



Legislative Assembly Of Manitoba

DEBATES and PROCEEDINGS

Speaker

The Honourable A. W. Harrison



ELECTORAL DIVISION	NAME	ADDRESS
ARTHUR	J. D. Watt	Reston, Man.
ASSINIBOIA	Geo. Wm. Johnson	212 Oakdean Blvd., St. James, Wpg.12
BIRTLE-RUSSELL	Robert Gordon Smellie	Russell, Man.
BRANDON	R. O. