speaker, people who have demonstrated their unfitness, their inability to govern, should get out of the road, call an election and let others who are capable get in and do the job. Mr. Speaker, who are these contemptible people to stand before the people of Manitoba today and say we aren't going to have a Budget deficit of \$335 million; our estimate right now is almost \$500 million. Who are they in one year to load \$155 million more onto the backs of yet unborn Manitobans because of their inability to govern? Who do they think they are, Mr. Speaker? Let them get out of the road. They're incompetent.

Mr. Speaker, we heard in the Throne Speech hand-holding statements about this Government coming into office, taking over when a recession was under way. Well, Mr. Speaker, if they knew the recession was under way in the Throne Speech, why didn't they know the recession was under way a year ago when they were drawing up these forlorn Estimates of Expenditure and Revenue? They can't have it both

ways. Mr. Speaker, if they knew this, why did they present this House with false spending estimates and false revenue estimates if as they say in the Throne Speech there was a recession under way of which they had knowledge? They can't have it both ways. Mr. Speaker. They can't continue to mislead the people of this province and this House.

The Minister of Finance, Mr. Speaker, and I wish the camera would swing onto him, is laughing as he sits here admitting the greatest gross negligence in the administration of public finance in the history of this century and he thinks it's a joke. Well, he, Mr. Speaker, is a socialist joke and we're going to be rid of him and his incompetent colleagues very, very soon. He says, isn't it wonderful we are doing better than other provinces. The Province of Quebec, Mr. Speaker, is only projecting an increase in its deficit of \$200 million. Mr. Speaker, here is the Government of Manitoba, a province with just over a million people with expenditures of about \$2.5 billion, coming in and saying that they're going to double last year's deficit in one year and say it's not our fault; it's all the fault of the recession. Well, they were there. They were in office and they're to blame, and when the children and the grandchildren in this province have to pay the debt charges for these incompetent left-wing cupidities — (Interjection) —

MR. SPEAKER: Order please, order please.

HON. S. LYON: Mr. Speaker, my honourable friends gave me the word I was searching for, incompetent left-wing jokers who call themselves the Government, because they sit and laugh at what they have inflicted on the people of Manitoba in one short year. Mr. Speaker, I don't need any communist interjections. I don't need any communist interjections in this House from the one at the end of the table; we know about him. They say, Mr. Speaker . . .

MR. SPEAKER: Order please. Does the Honourable Minister of Energy and Mines have a point of order?

HON. W. PARASIUK: The people on this side of the House are New Democrats, I find it very objectionable when we have the Leader of the Opposition sinking into the gutter and starting to go back to the politics of the 1930s when people called each other fascist and communist, Mr. Speaker. I would hope that we have a new approach in this House in the 1980s.

MR. SPEAKER: I thank the Honourable Minister for bringing that to the attention of the House.

The Honourable Leader of the Opposition.

HON. S. LYON: Mr. Speaker, we'll have a new approach in the House when we get new and better faces.

On one page, Mr. Speaker, we hear these incompetents say this, "This is a substantial increase in the deficit and we are concerned about it." That's on page two. You go down two paragraphs, and they say, "... an increased deficit not only is unavoidable, but it is, in fact, appropriate and desirable to sustain and stimulate economic activity."

Well, how concerned can you be about something that you think is appropriate. If you think a \$500 mil-

lion deficit is appropriate for Manitoba, you'd better get out of office right away, because it isn't appropriate, and there are a million people in this province who are prepared to tell you if you'll screw up your courage and call an election. We'll tell you right now, Mr. Speaker, what the people of Manitoba will say in the face of a \$500 million deficit.

Mr. Speaker, there's another statement made in here, the truth of which we will wait for further Quarterly Reports to bear out, and that is on page three, where they say that, "Our revised Estimates of total expenditures for 1982-83 are within 1.8 percent of the initial Estimates." We will be looking very very carefully at that statement to see what credibility can be attached to it when other Quarterly Reports come in, because we've come to learn that if these people, Mr. Speaker, estimate that they're going to have a deficit of \$335 million, and it can turn into 500 million in six months, then what weight can you attach to a Government which says its expenditures are only up 1.8 percent, when its deficit is up something like 60 or 70 percent over what they predicted six or seven months ago. What a cross group of incompetents, Mr. Speaker! Then to try to blame it on the Federal Government, to try to blame it on anything else but their own mishandling of their own mandate in this province.

Mr. Speaker, I say to the people of Manitoba: Watch with a great deal of concern the move that is being heralded in this statement whereby a professor at the University of Manitoba who, as I recall, has already said that a huge deficit for the country would not be a terrible thing. A professor who is on tenure, I daresay, at the University of Manitoba, and who flies in the face of all of the economic advice that is coming to bear and being brought to bear, Mr. Speaker, upon the national deficit of \$23.5 billion which is still rising. But the point is, Mr. Speaker, when this Government says that they are asking this professor to look at our current system of presenting the province's accounts to compare it with those of other jurisdictions and to suggest ways in which we might make it more informative and meaningful and also, if so, it may be possible for us to consider some improvements in the presentation of the 1983 Budget and Estimates, I say to the people of Manitoba, given the track record of this group of incompetents, watch out for people who are trying to cook the books because they don't dare tell the truth. The one thing they want to do is to erase and to eradicate the former precedents by which the revenues and expenditures of this province were presented to the people of Manitoba. They want to change the method of bookkeeping all of a sudden to cover up their \$500 million deficit.

Mr. Speaker, we are receiving this statement a week, two weeks, later. We are receiving this statement as they try to manipulate the Debate in this House, but as I said yesterday, in the absence of the Minister of Finance, his attempt at manipulating the Debate in this House is not going to work. Those cheap, tawdry tricks of the left wing are not going to work in this Parliament.

Mr. Speaker, he can depend, personally from me, that he will hear about this admission, this conviction against him and his alleged ability. He will hear about it chapter, line, and verse every hour of the Throne

Speech Debate and when the House resumes again, and it had better resume in January, Mr. First Minister, because we want to keep track of you people. No January holidays, let's get back to business here after this accounting. Let's resume this House in January, so that we can keep a watch on these people with their demonstrated incompetence as related to the people of Manitoba today.

At the end of the statement, what do we get? "To supplement corrective action already taken, the Government has recently adopted the following expenditure control measures" and they talk about out-of-province travel. They talk about no additions to the fleet. They talk about Treasury Board approving any new construction projects and limiting the hiring to all but the most essential positions. Mr. Speaker, those are all good measures and do you know why we know they're good measures? Because we had to bring them into effect in 1977 to cure the hemorrhage of expenditures that their predecessors were inflicting on the people of Manitoba at that time. The same incompetent lot are back in the saddle again temporarily and while this kind of measure will work with a government that believes in restraining public expenditure, I doubt if they have the intestinal fortitude or the will to carry it out at all.

Mr. Speaker, I conclude by saying that this is a shocking statement that has been presented to the people of Manitoba today. No such statement need have been presented at all if they had been doing their job. They're not doing their job. They are practising their crazy kind of left-wing bigotry in this province in the administration of our affairs. Mr. Speaker, they believe that a small group of left-wing activists can take over a province and can ruin a province's financial rating, can ruin a province's finances, and say, well, it's all the problem of the national Government. Well, Mr. Speaker, that can't and that won't happen in this province so long as we, on this side of the House, and the majority of the citizens of Manitoba, I can assure you, draw breath.

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

INTRODUCTION OF GUESTS

MR. SPEAKER: Before we reach Oral Question period, may I direct the attention of members to the Speaker's gallery where we have the High Commissioner of New Zealand, Mr. Edward Latter. On behalf of all the members, I welcome you here this afternoon.

There are 30 students of Grade 9 standing from Elmwood High School. They are under the direction of Mrs. Haggarty and Mrs. Landry. The school is in the constituency of the Honourable Member for Elmwood.

There are 35 students of Grade 8 standing from the General Wolfe School under the direction of Miss Suterman. The school is located in the constituency of the Honourable Member for Ellice.

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

MATTER OF PRIVILEGE

MR. SPEAKER: The Honourable Member for

Fort Garry.

MR. L. SHERMAN: Mr. Speaker, before Oral Questions, I wish to address the House on a Matter of Privilege and I will be concluding my remarks, Sir, with a substantive motion.

Yesterday, Mr. Speaker, I asked the Honourable Minister of Community Services and Corrections during daily question period whether he would confirm that he had established an inquiry into conditions at Headingley Jail. I described the inquiry as a secret commission of inquiry because I had reliable information. Sir, that such an investigation was indeed under way and I found it unacceptable that the Minister appeared to be proceeding covertly and that he had avoided making any public announcement or public disclosure of his action. My purpose, Sir, was merely to strip away the secrecy of that inquiry so that we might know what the terms of reference were and are and, if we were unsatisfied, suggest to the Minister what those terms of reference should be.

Until the past 24 hours, Mr. Speaker, that was the sole question at issue but the Minister's responses to my questions, and I have a transcript of yesterday's Oral Question period in front of me, and subsequent discoveries, disclosures, admissions and commentaries in the media, and I have current media reports with me, now raise a much more serious question, Sir. They now raise the question of a deliberate breach of the privileges of this House by the Minister of Community Services and Corrections.

The Minister denied in this House yesterday, Sir, that he has set up such an inquiry. He said, in effect, that he was merely intending to do so in the future. I want to stress, Mr. Speaker, that the question at that point in time was not earthshaking, it was a question that was designed to enable me to inquire of the Minister what those terms of reference were because I wish to say, without digressing, and I won't digress, Sir, that I don't believe those terms of reference are accurate or wide enough or on target. I will raise that with the Minister later, but he denied that he had even set up such an investigation and that is the point to which I am speaking, Mr. Speaker. In this House he advised us that he was merely contemplating such a move.

That appears, Mr. Speaker, to have been an inexplicable and an incomprehensible and a totally unacceptable act of misleading of the members of this House. Subsequent discoveries, as I've said, and admissions and reports in the media confirm that the subject matter of my question yesterday was accurate and that a university professor in Winnipeg is indeed already at work on the inquiry on the Minister's instructions, as I had inquired of him on four occasions in question period yesterday afternoon. The Minister has misled this House, Mr. Speaker, and further exploited the credibility of the First Minister's Government and I have no recourse, Sir, but to move, as a Matter of Privilege THAT this House do censure the Minister of Community Services and Corrections for a serious breach of the privileges of its members by misleading its members in the matter of the establishment of an Inquiry into conditions at Headingley Jail.

It is seconded by the Honourable Member for Surgeon Creek.

MR. SPEAKER: Order please. Are there any members present who wish to advise the Chair as to whether this matter is a proper motion of privilege?

The Honourable Minister of Community Services.

HON. L. EVANS: Mr. Speaker, on a point of order and a matter of personal privilege, I explained to the honourable member yesterday that when we had finalized the terms of reference and when this matter had been fully dealt with by the Government . . .

MR. SPEAKER: Order please. I believe the Honourable Minister is debating the context of the matter and not whether or not the motion is a proper matter of privilege. I have not put the motion to the House yet; it is not a debatable issue.

The Honourable Minister.

HON. L. EVANS: Mr. Speaker, I'm simply saying on the matter of the point of order that the allegation that is made by the honourable gentleman is not true and he is still using his imagination, so I reject his allegations. There is no evidence whatsoever to support his . . .

MR. SPEAKER: Order please. Order please. Such remarks as the Minister has made would be proper if and when the motion is put to the House. It has not yet been put to the House. I'm asking if there is any advice from any of the members as to whether it should be or whether it is not in order.

The Honourable Minister of Health.

HON. L. DESJARDINS: Mr. Speaker, it is quite difficult if a Minister cannot rise on a point of order and state that there is no factual proof in the accusation - he's repeating the same thing he did yesterday. That's about the only way he can explain this point of order and say that there is no fact to it at all. You've got to have facts before you bring accusation in this House.

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

MR. H. GRAHAM: Thank you, Mr. Speaker. May I draw to your attention, Sir, that the issue before the House is a motion that has been duly moved and seconded. It is a proper Motion of Privilege and if you refer to Beauséjour, Sir, you will find that it is not the role of the Speaker to rule on that; it is only the House that can decide on the issue. It is the Speaker's prerogative, if he so desires, to possibly interfere only to the point where he can change the time of debate, probably from the present to the end of the question period, that is under Beauséjour. Under our own rules it says it must be raised immediately. So I suggest to you, Sir, the only course of action is for the House to debate the issue now.

MR. SPEAKER: The Honourable Government House Leader.

HON. R. PENNER: It is my understanding - this question, of course, having been raised and discussed briefly yesterday, Mr. Speaker - that once the claim has been made of a breach of privilege it is then the

duty of the Speaker to decide if a prima facie case can be established. The Speaker requires to be satisfied both that the privilege appears to be sufficiently involved to justify him giving such precedence, as it is sometimes put that there is a prima facie case that a breach of privilege has been committed and also that the matter is being raised at the earliest opportunity. As I said yesterday, I'm not raising the issue of whether or not it has been raised at the earliest opportunity; clearly it has but the mere making of a motion does not establish a prima facie case. The mere rhetoric of the person moving the motion does not establish a prima facie case. The person moving the motion has said that on his interpretation of words used in debate that there was a misleading of the House. The record is before us and for the Speaker to peruse if the Speaker wishes to take it under advisement.

I have read the record that is before us and clearly it cannot be said in the way in which it was said by the member at all that there was any misleading of the House. The record speaks for itself and it would be the duty of the Speaker to see whether or not, in the context of the motion made, namely, that the House was misled by a statement made in the House by the Minister. The statement made by the Minister is now a matter of record. It is relatively easy to see without debate, without taking up the time of the House, whether in fact a prima facie case has been established. It is the duty of the mover, Sir, to establish that, at least on a balance of probabilities, not merely to declare it. To declare is not to establish. It has been argued in terms of the record; the record is available. You will find, I submit, on perusal, that no such claim has even been established to the point of a prima facie case. Therefore I recommend that you take the matter under advisement and rule as you are bound to rule — (Interjection) — I'll wait for the owls to stop hooting if I may, Mr. Speaker, so that you can fulfill the duty which is cast upon you, properly, by the precedence in this House, to see whether or not the motion should be proceeded with.

MR. SPEAKER: The Honourable Member for Turtle Mountain.

MR. B. RANSOM: Mr. Speaker, since you have asked for advice on the question may I draw to your attention that our Rule 24 requires that a Matter of Privilege be taken into consideration immediately, it cannot be set aside.

I also, Sir, would like to draw to your attention, Citation 80(2) of the Fifth Edition of Beauchesne. Section (2) says, "A Question of Privilege on the other hand," and this is in reference to privilege rather than a Point of Order, "is a question partly of fact and partly of law, the law of Contempt of Parliament, and is a matter for the House to determine. The decision of the House on a question of privilege, like every other matter which the House has to decide, can be elicited only by a question put from the Chair by the Speaker and resolved either in the affirmative or the negative and this question is necessarily founded on a motion made by a member." The motion, of course, having been made by the Member for Fort Garry.

Section (3) says, "It follows that, though the Speaker can rule on a question of order, he cannot rule on a

question of privilege. His function, when a question of privilege is raised, is limited to deciding whether the matter is of such a character as to entitle the motion which the member who has raised the question desires to move to priority over the Orders of the Day."

Mr. Speaker, in raising the question of privilege, the Member for Fort Garry said indeed that the evidence for his Matter of Privilege was in Hansard in the answers given by the Minister of Community Services yesterday in which he denied that the commission had been established or indeed that the Chairman of the Commission had been appointed. The Member for Fort Garry also said that the evidence is available here, Sir, in a clipping from the Winnipeg Free Press of today where the gentleman in question is indeed quoted as saying that he has been appointed, he is in fact serving as head of this commission, and the Member for Fort Garry did not go into the detail of reading that into the records, Sir, but I'm sure that he's quite prepared to do that, or indeed, I can do it.

In the interests of saving the time of the House, the information was presented to the House, tabled in the House, Sir, the case is established on the basis of that information, and I submit there is a prima facie case and the question should be put to the House.

MR. SPEAKER: The Honourable Minister of Community Services.

HON. L. EVANS: Mr. Speaker, I wonder if I could refer you to Page 28 of Hansard of Monday the 8th, yesterday, and I think if you'll read that it's quite clear that my answer was correct, accurate; it was not misleading. The honourable member is making some allegations, etc., which he cannot substantiate. What I said yesterday - and it's quite clear here - that this is correct and true, and I repeat that. The Minister is making a wild unfounded allegation for which he has no evidence. I suggest, Mr. Speaker, that you should consider this matter before any further steps are taken.

MR. SPEAKER: The Honourable Member for Springfield.

MR. A. ANSTETT: Mr. Speaker, very briefly, I wish to concur with the suggestion of the Member for Turtle Mountain, that there is a prima facie case of privilege here. The Member for Fort Garry has alleged that the Minister has deliberately misled the House. The Minister has replied that he has not. I think the evidence in the motion or the wording in the motion meets with the demands of our Rules and of Beauchesne and the question to be decided by you, Sir, is whether or not the debate should proceed to discuss this matter of privilege. The members wish to discuss that question, the Minister would like to set the record straight, and I'm sure the Member for Fort Garry would like to have the record set straight. I would suggest to you, Sir, that the matter of whether or not then the debate should proceed should be put to the House.

SPEAKER'S RULING

MR. SPEAKER: Order please. Order please. I thank all the members who have offered their advice on this matter.

The Honourable Member for Turtle Mountain is quite correct that it is the House that makes the decision on the motion itself. The matter at the moment is whether the motion itself is in order. There are two things that have to be satisfied, two conditions that have to be satisfied, before a motion of privilege is in order: one is the fact that it should be raised at the first available opportunity, which I accept that it has been done; the second one, that there is a prima facie case which has been referred to by several members.

Without taking the matter under advisement when it might not come up again until tomorrow, I do get the sense of the House that they consider it should be dealt with at this moment and I will then, therefore, rule that the motion is in order.

Do you want it read to you again?

MOTION presented

MR. SPEAKER: The Honourable Minister of Community Services.

HON. L. EVANS: I was wondering, Mr. Speaker, whether the honourable member who makes the allegations wished to elaborate and explain his particular position. Mr. Speaker, as usual, the honourable member is very good at twisting a situation, twisting words and misleading the public of Manitoba and there were examples in the last House where this Member for Fort Garry made certain statements which, upon further checking, were totally unfounded.

Now, Mr. Speaker, what I said yesterday in answer to the Honourable Member for Fort Garry is on Page 28 of Hansard, and what I said is a carefully thought-out reply which does reflect certainly the situation. What I stated, Mr. Speaker, is that I welcome the question from the honourable member and I can advise him that - and I'm quoting from Page 28 - that we're in the process of establishing a study, and when we have completed the details, the parameters, etc., the honourable member would be advised of that information. I further went on to say that we're hoping to get certain individuals who will help us on this study, but we have not yet officially and formally established the study yet.

I further stated, - the Member for Fort Garry asked questions about security and escapes, etc., etc., and whether his concern about security at Headingley was what prompted us to establish the inquiry and I said to him that "I cannot confirm that, but I can advise the honourable member that I spent a great deal of time this summer visiting all our correctional institutions, including Headingley, including the Remand Centre at Winnipeg and that I've had a great deal of conversation with staff, senior and middle management and rank and file staff. I've had many hours and days of discussions with various people in the correctional system and it has brought us to the conclusion that we should have a comprehensive study."

Then he asks a supplementary question and so on, but the point is, Mr. Speaker, I concluded we have had discussions with an individual to engage in a study and that has not been finalized or formalized. When it has, I will be very pleased to give the details to the honourable member.

Mr. Speaker, the fact is that even today we are still

having preliminary discussions. We think we have an excellent individual in mind who can carry on a study, a study that is badly needed, and I think is a positive step. I would hope the Honourable Member for Fort Garry will co-operate with us when we conduct the study and give us any information that he has and any concerns that he has. I hope he'll spend many hours with the group of people or whoever is involved in this. But Mr. Speaker, there's a procedure in Government that the honourable member should know full well, that before anything is final, before anything is established as a government body, that Minister involved must go to Treasury Board to get approval for the expenditure of money, and then finally that has to be established and agreed upon by Cabinet. Those steps, Mr. Speaker, have not been taken.

They have not been taken and there is such a thing as doing some preliminary work before you can establish specific terms of reference before you - (Interjection) - Mr. Speaker, I would appreciate if the Honourable Member for Pembina would quite his yacking, his yahoo remarks that he's good at and I'd appreciate your assistance in this, because we on this side are getting sick and tired of interruptions and these interruptions being allowed to be made without any interruption.

Mr. Speaker, I would appreciate your assistance in bringing order and decorum to the House from some of the yahoos from over on my right here, because that's all it is. They think that they're serious about the business of the House and when they want an explanation they don't permit the person who wants to give the explanation in all sincerity to do so.

So no wonder the people that are listening up here must think this is a big joke, because the big joke is right there, the Member for Pembina, who keeps on interrupting me.

Mr. Speaker, we are engaged in a very positive step because we believe that there are certain problems that should be overcome and we welcome, and we want, the assistance of the Member for Fort Garry to help us overcome those problems. But I say, Mr. Speaker - (Interjections) -

MR. SPEAKER: Order please, order please. Order please. If there are members present who want to hold their own private debate I will be most pleased to make Room 254 available and they can debate all the afternoon. In the meantime, I'm having some difficulty in hearing what the Honourable Minister is saying.

The Honourable Minister of Community Services.

HON. L. EVANS: Mr. Speaker, as I was explaining, the individual and individuals involved have requested that they seek out additional information in order to delineate specific terms of reference that we might be able to agree upon, so there are all kinds of details that have to be worked out before you prepare any final set of references.

So, Mr. Speaker, I reiterate, while there may have been some informal unofficial discussions by certain people the fact is - and I advised my department again today in a discussion on this - that this can only be considered a formal study and it will only begin officially when it is agreed to by the Cabinet of Manitoba. That has not yet occurred. We hope that this will be

expedited so that we can get on with the very important study and, again, I trust the Member for Fort Garry is going to help us on this in a very positive way.

MR. SPEAKER: The Honourable Member for Arthur.

MR. J. DOWNEY: Mr. Speaker, I rise to support my colleague's Motion of Privilege to this House, and certainly I think the people of Manitoba would expect full disclosure of an action taken by the Member for Brandon East and the Minister of Community Affairs, something that I think has been a breach of privilege of this House and a breach of privilege of the Province of Manitoba, and particularly to those people of Brandon, who deserve far more than a member who would stand in this House, stand here and barefaced tell this Assembly that a commission, an inquiry into the correctional institutions in this province, had not yet taken place when it is quoted in the Free Press where one Mr. Kaminski said yesterday he had already begun his work.

I have two difficulties, Mr. Speaker, either we have a Government who does not know how they're handling the provincial affairs of this province and the funds which they're giving to people to do work - that is certainly evident in the Financial Statement that was released today; the other, that the Member for Brandon East and the Minister of Correctional Institutes would try and have us believe that he had not begun that work or spent that money.

Mr. Speaker, I made reference to the people of Brandon East because some few days ago there was one of the most outstanding celebrations or funerals, which I would consider a celebration, of a man who represented the Brandon area, in Walter Dinsdale. It paid tribute to a man who would never, ever be caught doing such a criminal thing in our province. We have a member from the same city, Mr. Speaker, who has the audacity to expect those people from that town to represent them in that way.

Mr. Speaker, I can only suggest that following on the resolution or the Motion of Privilege, that the member not only resign or be removed from the Cabinet of this province, but he resign his seat so that a credible individual can replace him. Thank you.

MR. SPEAKER: The Honourable Attorney-General.

HON. R. PENNER: Mr. Speaker, it's bad enough to have made a serious allegation against a member of this House in whatever capacity, which I will point out in a minute in my view is carelessly made, but when that person, a member of this House, rises to defend himself and has to face the kind of heckling which the Minister faced while he was trying to make his case in defence is foreign, both to the rules and precedents of this House and to our whole concept of the administration of justice, it's a foul, rotten thing to do.

It has been said that if you steal a person's pocket-book you steal nothing, but if you rob that person of his reputation you take everything that a person has in terms of his credibility and his existence as a human being. If you make that kind of charge you at least have the responsibility of allowing that person to fairly defend himself.

Now with respect to the motion itself, I am surprised

that the Member for Fort Garry should be so careless of his responsibility to the House and to the members of this House to have made that motion, to have accused a member of misleading the House and purporting to base it on Hansard when Hansard is before him and Hansard speaks clearly as to the words clearly used and now clearly defended by the member. What did the member say? The member said, and I'll start with the last point that he made - I should remind the member of the Opposition that this is not a laughing matter when a member in this House is charged with misleading the House. You have given this House an opportunity to debate it; let it be debated on principle.

The Member for Brandon East stated, and the members over there who have a memory longer than 12 months would remember, that before a Commission of Inquiry of any kind is officially established and officially under way it must, as the member pointed out, come before Treasury Board. It must, as the member pointed out, come before Cabinet. It is not possible in the nature of things to even begin that process without making some inquiries as to the availability of people, the parameters that are to be recommended, the length of the study, the cost of the study; all of those things must be investigated.

It is not at all unusual, and the members know this, to approach an individual who has the kind of credibility and status of Professor Kaminski and say, I'm going to be wanting to put this under way; I'll have to get it approved, but I would like you to make some inquiries as to the kind of study that we will be making and how long you think it will take. He must know those things. The Minister must inform himself of those things before he can bring a recommendation before Treasury Board, and particularly in these days when every recommendation for the spending of a farthing is scrutinized minutely by Treasury Board, the Leader of the Opposition to the contrary. — (Interjection) — The Member for Fort Garry says in an aside across the floor - well, I just want the member to admit that it is under way. But the question which he put in the House and which is a matter of record - will the member admit that it is already in place and under way - and to that the Honourable Minister of Community Services said that the inquiry, that we are hoping we will get certain individuals who will help us on the study, but we have not officially and formally established the study yet. That was true with respect to every word and every syllable. It was a careful true statement and to rise in the House and on the basis of that statement to accuse a member of this House of misleading the House is careless in the extreme.

MR. SPEAKER: The Honourable Member for Turtle Mountain.

MR. B. RANSOM: Mr. Speaker, it's interesting to see how the Government House Leader interprets the answers given by the Member for Brandon East as somehow not misleading the House when clearly at the time the Member for Fort Garry was not satisfied with the accuracy of the answers that were given and continued to persist in placing the question before the Minister of Community Services and Corrections to give him the opportunity to provide the House with a

straight answer.

He asked, I believe, Mr. Speaker, on four different occasions - three occasions following up the initial question to the Minister of Corrections - was the inquiry under way? The Minister continued to evade and avoid answering the question and to lead this House to believe that indeed the inquiry was not under way.

Now when this House rose yesterday the understanding that the members had was that the inquiry was not under way and, Sir, I am certain that there are members on the backbench of that government, if not in the minds of the Cabinet, who went away thinking that that inquiry was not under way. And if it wasn't, Sir, why would Mr. Kaminski say then that he has already begun work? Is that the type of government that we have over there? That, on the one hand, the Government House Leader says nothing gets under way until it's been approved and carefully scrutinized by the Treasury Board, the way it should be done, or is the Minister of Corrections off establishing commissions without reference to his colleagues as appears to have been the case? And yesterday he didn't wish to admit that either to this House or to his colleagues, Sir.

There was a day, in years past, when a Minister who misled the House would feel obliged to resign as a consequence of misleading the House. We find, Sir, there are many examples of it with this Government and it seems to be done without any type of care on the part of the members opposite. This is the most recent case, Sir, and I suggest that the resolution which the Member for Fort Garry has put forward has been well supported with evidence and deserves the support of this House. We cannot have members of the Treasury Bench making misleading statements.

MR. SPEAKER: The Honourable Member for Thompson.

MR. S. ASHTON: Mr. Speaker, although I'm relatively new as a member in this House, I'm getting quite used to hearing the slimy personal attacks coming from members opposite and this is no different from the many they made during the first Session I sat in this Legislature.

Mr. Speaker, I've got ears; I can listen. I've got eyes; I can read. The Minister heard; it is recorded in Hansard. I can advise him that we're in the process of establishing a study. So there was no attempt on the part of the Minister to deceive anybody in this House. He made no reference, as the previous speaker did, to the fact that there was no study under way. He said it quite clearly that we were in the process of establishing a study and he also indicated in Hansard, and it's recorded here, that he was quite willing at the time that the study was established to give the details to the honourable member now who is bringing up this motion of privilege.

So, Mr. Speaker, I heard what was said yesterday. I've read what is in Hansard. There was no attempt on the part of the Minister to deceive anybody, and I suggest we finish with these slimy personal attacks and get on with the business of the province.

MR. SPEAKER: The Honourable Leader of

the Opposition.

HON. S. LYON: Mr. Speaker, contrary to the junior Member for Thompson who just took his seat, this is not a slimy attack on an individual. This goes to affect the privileges of this House, and as I said yesterday in my remarks on the Throne Speech, Sir, we've had far too many examples in the last year of the lack of credibility of individual Ministers in this Government across the way, and this is only another example in this sordid unfolding chapter of a government that doesn't dare to tell the truth from time to time.

The Member for Fort Garry yesterday, Mr. Speaker, asked a very simple question. He wanted to know whether this inquiry - and he called it a secret inquiry because there hadn't been any mention of it at all - was under way; and he asked the question on a number of occasions and everybody's been very careful, Mr. Speaker, to say ah well, he got a firm and fixed answer. Well, Mr. Speaker, let's read back into the record the final question when he was trying to elicit some statement from the Minister to confirm the statements that he had been given. This is on Page 29, "MR. L. SHERMAN: Mr. Speaker, one final supplementary on this subject for today, Sir. Is the Minister denying that Professor Len Kaminski has been ordered to report to him on the situation at Headingley Jail, internal, related to security, safety and administration 'as quickly as possible?' HON. L. EVANS: Mr. Speaker, the individual the honourable member refers to is a citizen of Manitoba and I am in no position, as indeed, nor would he be if he were in my position, to order an individual citizen in Manitoba to do this, that or anything. So I'm not ordering any individual, but as I said earlier, Mr. Speaker, we have had discussions with an individual to engage in a study and that has not been finalized or formalized. When it has, I'll be very pleased to give the details to the honourable member."

Now, Mr. Speaker, as the Member for Fort Garry said, all of CBC, all the media had to do was talk to Professor Len Kaminski and the Free Press obviously did that. In today's edition, Tuesday, the 7th of December of the Winnipeg Free Press the headline is, "Professor hired to study jails." Yes, that's the headline. "Community Services Minister Len Evans" — (Interjection) —

Mr. Speaker, we were just treated to a lecture by the Attorney-General of this province who is ill-equipped to tell members of any free democracy about behaviour or decorum in a Parliament, but we were just treated to a lecture by him about heckling. I want to tell the honourable member that he can heckle me all he wants because that's part of the juice of Parliament and he, from his hard core left wing, can object to it all he wants but it will be carried on in this House and I don't object if he carries on with it. But I don't want to hear any lectures from this kind of a person with his rather checkered political background with respect, Mr. Speaker, to parliamentary decorum. — (Interjection) — Why don't I get on? Why don't you get on and clean up your act across the way?

Here's what the Free Press said, Mr. Speaker, today: "Community Services Minister Len Evans has commissioned a study into overcrowding at Headingley jail and at the Remand Centre in Winnipeg's Public Safety Building.

"The study will be headed by Professor Leonard Kaminski of the University of Manitoba's School of Social Work and a former officer of the John Howard Society of Manitoba. Kaminski said yesterday he has already begun work."

Now, Mr. Speaker, this nonsense about statements not being in contradiction to one another. If my honourable friend wants to stand up and say that Professor Kaminski was lying when he spoke to the Free Press, let him say so. But how can he then say, Mr. Speaker, that the information that he gave to the House yesterday is true if Professor Kaminski isn't lying? Now one or the other is telling the truth and the purpose of this motion, Mr. Speaker, is to make sure that Government Ministers across the way for once, when they are asked questions in this House, will begin to try to tell the truth.

Mr. Speaker, for the record, the Member for Brandon East, Mick Burke's friend, the one who appoints his political friends who have to get fired after the MGEA looks into the appointments - we know about his background - the one who makes other appointments that we're going to be talking about too, Mr. Speaker, he says it's all in Hansard. I just read from Hansard. Anybody, excluding perhaps the Member for Thompson, can read Hansard and anybody can read Hansard and see that the Minister yesterday did not answer forthrightly and with candour the questions. Professor Kaminski, when he was approached by the Free Press, obviously said, yes, I have been approached and I'm already at work.

Now, Mr. Speaker, the purpose of this exercise is to find out who's telling the truth. From the evidence we've heard so far, it looks as though the Minister isn't.

MR. SPEAKER: The Honourable Member for Brandon West.

MR. H. CARROLL: Mr. Speaker, with the exception of yourself, I would like to perhaps think of myself as probably the most objective person in the House. I listened with some interest to the speech by the Attorney-General and, if I were sitting in a judicial capacity, I would have to accept his semantics and his argument because, in my view, technically there would have to be an acquittal of Mr. Evans if he were in a court. Having said that however, as an Independent member, I left the House yesterday thinking that there was no commission in existence and, Mr. Attorney-General, I must say that as an Independent member I was left and the Minister left me with a distinct idea that there was nowhere near the progress made in terms of that commission, as I learned today that there was. I was astounded this morning and yes, indeed, I felt misled. Mr. Speaker, I would say that Mr. Evans, technically, is not in breach of privilege of the House, but I feel misled.

MR. SPEAKER: The Honourable Minister of Health.

HON. L. DESJARDINS: Mr. Speaker, it seems a bit childish and ridiculous, the exercise that's going through at this time when there are so many important things to do. Mr. Speaker, here we are without any proof, without the person in question here to question or to give us his side of it, without anybody from the

media. We are acting as prosecutor, as judge, and of course there's an awful lot of name-calling and that is quite ridiculous and I don't think it's worthy to spend the time of this House on a thing like this.

Mr. Speaker, first of all, what is the importance - I know I am going to be told that somebody, and I'll come to that about the misleading part - if a commission is started or is not started? Is that going to stop the world? That's number one. Now they might say, well, it's a question of principle and I agree with that. —(Interjection)— Mr. Speaker, no, I don't miss the point and I'll tell you, if you listen, the point is this, that a question was asked. The Minister said that, all right, he didn't try to say there is nothing to it at all. The members talk about, it's a great thing. You know, he discovered some earth-shattering news. There is a secret, what did he call it? An inquiry under way. Well, first of all, the people across and the member that made this accusation know exactly the steps that have to be taken. I think he knows that you have to have an Order-in-Council before the setup, before anybody could be paid. I think that usually is discussed in Cabinet and in Treasury. That wasn't done. There are no Minutes and that wasn't done at any time. The first time that I heard of that was yesterday and I am not the only one, I checked with some of my colleagues.

Now, all of a sudden, what is printed in the paper becomes a fact. That will decide if a man should resign and the accusation, which is not worthy of members of this House - no wonder the people do not respect us when we don't respect each other. We are always implying motives to each other and we're ready to jump at anything even when we know it's a big joke, to try to take a man's reputation, as was mentioned before. I understand there could have been a misunderstanding, but should we waste all the time here. You know, you don't just pass an Order-in-Council and then go and ask the person, will you act? You have to sound that person out, you have to find out if he wants to do it, if he has the time, if he's interested and that is exactly what the Minister did. He told him. He told us repeatedly that he told him, and his Deputy Minister informed him, that of course it looked good; he thought that he could put it through, but it had to go to Cabinet. Now does that stop - ask any one of you, if you're going to be honest - if you're asked by somebody to do something and you're interested, does that prevent you from trying to find out what it's all about, to inquire? Isn't that the normal thing to do? Isn't that what everyone here would do?

The thing is, let him come back and say that he was paid for the time that he spent so far. Let anybody come back and show us that they have a copy of the Order-in-Council that was passed authorizing that; not that the Minister who quite candidly stated that yes, fine, he was thinking about it, but he couldn't. He certainly didn't order anybody and that had not gone to Cabinet. That's what he said and that was very plain.

And all of a sudden a member who thinks that he discovered something very important, you know, this stuff, if that's going to make anybody do his work here of trying to find out and having the spies - that's the way they run it in Russia and you're always accusing us of those kind of methods, of trying to get that information, and that's not the first time this kind of

accusation or this kind of thing has been done - if anybody thinks this is a feather in his hat, let him. I'm certainly not going to get excited over anything like that at all.

I think that anybody that's got a bit of honesty and a bit of sincerity could understand that maybe, like the Member for Brandon who says that he might have been misunderstood or misled. That's possible, but there's a big difference, Mr. Speaker, by listening to somebody, getting the wrong meaning and asking him to resign and calling him a crook, a liar and all the kind of accusations we've had today. That is certainly not worthy of members of this House. I think let's have a damn vote and let's get out of here with dignity.

MR. SPEAKER: The Honourable Member for Pembina.

MR. D. ORCHARD: Thank you, Mr. Speaker. The Minister of Health has indicated that this debate is childish, that this debate has no purpose, that this debate is wasting the time of the House when, as the Minister says, there are so many important issues at stake. Well, I ask you, Sir, and I ask the people of Manitoba, what is more important than the consideration of whether a Minister, a front bench Minister of a Government is giving factual and correct information or whether that Minister is attempting to mislead the House and the people of Manitoba?

I believe that we are living in a democracy and I even believe the Attorney-General knows we are living in a democracy, and in a democracy truth is of the utmost concern. And when we pose very simple questions to Ministers of the front bench and we get evasive, misleading answers from those Ministers, should we not attempt, as Her Majesty's Loyal Opposition, to pursue the truth and to attempt to bring to Manitobans the facts as to how this Treasury Bench of this Government is carrying on the affairs of this province?

I suggest that this is not a childish debate, that the pursuit of truth is never childish in a democracy. It may be in some countries with a different political organization, but in a democracy such as Canada the pursuit of truth should be utmost in each and every mind, and to declare this debate childish is to demean the democratic process and what we are all here elected to do.

Now, if we are wasting time in trying to find out what the truth is, then does that mean that we stand up, ask questions and receive any sort of an answer from members of the Treasury Bench and accept them as being nothing but the truth? That, Sir, we cannot do. That has been demonstrated in the last Session. That same Minister, when he had the responsibility for the Telephone System, gave me two different answers on two different occasions to the same question; he did not tell the truth last Session. This is not the first time we have questioned information from the Minister of Community Services and Corrections. So I think this debate is very worthwhile.

Mr. Speaker, there is nothing more clear than the Minister's answers, that we have not officially and formally established the study. If that is true, as my Leader has said, then Professor Leonard Kaminski is telling a lie to the Free Press reporter who wrote this story.

Now, the Attorney-General says not at all. Maybe he

has a different concept of truth that he might share with us at a later date, because to me that does not indicate that both the Minister and Professor Kaminski are telling the truth. I look forward to further contributions from the Attorney-General on what his version of truth is.

MR. SPEAKER: The Honourable Member for Springfield.

MR. A. ANSTETT: Mr. Speaker, I've listened with interest to the contributions from both sides, particularly the Minister of Community Services on this question. I, too, was uncertain as to exactly what the status of Mr. Kaminski was until I heard from the Minister this afternoon. However, I did not jump to the conclusion that members opposite jumped to yesterday. The Minister said - the Member for Arthur suggests I was misled - I said only that I was not certain and that uncertainty does not give me grounds to make an irresponsible accusation against the Minister.

Now, maybe - and I'll concede this point willingly to members opposite - that the Minister may have contributed to that uncertainty by not providing all of the details that he had no authority to provide yesterday and he won't have that authority until an Order-in-Council is passed.

Let's look at the options that were really available to the Minister yesterday. He was asked, is something happening? He replied, we're in the process of making it happen. We are in the process of establishing a study. That was his reply. Is someone suggesting that that reply was inaccurate? The Minister has stood up today and confirmed that. He hasn't changed that in any way, shape or form. He says, we will be going to Treasury Board. We will be going to Cabinet to get an Order-in-Council passed. That's his responsibility. Nothing wrong with that reply.

Now we find that the electronic media and the print media have information from an individual who was named by the Member for Fort Garry yesterday, Professor Kaminski, that says he's already begun work. Now I'm uncertain, as is the Member for Brandon West and as was the Member for Fort Garry. I'll concede the point, but then the Minister of Community Services got up and answered the only question upon which this Point of Privilege is based, the only question, and that question is: how can Professor Kaminski be working if the process has not been formally established; and he got up and he said he is doing the initial preparatory work, probably costing, preliminary, whatever it is, setting the parameters and the details. That's what the Minister said, that certain preliminary work had to be done. Okay? That's what he's told the House. He's explained the difference between what appears in the newspaper and what some of us heard on the radio and television this morning, and the statement that the Member for Fort Garry made yesterday.

Now, I believe that was the purpose of this debate, to give the Minister an opportunity to explain, to answer an allegation by the Member for Fort Garry, that the information he gave yesterday was in some way incorrect. He's given that explanation. Mr. Speaker, I would submit that, having given that explanation, he's provided substantive proof to this House:

(1) that there was no point of privilege; (2) that he replied accurately yesterday; and (3) he's provided us with the information which appeared in yesterday's Hansard as well, that presently some work is going on which relates to the completion of the details, the parameters, etc.

So, Mr. Speaker, I submit, as I did earlier, the member had a legitimate question to ask the Minister. He could well have asked for those further details during question period, rather than through this debate, but since he raised it this way it was a legitimate question. He's had a proper and legitimate answer and, Mr. Speaker, I would suggest to the member that the only honourable thing he can do at this point is withdraw his motion now that he's had his answer.

MR. SPEAKER: The Honourable Member for Fort Garry.

MR. L. SHERMAN: Mr. Speaker, if nobody else wishes to speak, I will close the debate on this substantive motion.

MR. SPEAKER: There appears to be none.
The Honourable Member for Fort Garry.

MR. L. SHERMAN: Mr. Speaker, I want to acknowledge the contributions of all those on both sides of the House who have participated in this debate and, in particular, thank my colleagues, my Leader and the Honourable Member for Brandon West who have spoken from the perspective of the importance of integrity, truth and honour on the Treasury Benches of the Government of this Province.

Sir, there seems to be a double standard at work here. A number of speakers from the Government benches have made reference to the fact that the Minister of Community Services and Corrections apparently was hog-tied in terms of making a definitive decision or a definitive announcement on this appointment of Professor Kaminski in the establishment of this inquiry because he had to go through the process of Treasury Board, he had to go through the process of obtaining an Order-in-Council, having it passed by Cabinet, and he had to deal with all the machinery of Government. The Honourable Government House Leader, the Attorney-General, has raised that point, the Honourable Minister of Health raised that point, and others have raised that point.

Mr. Speaker, I wish the Minister of Agriculture were here. Let us just address for one moment the fact that the Minister of Agriculture granted forgiveness on something like - what was it? - \$400,000 worth of loans out in the marketplace through the Beef Marketing Plan without benefit of Order-in-Council, without benefit of any kind of those processes or mechanics in Cabinet, in Treasury Board, or anywhere else in a formal sense, and announced it, Sir.

All we're asking is that when the Minister of Community Services and Corrections, dealing with a subject as important as the major, the senior, correctional facility in this province advise this House and advise the people of Manitoba when he is launching an inquiry and an investigation into the conditions in existence at that facility because we are aware, I am

aware, Sir, I believe the Minister is aware, many Manitobans are aware of rather questionable, rather serious conditions at that facility.

I will have considerable to say about that, and was going to say something about it when we reached the Estimates of the Minister of Corrections. However, at the first opportunity, I wanted to raise the question as to whether he had initiated this inquiry, and why he hadn't announced it, why he hadn't made it public, because I have information, and I repeat and reiterate, Sir, that I have information that indicated to me that inquiry got under way approximately November 15th. I'm fully prepared to accept the word as reported in the media and as conveyed to me by various members of the media and some of my other informants close to the Headingley Jail situation that such is the case.

So, Sir, let us just stop for one moment and examine the question of what kind of double standards are at place here when colleagues of the Minister rush to his defense in an indefensible position. This is defending the indefensible. We're asking for straight answers. All we're asking from this Government, because God knows they're not able to supply much else to Manitobans, all we're asking from them is to come clean. We expect every day in question period, and every day in debate in this House, and I think the taxpayers, the citizens and voters of Manitoba have a God-given right to expect that they come clean. If they come clean and answer honestly and truthfully they will find that their difficulties and their traumas through this Session and succeeding Sessions will be a lot lighter, a lot easier to bear than is otherwise going to be the case.

So, Mr. Speaker, don't let the Minister of Health stand up and rationalize in defense of the Minister of Community Services on the grounds that this is a waste of time. Seeking the truth, seeking honour, seeking integrity is never a waste of time. Perhaps I'm talking to the wrong Minister. I may be talking to the wrong Minister when I talk of truth, honour and integrity, but I address those remarks to him in the hope that they will fall upon his ears with some sense of principle.

Mr. Speaker, another thing that is very surprising and disturbing to us in the Opposition is that the First Minister of this province should not enter this discussion either to offer, if one can be offered, some sort of explanation of the conduct of his Minister or to stand up for the very things that my Leader and this side of the House have been standing up for, and that is candor, admissions, honesty and honour. Why would the First Minister of the House, the First Minister of this province sit through this debate in silence and have nothing to say, either in defense of his Minister or in defense of the principle that is at issue here. I think that's a serious condemnation of the attitude that Government takes, Sir, towards the principle of honesty and truth in debate and argument.

We've seen evidence of this before, and now, we're seeing it again in the first three days of the new Session, this fledgling Government's second Session. Having fallen into traps of evasiveness of their own construction in their first Session, they now appear to be stumbling blindly into the same course of action in the second Session. They are headed for ruin and devastation - so is the province, incidentally - but they,

in particular, are headed for ruin and devastation if they persist in that course, Mr. Speaker.

I asked the Minister for an answer to a question because I think there was a subsequent legitimate follow-up question that the people of Manitoba had a right to know the answer to, and my follow-up question was going to be: Why? Why would he get on with the job of appointing and establishing this inquiry and not tell the people of Manitoba about it? I have suspicions as to why, but those will surface during debate, no doubt, and I intend to debate those with him. I think, frankly, that the Minister has been hung out to dry. I don't know who he's trying to protect or defend because I can assure him that I think there's considerable evidence that nobody is trying to protect or defend him.

In fact, although he probably regards me as an adversary, I want to say to him, Mr. Speaker, through you, Sir, that I believe through the initiatives that I took this fall in writing to the Minister about the situation at Headingley that I probably was protecting him and defending him better than some of those on whom he relies. I believe he's been hung out to dry, and I believe that a proper investigation of the situation at Headingley will reveal that. I'm not saying that the Minister is to blame for that; one is hardly to blame for the fact that he or she is hung out to dry. The only thing that the Minister is to blame for is failing to answer that question yesterday so that we could get on with this job of finding out what's wrong at the upper level of the Corrections Division, what's wrong at the upper level of Adult Corrections, and what's wrong in Headingley itself.

So, Mr. Speaker, I conclude by reiterating my sincerity in seeking the truth about the difficulties at Headingley Jail; my sincerity in first approaching the Minister last August in the wake of the Hoffman-Baptiste escape attempt and the first reports that I got on circumstances in the jail; the sincerity in my questions yesterday which were aimed at getting at the terms of reference of this inquiry which I think had to be terms of reference that support the Minister and support the intentions of any Minister of Corrections to ensure a proper security system in this province; and my sincerity in moving the Motion of Privilege which was seconded by my colleague, the Honourable Member for Sturgeon Creek.

I conclude, Sir, by asking this Minister in future, and his colleagues, because we'll have many further questions on this and other subjects, to come clean. By coming clean in their answers they can stay out of trouble.

QUESTION put, MOTION defeated

MR. SPEAKER: The Honourable Member for Turtle Mountain.

MR. B. RANSOM: Yeas and Nays, Mr. Speaker.

MR. SPEAKER: Call in the members.

Order please. The question before the House, it has been moved by the Honourable Member for Fort Garry and seconded by the Honourable Member for Sturgeon Creek.

THAT this House do censure the Minister of Com-

munity Services and Corrections for a serious breach of its privileges by misleading its members in the matter of the establishment of an inquiry into conditions at Headingley Jail.

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

YEAS

Messrs. Banman, Blake, Brown, Downey, Driedger, 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, Carroll, Corrin, Cowan, Desjardins, Mrs. Dodick, Mr. Doern, Ms. Dolin, Messrs. Evans, Eyler, Fox, Harapiak, Harper, Mrs. Hemphill, Messrs. Kostyra, Lecuyer, Parasiuk, Pawley, Penner, Ms. Phillips, Messrs. Plohma, Santos, Schroeder, Scott, Mrs. Smith, Messrs. Storie, Uskiw.

MR. ACTING CLERK, G. Mackintosh: Yeas, 22, Nays, 30.

MR. SPEAKER: The motion is accordingly lost.
The Honourable Member for Turtle Mountain.

ORAL QUESTIONS

Appointments - Brandon University

MR. B. RANSOM: Mr. Speaker, my question is for the Minister of Community Services and Corrections. Was the Minister of Community Services and Corrections involved in the appointments to the Board of Governors of the Brandon University made since November 30th, 1981?

MR. SPEAKER: The Honourable Minister of Community Services.

HON. L. EVANS: Mr. Speaker, as a Member of the Cabinet, like all other Cabinet Ministers, one is involved.

MR. B. RANSOM: Mr. Speaker, I would like to ask the Minister of Community Services, did he specifically make recommendations with respect to appointments to the Board of Governors of Brandon University?

HON. L. EVANS: Mr. Speaker, there is a process involved in seeking out names for all kinds of Boards and Commissions and I, along with my colleagues, share in that process.

MR. B. RANSOM: Mr. Speaker, is the Minister of Community Services and Corrections prepared to acknowledge that the administration of Brandon University has now been cast into disarray because of the NDP appointments to the Board of Governors and are becoming involved in administrative details of the

university rather than dealing with issues of policy as they should be?

HON. L. EVANS: Mr. Speaker, I would ask you, is that question in order? The member asked me a question pertaining to another ministry and I believe that question is wrongly directed. I seek your guidance, Sir.

MR. SPEAKER: The Honourable Attorney-General.

HON. R. PENNER: On the same point of order, Mr. Speaker, a question which is simply a rhetorical question calling for an opinion is not a question which is in order. A question must be directed to a Minister with respect to information obtained by that Minister or known to that Minister in his capacity as a Minister but it is out of order if it simply calls, rhetorically as that one did, for a statement of opinion or to adopt an opinion, queer as it might have been, of the questioner.

MR. SPEAKER: The Honourable Member for Elmwood on the same point.

MR. R. DOERN: On the point of order, I believe it is appropriate to direct a question to a Minister for a portfolio for which he is responsible. In this case that question should have been directed to the Minister of Education. Clearly you're not going to direct questions on agriculture to the Minister of Health and questions of health to the Minister of Agriculture.

MR. SPEAKER: To the same point of order, the Honourable Member for Turtle Mountain.

MR. A. RANSOM: Mr. Speaker, I am quite prepared if the Minister of Community Services and Corrections is not prepared to take responsibility for the appointments which he has recommended and I'll direct my question to the Minister of Education. Is the Minister of Education satisfied that the administration of Brandon University is being carried out at a competent level now that her NDP appointees are becoming involved in day-to-day administrative detail?

MR. SPEAKER: The Honourable Minister of Education.

HON. M. HEMPHILL: Mr. Speaker, I must say that I'm having some difficulty understanding what the problem is. We have a Board of Governors that is simply doing their job, and as I have stated on many occasions and as have the members opposite, we should stay out of the business of Boards of Governors who are carrying out their responsibilities.

We made changes to the Board of Governors, Mr. Speaker, for very definite reasons; made changes in the kind of representation and the kind of people who were sitting on the Board of Governors and I will explain what they were. There are about 16 members on the Board of Governors and we made five of those appointments, Mr. Speaker. We increased the number of student representation and we increased the number of Senate representation. In each of those cases the students and the Senate selected their own member and I'm quite sure are very capable of selecting the best people to represent them on a Board of Governors.

We also appointed two Native representatives to the Brandon University and I'm sure the members opposite will understand the reasons for that. Brandon University delivers almost all of the majority of the Native education programs in universities in the Province of Manitoba but the Native population had no representation on that Board of Governors, Mr. Speaker. We appointed Mr. Bill Thomas who is Chairman of the Manitoba Indian Education Association and Superintendent of the Peguis School Board. We appointed Isaac Beaulieu, former Educative Director of the Native Council of Canada and Chairman of the Sandy Bay School Board. Both men are recognized as Native leaders in their community. The number of changes that were made, Mr. Speaker, actually bring Brandon University representation for student and faculty and members of the community more in line and make them consistent with the representation and numbers that are on the other Board of Governors. What I want to ask the members opposite is why they are so upset about the democratic process in this instance when they are calling out for support for democracy when we were arguing the other issue earlier.

Boards of Governors and School Boards often don't agree. The individuals are there and they put forward their feelings and their attitudes and their positions and, as we know from the press that we've had over problems and difficulties that school boards are having resolving issues, that they often have a very difficult time dealing with very, very difficult decisions and issues. They get their information from the best places they can. They get it from Senate, from Faculty, from Administration. They make the best decisions they can and the Board of Governors at Brandon is operating in the same way as are other boards and I support their continuing work.

MR. B. RANSOM: A supplementary question, Mr. Speaker, I would ask the Minister then, what is the problem at Brandon University? Why are the affairs of Brandon University being splattered across the air waves of the province and the front pages of the newspapers of the province? What is the problem?

MR. SPEAKER: Order please. Order please. I'm having some difficulty in hearing the Minister's reply.
The Honourable Minister of Education.

HON. M. HEMPHILL: Mr. Speaker, I am not sure what the problem is either at Brandon University because what they're going through is no different than what any other board is going through and they are not having their difficulties in making decisions splashed across the media.

Mr. Speaker, there was one issue that I understand was an issue related to the library at the Brandon University and there was a recommendation from the Senate and there was a recommendation from the Administration. Those two recommendations were not the same. That is not unusual in situations like this where Faculty and Administration and Senate and Students all participate in decisions that are made about their university. Because the Senate and the Administration could not agree, the Board was put in the position of having to make a decision between the

two recommendations and their decision was that they accepted the recommendation of the senate.

I have worked with many Administrators over the years, Mr. Speaker, and so have the members opposite. Just because a Deputy Minister or a President makes a recommendation to a Minister or a Government does not mean that it is always accepted because we have to gather information from other than administration to make our decisions. They gathered the information from the places they should have received it; they made a tough decision and they are doing their job.

MR. B. RANSOM: Mr. Speaker, the Attorney-General has said that the problem at Brandon University is Dr. Perkins, the President of the University of Brandon. Does the Minister of Education concur with that view put forward by the Attorney-General?

Mr. Speaker, if there are no problems at Brandon University why has Cam Connor, a well-known member of the NDP resigned from his position as an Administrator at the University of Brandon?

HON. M. HEMPHILL: Mr. Speaker, I would imagine that to get an answer to that question, they would have to ask the gentleman.

Abortion Clinic

MR. SPEAKER: The Honourable Member for St. Norbert

MR. G. MERCIER: Mr. Speaker, I have a question to the Attorney-General. Mr. Speaker, could he inform this House as to whether he supports or is in favour of expanded abortion facilities in Manitoba?

MR. SPEAKER: The Honourable Attorney-General.

HON. R. PENNER: Mr. Speaker, I have made statements with respect to my position as an Attorney-General. In terms of the proposal of Dr. Morgentaler, I don't feel it necessary to expand beyond that. What I have said to various groups who have contacted me, and I have no hesitation in repeating in this House, and that is, that those who feel that there is a need for additions to such services should operate within the law. I have said that to groups who have lobbied me with respect to psychiatric services in terms of their lobbying. I have said that to many groups who have come to me about various problems and pointed out to them the way in which, as community groups, they can make their influence felt. That is what I have said to those who have challenged me with respect to my legal and constitutional position as Attorney-General, that there is a way of achieving things within the law; there are ways of achieving things outside of the law. I would recommend that, if they have a goal, that they achieve it inside the law. The way to do that is to gather data, to gather statistics, to make representations and to lobby. That has been my position clearly and consistently throughout. It remains my position today.

MR. G. MERCIER: Mr. Speaker, to the Attorney-General, does he support or favour any changes to the

Criminal Code of Canada which would remove in whole or in part the present restrictions on abortions?

HON. R. PENNER: I do not think that question is in order. My views with respect to what should be in the criminal law is a matter of personal conviction, is a matter for debate outside this House, which I am willing to participate with anyone at any time. The law that is presently on the books is a federal law. It has been introduced some years ago. If there's to be a change in that law, it would be made at the federal level. The position with respect to myself and my party is well known. I have taken a position on this issue as the Attorney-General, as I've said, and in response to the earlier question, it is clear - and of course it is clear that they don't like that fact - it is within my constitutional prerogatives. It is clear that they don't like that fact. They would like the Attorney-General, somehow or other, to fudge the issue so they can make political capital out of the misery and concern on both sides of the issue of thousands and thousands of honest Manitobans who differ on matters of policy. To attempt to make political capital out of that is cheap.

MR. G. MERCIER: Mr. Speaker, in view of the Attorney-General's quoted statements that he would prosecute Dr. Morgentaler because he would be under pressure to prosecute - that was in the Winnipeg Free Press, November 1st, 1982 - and in the Winnipeg Free Press on December 1st, '82, that the Crown may choose to press charges after complaint, Mr. Speaker, would the Attorney-General today give an undertaking to this House that he will carry out his statutory responsibilities in accordance with his Oath of Office and not in accordance with his own personal viewpoints?

MR. SPEAKER: The Honourable the Attorney-General.

HON. R. PENNER: I have just made that statement twice. It's one thing to be dense; it's another thing to be hard of hearing. That can be cured.

A MEMBER: He's written out his questions.

HON. R. PENNER: I know he wrote them out, you see, and he couldn't change at the last moment. I need no lessons from any pipsqueak in this House about constitutional duties. I am proud of the way I have conducted myself as Attorney-General, and when the time comes when any little wet hen can point a finger at me and say that I have not acted within the duties and responsibilities of the office, that will be the time to level such criticism. My position has been clear, and that's what they don't like, certainly. As I have said, if anyone opens up a clinic, or does anything that is prima facie illegal, the law will take its normal course.

I have also said, and I've said it clearly, that I will not stay prosecutions. I have also said that in my view there is no legal position which would allow an Attorney-General to grant something called an immunity. I have quoted the authority of the Manitoba Court of Appeal which goes back to a decision on the Bill of Rights in 1688, that indeed if an individual holding the office had the right in a class of cases to say

that they would or would not prosecute, or do so by the back door of granting immunity or stays of prosecution, then we would have not the rule of law but the rule of persons, and I do not adhere to that position at all. I believe in the rule of law.

MR. G. MERCIER: Mr. Speaker, would the Attorney-General table in this Legislature, for the information of members, the correspondence he has had with Dr. Morgentaler?

HON. R. PENNER: I do not believe that it is a document that should be tabled in the House. I will gladly send the Member for St. Norbert copies of that correspondence. In fact that correspondence, as he knows, is already a matter of public record.

Quarterly Report

MR. SPEAKER: The Honourable Member for Turtle Mountain.

MR. B. RANSOM: Mr. Speaker, it is quite evident today, on the basis of information provided in the quarterly report, that the Government is going to be expending more funds than have been authorized by this Legislature. I would like the assurance of the Minister of Finance - and I ask him for this assurance, Mr. Speaker - that the authority for the additional expenditure which will be required will in fact be sought by a Supplementary Supply Bill in this Session before we adjourn prior to Christmas.

MR. SPEAKER: The Honourable Minister of Finance.

HON. V. SCHROEDER: Mr. Speaker, that authority is not required prior to Christmas. Any authority which will be required will be asked of the Legislature before the time for the funding being required is here.

MR. B. RANSOM: Mr. Speaker, I'm very pleased to have that answer from the Minister of Finance. I just want to make certain that I understand what he said. Will he give the assurance that his Government then will not be passing any special warrants for expenditures that are already known to be upcoming? Will he give the assurance that they will not pass any special warrants between the rising of this sitting and the recalling of the Legislature in February or January, whenever it might be?

HON. V. SCHROEDER: No, Mr. Speaker. I can check the record and see what the previous Conservative Government did several years ago with respect to Special Warrants when they had a fall Session . . .

MR. SPEAKER: Order please. Order please.

HON. V. SCHROEDER: . . . when they had a fall Session and then reconvened several months later. I must say, however, at the present time - and we did pass a Special Warrant about a week and a half ago I believe, that Cabinet did - and I don't know of any funding that is required at this time. I'm not saying though that we would not pass a special warrant before we come back.

Foreign borrowings

MR. B. RANSOM: Mr. Speaker, to the Minister of Finance. Did the Minister of Finance seek advice from Mr. Saul Cherniack, former NDP MLA and present Chairman of Hydro, with respect to foreign borrowings at any time since the 30th of November 1981?

HON. V. SCHROEDER: Mr. Speaker, I can say that I didn't seek advice in the sense that I went to see Mr. Cherniack, but I do have a press release here dated April 21st, 1978, issued by the then Premier, the Member for Charleswood, when a \$57.5 million bond issue was sold in Switzerland and he said, "We are particularly encouraged to have such a very good rate of interest," the Premier declared. I just thought that should be on the record after some of the statements - some of the vicious statements - that the Leader of the Opposition made when we were borrowing some money recently.

MR. B. RANSOM: Mr. Speaker, I acknowledge that the Minister of Finance is under no obligation to answer questions which are placed to him, but on the chance that perhaps he didn't understand the question I'll place it once again. Did the Minister seek advice from Saul Cherniack, former NDP MLA and presently Chairman of Manitoba Hydro, with respect to foreign borrowings at any time since November 30, 1981?

HON. V. SCHROEDER: Mr. Speaker, I have sought advice from many individuals with respect to borrowing. I have talked with Saul Cherniack, yes, indeed, I have talked with him a number of times. But I have not, as I thought I had said, if I didn't say it I'll put it in different words, I have talked with Mr. Cherniack. Mr. Cherniack has discussed borrowings with me, I don't recall going to him to get that advice, but certainly we've talked about it and I don't believe that there are many people in the history of Manitoba, indeed I can't think of any, who served this province better as a Finance Minister.

MR. B. RANSOM: Mr. Speaker, that last statement will no doubt be debated in this House on the basis of the hundreds of millions of dollars that the taxpayers have had to pay out as a consequence of foreign borrowing. If the Minister of Finance did not seek out Mr. Cherniack's advice, did Mr. Cherniack then approach the Minister and ask for the opportunity to go to Switzerland?

HON. V. SCHROEDER: Well, Mr. Speaker, it seems that the member has the same problem as the Member for St. Norbert. He's got these questions written out and it doesn't matter what answer one gives to a previous question, he has to ask his three questions. He's asked them; I have answered them.

Low Income Housing - Sprague

MR. SPEAKER: The Honourable Member for Emerson.

MR. A. DRIEDGER: Mr. Speaker, my question is to the Minister responsible for Housing. For a number of

years, a low income housing construction project has been operating in Sprague, which is in Southeast Manitoba. The project consists of building ready-to-move homes for people who qualify for it. The Minister in the last days has been flaunting his achievements regarding housing programs and job creations. Can the Minister indicate why they're shutting down the project in Sprague?

MR. SPEAKER: The Honourable Minister of Housing.

HON. J. STORIE: Mr. Speaker, I am not aware of the circumstances surrounding this. Perhaps, if the honourable member would offer me further information or perhaps he could see me after question period and give me the information. I'm not familiar with the situation as he's expressed it.

Headingley Jail - study re conditions

MR. SPEAKER: The Honourable Member for Fort Garry.

MR. L. SHERMAN: Mr. Speaker, my question is to the Honourable Minister of Corrections and I would ask him when we may expect, not by excruciatingly extracted answer but by Ministerial Statement in this House, an announcement that an inquiry is being undertaken into conditions at Headingley Jail?

MR. SPEAKER: The Honourable Minister of Community Services.

HON. L. EVANS: In due course, Mr. Speaker.

MR. L. SHERMAN: Mr. Speaker, since that inquiry is already under way, when can we expect the Minister to announce, by way of Ministerial Statement in this House, what his terms of reference are?

Mr. Speaker, can the Minister advise this House whether he has established terms of reference for that inquiry with the investigator, Professor Kaminski, and whether the members of this Legislature representing 57 constituencies in Manitoba will have access to those terms of reference to determine whether the inquiry is viable and worthwhile or whether it is merely a repetition of something he's already done?

HON. L. EVANS: Mr. Speaker, we made this very clear yesterday, that we were in the process of establishing the study. When we have finalized the terms of reference, the extent of the study, when we finalize all the details and we are satisfied; I, as the Minister, am satisfied on the course that we should be following. It will be presented to the Treasury Board and then to the Cabinet and when Cabinet finally approves of it, it will be announced and will be made public to the member opposite, to the Legislature and to the people of Manitoba. I have indicated this yesterday and I'm merely repeating what I've said to the member yesterday.

MR. L. SHERMAN: Thank you, Mr. Speaker. Can the Minister confirm that a review was carried out between August and October by his department involving the College of Physicians and Surgeons, involving MONA,

in a medical audit that was part of the review of the situation at Headingley? First of all, can he confirm that report was carried out by his department?

HON. L. EVANS: Mr. Speaker, I want to take that question as notice.

Illegal trucking operations

MR. SPEAKER: The Honourable Member for Pembina.

MR. D. ORCHARD: Thank you, Mr. Speaker. I have a question for the Minister of Highways and Transportation. Can the Minister inform me if complaints issuing from illegal trucking operations are being investigated and pursued by the department without interference?

MR. SPEAKER: The Honourable Minister of Highways.

HON. S. USKIW: Mr. Speaker, I think that the best answer I can give at the moment is that within a couple of days there will be a statement made with respect to that whole question.

MR. D. ORCHARD: Well, in anticipation of that statement, Mr. Speaker, I would appreciate an answer as to whether complaints are being pursued by department staff, by investigation staff, in the normal course?

HON. S. USKIW: Mr. Speaker, I believe that there are general complaints and there are specific ones. It's my understanding that the specific ones are dealt with in the normal manner. General complaints will be a subject of something else which will be announced in a couple of days.

Assessment Review hearings

MR. SPEAKER: The Honourable Member for Swan River.

MR. D. GOURLAY: Mr. Speaker, I have a question to the Minister of Municipal Affairs. I wonder if the Minister can inform the House as to how he plans on dealing with the assessment review recommendation.

MR. SPEAKER: The Honourable Minister of Municipal Affairs.

HON. A. ADAM: Thank you, Mr. Speaker. I have announced previously, last Session, that we will be holding hearings in January. I've responded to the Honourable Member for Swan River by letter the approximate dates that we would be holding these hearings. I hope, prior to those hearings, to have a briefing for the Standing Committee on Municipal Affairs of the Legislature so that they will have some briefing before we undertake these hearings.

MR. D. GOURLAY: Yes, Mr. Speaker, I wonder if the Minister could indicate to the House what the Government position will be with respect to the assessment review recommendations prior to going out on these hearings?

HON. A. ADAM: Mr. Speaker, we have, as members opposite are aware, undertaken a study over the past few months and we have come up with some conclusions as pertain to the recommendations. These recommendations will be provided to the members of the committee and to the people who attend the hearings.

MR. D. GOURLAY: Mr. Speaker, I wonder if the Minister could clarify the actual position. Will the Government, through the Minister of Municipal Affairs, have a firm position to take to those hearings so that the various people that are asked to come to those hearings know what the Government's position is going to be?

HON. A. ADAM: Mr. Speaker, we have a number of recommendations provided to us by the Weir Committee on Assessment. The major problem is that people do not understand what has been recommended. It's a very complex document and, as a result of that, we have received some requests by some local Governments to please come out and advise us what the recommendations are because we don't understand them; they are too complex. The primary purpose of the hearings is to go out and try and impart this information that is contained in the recommendations so that we will —(Interjection)— I'm not sure whether members opposite understand the recommendations themselves, but we know there are a lot of people out there that are having difficulty grappling with the recommendations and we will want to have some feedback from people out there what they think of these recommendations. We believe in interfacing with the public, in communicating with the public, and we intend to do that, Mr. Speaker.

MR. D. GOURLAY: Mr. Speaker, I wonder if the Minister can indicate at this time the locations and dates as to the actual hearings.

HON. A. ADAM: I believe the dates will be between the 24th and 28th of January. Staff is working on the details. We want to meet, Mr. Speaker, with the Advisory Committee of Municipal Affairs so that we can discuss with them where the most appropriate places are to have the hearings and we will announce that in due course.

Festival du Voyageur - casino facility

MR. SPEAKER: The Honourable Member for La Verendrye.

MR. R. BANMAN: Thank you, Mr. Speaker. I direct my question to the Minister of Finance and would ask him if he could confirm that he presented a cheque for \$125,000 to the Festival du Voyageur for the establishment of a casino facility?

MR. SPEAKER: The Honourable Minister of Finance.

HON. V. SCHROEDER: No, Mr. Speaker.

MR. R. BANMAN: Thank you, Mr. Speaker. A question to the Minister of Economic Development and

Tourism, I wonder if she could inform the House whether or not she presented a cheque for \$125,000 to the Festival du Voyageur for the establishment of a casino facility.

MR. SPEAKER: The Honourable Minister of Economic Development.

HON. M. SMITH: Mr. Speaker, the Festival du Voyageur received a cheque for their role as a tourism attraction and the casino operation is, as you all know, a part of the winter festival but in fact it is not the only part of the operation. So I think the purpose of the money is certainly not to be separated from the casino operation but it is only dedicated to that role in the sense that it is a part of their total winter festival and it happens to be the major tourism attraction in Manitoba in the winter months.

MR. R. BANMAN: Mr. Speaker, in light of the province being faced with that particular facility, I wonder if the Minister could inform the House whether any studies as far as the viability or the feasibility of the establishment of such a facility was undertaken by her department before they issued any funds to that particular organization.

HON. M. SMITH: Mr. Speaker, the role of Travel Manitoba is to respond to requests according to the program areas that we have. In this case the Festival had done their planning and submitted their proposal and request for funds to the department. After very careful analysis of their proposal the department did not, in fact, meet the full level of their request but met the components of the proposal that we felt came within our area of concern. There was some difference between the amount requested and the amount granted but it seems to me that is a very normal procedure and, in fact, I think a very sound procedure that Government does not always give the full amount that a group would like to have but in fact designates that portion of the request they feel is fully supportable. That is in fact what we did and I think we made a very sound decision.

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

HON. L. DESJARDINS: Mr. Speaker, as the Minister responsible for Lotteries I feel that I have some added information to give the House. I'd like to do so at this time.

I wish to say that the Festival du Voyageur was informed that they had no automatic licence for that place and in fact that building, as far as I was concerned, would have to stand on its own two feet and not take any consideration that they would have any licence for either bingo or a casino. They acknowledged that to me and I could show the letter to the Members of this House and the honourable member if he wants to see it.

MR. SPEAKER: The Honourable Member for La Verendrye.

MR. R. BANMAN: Mr. Speaker, in light of the fact that

building was supposed to be used for a casino and now apparently is not functional for casino purposes. I have a further question to the Minister in charge of Lotteries. I wonder if he could tell me whether the Lottery Licensing Board made that decision or if the Minister made the decision.

HON. L. DESJARDINS: I made the decision to write to that group so they wouldn't go under the assumption they would have an automatic licence, either for a casino like it seems to have been the style the last few years, or that they could operate a commercial bingo. They would have to be subject to the same policy that would be made after we received the Jewers Report and the policies are made and announced in this House.

MR. R. BANMAN: Mr. Speaker, a question to the Minister in charge of Economic Development and Tourism. This then begs the question, if the Minister in charge of Lotteries informed the Festival du Voyageur that they did not have an automatic licence for a casino, can the Minister now - and since that was part and parcel of the economic viability of that facility —(Interjection)—

MR. SPEAKER: The Honourable Minister of Health on a Point of Order.

HON. L. DESJARDINS: The member insists on repeating and telling the members of this House and I'm answering that wasn't the case. We have documentation to prove that; that wasn't even taken into consideration at any time.

MR. R. BANMAN: Mr. Speaker, since —(Interjection)—

MR. SPEAKER: Order please.

MR. R. BANMAN: Mr. Speaker, I wonder if the Minister of Economic Development and Tourism would provide the House with the rationale, the feasibility workings with regard to that facility so that we can have a look and see whether or not the \$125,000 was expended in a proper and fiscally prudent manner so that we can assure the taxpayers of Manitoba that this particular instance is one that was studied very thoroughly before it was gone into.

MR. SPEAKER: The Honourable Minister of Economic Development.

HON. M. SMITH: Yes, Mr. Speaker. When we received the request for a grant by the Festival, the Honourable Minister responsible for Lotteries and myself met together and realized that there might be some assumption on the part of the Festival that there was going to be a regular licence for them to operate casinos there and that might in fact leave them to undertake a more ambitious project than was reasonable. So we undertook to meet with them, Mr. Speaker, and explain to them that we were not in a position to guarantee them any right to hold casinos there during the part of the year when the Festival proper was not in session and that we wanted them not to make any assumptions they were financing that

building with the expectation of casino funds. Therefore, I think what we did was ask them to review their plans and we in fact made very careful details in offering the grant to exclude any dependency on casino funds.

In fact, we did reduce the amount that was given to them from their original request because we thought there had been somewhat - how shall I say? - an excessive expenditure pattern laid out and we felt we shouldn't be responsible for rather ambitious planning on their part. The part of the operation that we felt we could, in good conscience fund, was the facility which does have meeting rooms that are complementary to our Convention Centre. They have a smaller-scale room which is available for those conventions, large meetings, which often get bumped from the big Convention Centre because it has to give priority to national or international conventions. We examined it very carefully in relation to that facility and then made very clear to the organizers of the Festival that we wanted to support their festival activities in the winter, but not an ongoing casino activity. It is fully documented and I think the \$125,000 is clearly designated to the tourism components of that operation.

MR. SPEAKER: Order please.

Time for question period having expired.

ORDERS OF THE DAY

THRONE SPEECH DEBATE

MR. SPEAKER: On the proposed motion of the Honourable Member for Riel and the motion in amendment to by the Honourable Leader of the Opposition, standing in the name of the Honourable Member for St. Norbert.

MR. G. MERCIER: Mr. Speaker, thank you very much. Mr. Speaker, I too, like others who have spoken in this debate, am happy to see that you, Sir, have recovered from the health problems that you had during the last Session and, very sincerely, extend to you my best wishes for a healthy Session and many more until this Session ultimately prorogues.

Mr. Speaker, yesterday my Leader referred to the NDP election document, "A Clear Choice for Manitobans," as the most misleading election document ever produced by a political party in Manitoba. Mr. Speaker, he was more than accurate. Contained within that document was a promise which I don't believe he referred to, but it was one that said, "An NDP Government would take action to get Manitoba's troubled economy moving again and restore vitality to the provincial economy." Mr. Speaker, I think it's fair, as he did, to judge the honesty and the integrity of a Government by what it promises to do and by what it actually does.

Today, Mr. Speaker, the Minister of Finance tabled the latest Quarterly Financial Statement in this House showing a predicted deficit of \$498.4 million, double the deficit of the last fiscal year. Mr. Speaker, do you recall, the people of Manitoba will recall, the comments of the First Minister, when shortly after assuming office or just before assuming office, when the latest Quarterly Report was issued that indicated a

deficit of some \$257 million how upset the First Minister was, how he indicated it would be impossible for their Government under these circumstances to carry on, that this was such a burden that the Conservative Government had thrown upon them and how irresponsible it was for us to have had a deficit in that amount. Now we have witnessed, Mr. Speaker, the ability of the Minister of Finance in this particular Government to manage the economic affairs of the Province of Manitoba, \$498.4 million or half a billion deficit predicted by the end of this year.

I suppose, taken by itself, it's not that important, Mr. Speaker, but I think we have to look seriously at the implications for the province as a whole. One of the first questions that comes to mind, Mr. Speaker, is, what will this do to the credit rating of this province? There was some doubts expressed, as I recall, when the Budget was announced last spring by the Finance Minister as to the effect of that deficit on the credit rating of this province. Mr. Speaker, it will be interesting to learn in coming days and weeks what effect the amount of this deficit is going to have on the credit rating of this province.

In addition, Mr. Speaker, our Leader referred to the burden particularly on the younger people of this province who are going to have to pay off these kinds of debts. This, without question, is going to impose a burden on the people of this province to retire a deficit of this size and it is incumbent, Mr. Speaker, upon this Government who admitted in the Throne Speech that there was a recession under way when they took office. They admitted that in the Throne Speech but, yet, they ran up a deficit like this, but it is incumbent upon them, Mr. Speaker, to gain control of the finances of this province in the best interests of this province. We, as our Leader has said, will do everything we can, Mr. Speaker, to deal with that issue and to offer constructive criticism.

There appears to be, Mr. Speaker, very little similarity between what this Government says it will do and what it actually does. Mr. Speaker, it persists in self-serving rhetoric and attempts to fool and delude the people of this province.

On Page 9, Mr. Speaker, of the Throne Speech, they stated that "The residents of this province have the right to demand of their elected officials the highest possible standards and to that end, legislation dealing with conflict of interest of members of the Legislative Assembly and conflict of interest of members of Municipal Councils will be introduced."

Mr. Speaker, I think it would be much more to the point if they wish to achieve that objective, because it's certainly a right that the residents of this province have, but it would be much more to the point if the Government in its election documents, in all of its statements, would stick to the truth and be honest with the people of Manitoba. That would be much more important to the residents of this province than the kinds of statements we've had to deal with and the kinds of election promises that were offered to the people of Manitoba when we look at the results of what has occurred.

Mr. Speaker, they continue to offer to the people of Manitoba this self-serving rhetoric. On Friday last, Mr. Speaker, I think the Premier of this province sunk to the lowest level that I have seen him go. He said on

Page 9 of Hansard in response to a question of the Leader of the Opposition, "The Honourable Leader of the Opposition should then identify for us, item by item by item, not just peanut items but substantial items because this Government, unlike the previous Government of the Province of Manitoba, does not intend to kick the crutches out from underneath the handicapped in the province." Mr. Speaker, that kind of statement, an outright lie from the Premier of this province to other elected representatives causes me, certainly personally, and I know causes members of this Opposition, a great deal of concern, Sir. I had the opportunity, Mr. Speaker, when I served on City Council as Chairman of the Works and Operations Committee, Sir, to initiate in the City of Winnipeg the Handi-Transit system, and I give credit to the NDP Government of that day for complying with the request from the City of Winnipeg to offer some financial support. We initiated that program, Mr. Speaker, and it's not only - it's not perfect, nothing is perfect - but it's a good system for transportation of physically handicapped people and probably one of the best certainly in North America.

Our Government carried out programs while in office to support the rights of handicapped people, Mr. Speaker, and to have the Premier make a comment like this - you know when it comes from the Premier of the province it comes from the office of the Premier - there are people out there who believe that kind of comment. Mr. Speaker, I personally resent that and I think every member on this side resents that and I hope perhaps one of the few members who is in the House from the opposite side will bring that to the attention of the First Minister because I think he should, in all honesty, withdraw that statement.

Mr. Speaker, the Government however continues with its propensity to diverge from the truth and offered recently to the press, to the media and to the public, a report on action taken by the NDP Government, December, 1981 to November, 1982. In that report, Mr. Speaker, I'm only going to deal with a few paragraphs, but in the second-last paragraph on the first page, they talked about, "For the first time in several years, Manitoba's forecast to have one of the best economic performances of any province." Mr. Speaker, we've heard the Quarterly Financial Report today. They knew that was coming so maybe it was at the printer's, Mr. Speaker. But despite the Minister of Finance's and the Government's knowledge of this report, they made a statement like that to the people of Manitoba.

They went on, Mr. Speaker, in the last paragraph on that page that said,

"Many individuals and groups that seem to be losing hope in the future have some expectation of a better life for themselves and their children." Explain that, Mr. Speaker, to the 5,371 individuals or families who are on welfare in the City of Winnipeg, an increase of 131 percent over the 2,322 welfare cases just 12 months ago when this Government just took office.

Mr. Speaker, they go on to talk about the good start made by the new NDP Government. They talk about a one-time \$23 million Interest Rate Relief Program. Well, I know, Mr. Speaker, the Member for Tuxedo is going to want to ask some questions about that, like it's been described as a \$23 million Interest Rate Relief

Program for months and months and months, but have they really spent any more than \$5 million? And why did they only spend \$5 million? Because they so restricted the requirements under that program that those are all the people who have been able to qualify, Mr. Speaker. We told them that during Estimates last year, that they had to loosen up the restrictions to help the people who were being hurt. We know there was something like 176 percentage increase in bankruptcies. —(Interjection)— New northern policies are evident, they sure are, Mr. Speaker. Tell that to the miners up North.

They go on, Mr. Speaker, to talk about restoration of the health care system as being led by an increase of almost 100 percent in health construction. Mr. Speaker, they very conveniently omit to mention that it was our construction program that we planned and worked on and had started the two years prior to our defeat. It's a good program, Mr. Speaker. We're happy they're proceeding with it. In fact, the only good things you'll find as you go through this report are the programs that we had implemented and they are carrying on. Everything else, Mr. Speaker, has been botched.

Likewise, Mr. Speaker, they go on to say on Page 4, "That legislation to establish a Manitoba Oil and Gas Corporation is being prepared on the basis of consultation with our fast expanding oil industry." Why do we have a fast expanding oil industry, Mr. Speaker? We have it because we changed the rates of taxation in that particular industry and that's why it has expanded.

Here's one of the funniest ones of all, Mr. Speaker. "Hydro development policy has been broadened to include all possible markets, rather than one to the exclusion of others." Mr. Speaker, they've botched the Western Grid and now they're trying to tell us that hydro development policy has been broadened. The fact of the matter is, Mr. Speaker, under this Government because of their actions, there will be no hydro development in Manitoba.

Mr. Speaker, they go on to talk about - and I want to expand on this later on because they have the nerve again to talk about increased grants to school divisions in municipalities to ease the property tax burden. We know, and I've said it on numerous occasions but it bears repeating once again, under this government taxes in the City of Winnipeg School Division on an average \$7,000 assessed home have more than doubled in one year over the total increase over a four-year period under the Conservative Government. If that's easing the property tax burden, and they implicitly refer to it again in the Throne Speech, the homeowners in the City of Winnipeg and owners of property throughout this province, I take it, are in for another large property tax increase and that's not certainly what this NDP Party promised to the people of Manitoba.

They go on to talk about jobs and labour and I want to deal with that in some detail as they move on. The unemployment situation, Mr. Speaker, has to be the bottom-line statistic in the consideration of the performance of any Government. This November, 1982 labour force survey, Mr. Speaker, which was distributed on Friday last, shows 52,000 unemployed people in the Province of Manitoba. And what is even worse, we find out that the City of Winnipeg now has the second highest unemployment rate of any major city

in Western Canada and this Government keeps saying that things are bad, but we're not doing as badly as other provinces. But I want them to answer the question then, and perhaps the Minister of Labour can offer an answer to it. The national actual unemployment rate has increased 54 percent, comparing November, 1982 to November of 1981, but Manitoba's rate has increased over that same period 79 percent, much much higher than the national rate. I don't call that, Mr. Speaker, better performance than all other provinces in Canada. —(Interjection)— I didn't hear that remark, Mr. Speaker, if the member wants to repeat it louder.

If you recall the figures for the month of August, Mr. Speaker, we had the highest rate of increase in unemployment and now again, in November of 1982, seasonally adjusted, we have the highest increase of any province.

Mr. Speaker, I'm not trying to gloat over these statistics. I think, Mr. Speaker, they are tragic. They are not just statistics, Mr. Speaker, as we all should know. Each one of those numbers, Mr. Speaker, represents a human being, an individual, a resident of this province. A certain number may be living alone, but many of whom may be supporting a spouse, a family, perhaps a single-parent family. Mr. Speaker, there's a story of human misery and tragedy behind each one of these statistics.

I have been called, Mr. Speaker, in past months by many people unemployed, as I'm sure many members here have. Mr. Speaker, when you talk to a Versatile employee, a young married man with a young family and a mortgage payment, concerned about losing his home, laid off; Mr. Speaker, when you talk to University of Manitoba graduates, one in particular told me the other day he graduated with a Master's degree in Business Administration and can't find a job.

Mr. Speaker, those figures, those statistics, the numbers represent 52,000 cases of human misery and tragedy. I don't particularly want to emphasize one group over another according to ages, Mr. Speaker, but in Manitoba in the 15-24 year category, the unemployment percentage is 16.4 percent. Mr. Speaker, these are the people whom we've been training and we've been educating in our educational system and we've been telling them, perhaps as parents, to work hard in school, to take a course, to learn a trade, to do something to get a job. Then they graduate, Mr. Speaker, and there is nothing available for them. The Minister of Labour, I take it, is not that concerned with hearing about the tragedies that are existing in unemployment.

Mr. Speaker, those examples that I mentioned are only a few. As I said at the beginning with respect to unemployment, those statistics have to be the bottom-line statistics. They have to be the most important indication of the performance of the Government. Whatever political stripe the Government is, they have to be most concerned with that type of situation, Mr. Speaker. What has to occur, I think, and I suggest to the Government, is that they have to deal solely with the problem of unemployment. Every facet of their activity, every consideration of any financial spending in their Estimates, Mr. Speaker, has to be directed at the impact on employment in this province, because you simply can't have that many

people unemployed. It's absolutely tragic. What is even more disturbing, Mr. Speaker, is that from the predictions we read about by economists, it looks like it will be getting worse and that imposes the highest possible responsibility on the part of the Government to deal solely with this problem of unemployment.

The thing that should be done, Mr. Speaker, is I think they can forget about a lot of these things that are in the Throne Speech. You know, they talk about human rights. Well, if you don't have a job, Mr. Speaker, you don't have very many rights. There are so many things that are mentioned in this Throne Speech, Mr. Speaker, that should be, I suggest, just scrapped at least for this Legislative Session so that this Government can concentrate solely on the problem of unemployment, because it's getting worse. When the Member for Turtle Mountain and the Leader of the Opposition called for a Budget to be brought in as early as possible, they called for the House to be recalled as early as possible after Christmas and New Year's, Mr. Speaker. I support that because that has to happen in order that the problem of unemployment is addressed properly.

In addressing that problem, Mr. Speaker, they have to look at whether or not they can continue the payroll tax. Nearly everybody in the province, Mr. Speaker, certainly the interested groups, the construction industry - you can go through them - the Chamber of Commerce, individual employers, and I've talked to individual employees and employers across this province who believe it's a tax on employment. There is no question about it. It is a very regressive tax. Whether you make a profit or not, you have to pay the tax and with the cash-flow difficulties that many small businesses and large businesses are having these days, eventually it gets down to the company laying off an employee or reducing the wages of an employee or not taking on another employee that might have been hired otherwise in order to pay the payroll tax. Mr. Speaker, they have to, in the consideration of the serious unemployment statistics, look at that payroll tax situation.

A smaller point on that tax, we've heard over the past year the concern of this Government with respect to day care standards, Mr. Speaker, improving the standards of day care. I think, Mr. Speaker, we had a good record in that particular area. We increased the number of centres considerably and spent a great deal of money in that particular area. But I was in a day care centre the other day, Mr. Speaker, in the fall. They had a fixed budget approved. They are hard-pressed for money. The people who work in the day care centres are not paid that well, as we know, but they had to pay, in October, the payroll tax. They had to find, somewhere within their budget, money to pay the payroll tax - and don't tell me that's not going to affect the standard of care for the children in that particular day school. Mr. Speaker, there has to be some rational approach to that tax because it's just regressive. It's a wrong type of tax and has to be withdrawn.

Now, Mr. Speaker, we've heard a lot about the Economic Summit and then, right after the Economic Summit, and the Member for Lakeside asked a question, we get an announcement in the Throne Speech that we're going to have a public life insurance com-

pany in Manitoba and we're going to have ManOil. We already have the payroll tax, Mr. Speaker, and there are really no initiatives for the private sector in this Throne Speech.

In "A Clear Choice for Manitobans," they talked about providing an economic climate, building a great future. Mr. Speaker, I suggest to this Government that by these kinds of actions they are not creating the kind of investment climate in Manitoba that will create new employment opportunities in Manitoba and particularly, the Premier of this province should remember that he has to compete with three other western provinces, B.C., Alberta and Saskatchewan, and there are many matters where interprovincial co-operation particularly between the western provinces can prove beneficial for the Province of Manitoba.

They have lost the Western Grid but there still are other projects out there that western Governments have discussed for a number of years where co-operation can bring benefits to Manitoba. But, Mr. Speaker, we have the Premier of this province out campaigning on behalf of the NDP in each of those provinces. He was in Alberta during the election; he was in Saskatchewan and he's just been in B.C. - (Interjection) - Well, it was just before the election. There's no law, no, in response to the Minister of Health, there's no law, Mr. Speaker.

But I suggest to the Premier and to the NDP Government that the people in those provinces elect their Government and he should deal with them. It's more important for him to be co-operating with the governments of those provinces, rather than out trying to defeat the Government. It just doesn't make sense. It's something we didn't do, Mr. Speaker, and there are very very few provincial Premiers who interfere in the electoral activities of other provinces. I am just saying to him, Manitoba needs the co-operation of the other western provinces to create employment opportunities in Manitoba and I suggest, Mr. Speaker, that he confine his partisan political activities to the Province of Manitoba in order to gain the co-operation of the other western provinces.

Well, Mr. Speaker, I'm glad the Minister for Urban Affairs is here. I have talked about the increase in the rate of real property taxation in Manitoba and they have some cliches in the Throne Speech about increased grants to the City of Winnipeg. I hope, Mr. Speaker, that they will offer some real financial support to them this year so that the citizens of this city do not have to bear the burden of the kinds of increases that they had last year.

Now, Mr. Speaker, in one area, I would like the Minister of Urban Affairs, perhaps during the Throne Speech or I'd certainly prefer to see it before this Session adjourns over the Christmas and New Year period, I would like to have him explain why the Provincial Government is meeting with the Federal Government on the question of the Shoal Lake Development without the participation of the City of Winnipeg. Why, Mr. Speaker, does the City Government have to go to the extent of mailing a brochure to every resident of the city to the effect that Winnipeg's water supply needs protection in order to gain support from the residents of this city so that they have a position of strength to deal with the Provincial Government who, according to an editorial in the Winnipeg Free Press

today says. "The Provincial Government Manitobans have, however, has taken a variety of obscure or equivocal positions which seem to reflect a desire to conciliate the Indian band and to punish the city." There should be, Mr. Speaker, some answers. - (Interjection)- You're worried about the water? There is no question we're worried about the water and we want to ask the Minister and the Government, why aren't they supporting the city? The City Council and the Mayor are concerned about the water. That's their primary concern, about protecting the water supply for the City of Winnipeg. So why do we have the Provincial Government meeting with the Federal Government to talk about this problem without the City of Winnipeg's participation, Mr. Speaker?

Mr. Speaker, there has been nothing but confrontation by this Government with the City of Winnipeg since they were elected. I don't know whether it's a make-work project for the 19 additional people they hired to form the Urban Affairs Department. You know, he's had a great month in November, the Minister of Urban Affairs, Mr. Speaker. At the last possible moment while the Executive Policy Committee was considering Plan Winnipeg, he dropped in their laps a 12-page detailed letter of his concerns on Plan Winnipeg, after the public hearings were completed, Mr. Speaker. On Page 3 of that letter he said, "One of the following specific urban policy objectives could be defined to promote citizens' input in the decision-making processes that directly or indirectly affect them." Well, he gave them this detailed information after the public hearings were concluded, so that his letter was not subject to the public hearing process, Mr. Speaker. He described it on Page 2 as "a preliminary listing of provincial urban policy objectives." Are there more, Mr. Speaker? He just doesn't want the city to deal with their municipal responsibilities. He wants them, I suppose in recognition of their lack of ability to deal with this problem, to take over the problem of creating employment opportunities.

Mr. Speaker, he wants to have the right to veto any major transportation project in the City of Winnipeg. He wants to reserve the right to approve or reject specific programs outlined in Plan Winnipeg to accommodate anticipated growth for the next 20 years. He wants them to plan, but he wants to have the right to veto any particular project, Mr. Speaker.

We have seen, Mr. Speaker, the articles of recent days in which the councillors are talking about the Logan Avenue Industrial Park under the Core Area Initiative Program and saying, "The problems arise from provincial insistence on changing aspects of the plan." Mr. Speaker, I don't dispute that there will be items where a City Government and a Provincial Government will have a difference of opinion but to have so many is almost mind-boggling - what has occurred in one short year.

Mr. Speaker, they have really achieved very little progress with respect to the Core Area Initiative or the ARC Program, the development of the east yards and the development north of Portage Avenue. They had some major development programs for the City of Winnipeg under the ARC Program and the Core Area Initiative but nothing has occurred.

Mr. Speaker, they talked about co-operative federalism. I wish they would exercise that in reverse and

exercise some co-operation with the Mayor and City Council. I think the Mayor and the Members of City Council have to be respected as elected representatives from the City of Winnipeg for the matters under their responsibility and it is wrong, Mr. Speaker, for the Provincial Government on so many matters to be insistent on imposing their own particular views on the democratically elected City Government.

Now, Mr. Speaker, apparently in this Throne Speech they are going to make amendments or propose amendments to this Legislature to make councillors more accessible to the public. It will be interesting to see what kind of proposals come forward in that particular area because I suggest, Mr. Speaker, that councillors - and I've worked with them and talked with them since they are much more accessible to the public than members of this Legislature or members of the Federal Government are, Mr. Speaker, get 15, 20 phone calls a day from residents of their ward. In terms of communication with the public I found, as a City councillor, you were in touch a thousand times more with residents of your constituency than you are in the Provincial Legislature. There is a reason for it; it is because the people phone about local problems all of the time and they look to a councillor to resolve all local problems. The Provincial Legislature is involved in much broader programs so you don't have the same number of communications with your constituents as you do at the city level but it will be interesting to see what the Minister proposes in order to make councillors more accessible to the public. I suspect he simply will not be satisfied that they are accessible enough unless they agree with him, Mr. Speaker.

He has indicated during the first year in office, I think, a lack of ability to work with the democratically elected Mayor and members of City Council and this proposal to amend the Legislation in that way is just another indication of that particular failing.

It was interesting, Mr. Speaker, during the election, that my previous Deputy Minister, now the Minister's Deputy Minister, at that time an NDP candidate, said the PC Party was not committed to the Core Area Initiative. Well, as I have said, virtually nothing has happened under this Government for the City of Winnipeg under the Core Area Initiative and under the ARC Program. There are many programs there that could have been very directly connected with helping to solve the monstrous unemployment situation which exists in this province but there is very little development other than the development of a bureaucracy in his department and what tends to appear as a development of a bureaucracy in the Core Area Initiative under the leadership of his now Deputy Minister candidate and former NDP candidate.

Mr. Speaker, we would like to know from the Minister, and the Minister is slowly reaching that period of time, the beginning of the new fiscal year for the City of Winnipeg, what financial support will the Provincial Government be providing to the City of Winnipeg and what, particularly in view of this report today, will be the City's share of unconditional grants for the coming year? Will there be an increase from that program or will there be a decrease in that particular program for the revenues of the City of Winnipeg? Those should be announced very clearly and very quickly, Mr. Speaker. What will be the degree of support for the

City of Winnipeg for its Capital Construction Program?

Mr. Speaker, the record of this particular Government with respect to the area of Urban Affairs in the City of Winnipeg where we now have the second highest unemployment rate of any major city in Western Canada; where we have confrontation with the City of Winnipeg; where we have an intolerable increase in the burden of taxation on City of Winnipeg residents during the past year; we have outright interference in the normal activities of the City of Winnipeg by the Minister and this particular Government and, Mr. Speaker, I should remind the Minister of Urban Affairs that when I was a member of City Council, in dealing with the then Premier Schreyer's Government, even Premier Schreyer at that time was extremely reluctant to attempt to duplicate the Civil Service of the City of Winnipeg and refused to do so in many areas. Apparently that wiser viewpoint, Mr. Speaker, has now been lost in the NDP.

Mr. Speaker, the performance of this Government is so serious in its ramifications and effects, not only for the people of the City of Winnipeg, for the province as a whole, that they, in order to restore any credibility, I'm sure will want to brush aside some of the less important matters that are referred to in this Throne Speech and come back to this Legislature as soon after Christmas and New Year's as possible to go through these Estimates with a view to attempting to help some of the now 52,000 unemployed people who are out of work, help to find and create some employment opportunities for those people, Mr. Speaker. That is the bottom-line statistic; that is the basic failure of this Government, Mr. Speaker, and it's one that, in the public interest, setting aside any partisan, political philosophies or differences of opinion with members opposite simply has to be dealt with because it's a story of human tragedy and misery and a story of a large number of young people who are losing hope in the future and it simply has to be dealt with and has to be resolved.

Thank you.

MR. SPEAKER: The Honourable Member for Rupertsland.

MR. E. HARPER: Mr. Speaker, first I would like to congratulate you on your performance under great pressure and during difficult decisions. I wish you the best of health and that you will continue to serve the House and the citizens of Manitoba.

I also would like to extend my congratulations to the new Deputy Speaker and also the Chairman of the committees.

Mr. Speaker, I am honoured to take part in this Throne Speech Debate. I speak to you today as the first Treaty Indian sitting in this House and also in Government. This uniqueness confers upon me the responsibility not only of speaking for my constituents of Rupertsland, but also to try to convey to my fellow MLAs and through them to the citizens of Manitoba the views and aspirations of the aboriginal people of Manitoba - the Indian, the Metis.

Mr. Speaker, I'm going to take this opportunity today to try to tell you who we are and what we want. I intend to show you how very fragile the freedoms of Native people are and how eroded the rights of Native

people are. I welcome the Throne Speech in which the Government will be in an active role and will work to ensure that justice for Native people is achieved.

It is essential to review the history of our relationship. Some understanding of the context of the treaties and of The Indian Act is fundamental to the understanding of Native people and it is also fundamental to the understanding of our position in the constitution.

The treaties are viewed by my people as solemn pacts between sovereign nations. We've ceded vast amounts of land to the European settlers in return, Mr. Speaker, for a number of rights and provisions set out in the treaties. We are not asking for special status, Mr. Speaker. We are asking that treaty obligations be fulfilled. Today, these treaty rights and provisions we seek are often dismissed. As Pierre Elliot Trudeau said, "We do not think that there are different categories of Canadians. We believe that all Canadians should be equal, and that it would be desirable to attempt to define rights in a way that does not distinguish between ethnic groups."

In fact, Mr. Speaker, we are distinguished from other Native groups by the fact we have ceded land and were promised some things in return. Mr. Trudeau cannot be ignorant of the significance of the treaties. Yet, Mr. Speaker, his wording dismisses our treaty rights. The issue is not well understood by the general public but it is absolutely fundamental to our position. The rights we pursue, such as hunting and fishing, are not special concessions, Mr. Speaker. They are part of the negotiated settlement over ownership of this country called Canada. We seek recognition as a collectivity, not a million individuals, not one heterogeneous group labeled Native people for convenience but, Mr. Speaker, three collectivities: the Indian, the Metis and the Inuit.

It has been said that a sense of nation is conferred by ancestry or world view, singleness of purpose, regional similarities or allegiance to some external unifying ideal. Mr. Speaker, Canada is not obviously bound into nationhood by any one of these qualities, rather, some of Canada's national identity is conferred by our enormous ethnic group diversity. However, the Native peoples of Canada are bound into a sense of nationhood by many of these qualities.

We ask for recognition as a collectivity, as a nation. Mr. Speaker, we do not entirely share the liberal Canadian ethic of individualism. We do not support the concept of unrestrained free enterprise; rather, Mr. Speaker, we put the good of the community first.

Mr. Speaker, with all the disclaimers about special status, I must acknowledge one kind of special status we are given. Every national study of socioeconomic conditions or social conditions has a special section for Native people. Why? Mr. Speaker, because we "enjoy" the highest rates of tuberculosis, the highest rate of birthrate, the earliest age of death, the most admissions to hospitals on a per-capita basis and the longest average hospital stay. Mr. Speaker, we also enjoy the highest rate of death from motor vehicle accidents, homicide and suicide. We have the lowest standard of housing, the most people per room, the fewest toilets, the least running water. Mr. Speaker, we also have the lowest level of education, the lowest per-capita income, and the highest rate of incarceration.

tion of any group in Canada.

Mr. Speaker, the Speech from the Throne talks about the crisis of 10 percent unemployment, and I applaud the moves to ease that burden. We hear in the news that Sudbury, in Ontario, would be at 33 percent unemployment this winter. How would you like to live in a community with 50, 70, 85 percent unemployment? Unemployed Treaty Indians are not even factored into unemployment statistics unless they are on UIC, and I don't need to remind you that trappers don't even qualify for UIC. If we were calculated in with mainstream Canada to produce our social and economic statistics, the numbers would be pulled in a negative way - a national disgrace. So we get our own section, Mr. Speaker. We get special status. The solutions we seek are not special status, Mr. Speaker, but will eradicate this tragic litany of suffering.

I am now going to turn to address the legislation that has affected Indian people over the years. The Indian Act evolved from The BNA Act, Section 91:24. This Act gives exclusive jurisdiction to the Canadian Parliament. It has jurisdiction and responsibility for Indians and land reserved for Indians. It is well known that The Indian Act, Mr. Speaker, is antiquated, maternalistic, and dysfunctional insofar as real economic development is concerned. Mr. Speaker, Indians were merely a piece of property. The Indians needed a piece of paper from the Indian Agent tantamount to a passport when they traveled off reserves. I guess you can say that we were foreigners on our own land. A systematic effort to colonize and assimilate our people resulted in poverty, ill health, unemployment, and welfare dependency. Mr. Speaker, I mentioned in the previous Throne Speech Indian people acquired recently a right to vote and yet today in 1982, Mr. Speaker, the Indian people are still governed by the Minister of Indian Affairs by way of The Indian Act, a form of martial law.

There have been significant efforts to alter the constraints of the The Indian Act. Mr. Speaker, a paper was introduced in 1969 called a White Paper. This paper sought to dismantle the reserve system. While there is much that's wrong and unjust about the reserve system it at least provides some guarantee of a land base. This proposal, the White Paper, galvanized the Indian community into action and the subsequent debate brought an apparent change in a stance of Government. However, Mr. Speaker, some analysts have suggested that this termination option remains very much alive and well. There are documents and policies implemented that may be interpreted to suggest that the principles of the White Paper are flourishing.

Mr. Speaker, in 1982 we have the latest and very serious effort to replace The Indian Act. Legislation entitled The Indian Government Bill is being presented as an attractive alternative, Mr. Speaker. It is in reality a mechanism for coercing Indian Bands into enfranchisement in return for monies and some powers of municipal governments. It is the mechanism for terminating existing rights.

I am now going to turn to a description of where we are now and try to describe more of what Native people want and the reasons why our goals are not well understood. Mr. Speaker, the conditions of reserve and northern rural living are forcing families to come

to cities to look for work or for tolerable living conditions.

No jurisdiction is willing to deal with urban Indians. There are no efforts to build transition programs except where Native people are trying to combat the reality such as the Women's Transition Centre and the Native Crisis Line. So the pressure builds, Mr. Speaker. More and more families are drifting in, no job skills, not being able to be employed, slum housing, crowding, despair, family violence, including child neglect and abuse, and also alcoholism and crime. Mr. Speaker, over one generation there will be a loss of the traditional values of respect for living things, honour for things we hold sacred and peaceful community life. Mr. Speaker, I fear for the current generation of children growing up in cities, in deprivation and squalor and I fear the social consequences of this generation's expression of hurt and frustration.

Mr. Speaker, in England in the 1800s, major social legislation was enacted to help the poor. In part, this move was prompted to protect the upper class from contagious disease rampant among lower class. Mr. Speaker, our contagious diseases today go beyond the standard concept, to include violence. Right now we murder ourselves and we commit suicide at six times the national average. This may be described as genocide turned inward.

Mr. Speaker, the expression of anguish can go three ways: it can remain inward, it can turn outward, or it can be dissipated through enlightened legislation and policy making. It is crucial that we look at the conditions of urban Native people and seek ways of resolving jurisdictional issues. Mr. Speaker, the Speech from the Throne indicated multiple and vigorous efforts will be undertaken by this Government in the move to redevelop Winnipeg's core area. This potentially can have a major positive influence on the right of urban Native people and I look forward to significant progress in this arena.

Mr. Speaker, this Government's record on funding services to Native people and participating in tripartite negotiations is outstanding. That participation has been very productive, witness the recent Child Welfare Agreement. The Speech from the Throne sets out the intent to respond to the needs of Native children and families. We will await the findings of Judge Kimelman's Commission.

Mr. Speaker, the past and current actions of this Government on the issue of Native children in foster care will go a long way in assisting us to preserve this precious resource. Mr. Speaker, the work however will not stop with Native foster homes and Native child care workers. The next priority would be to combat the social and economic conditions that tear families apart, that drive parents to neglect or abuse their children.

MR. SPEAKER: Order please.

The time being 5:30, I am leaving the Chair to return at 8:00 p.m. this evening. When we resume this Debate, the honourable member will have 21 minutes remaining.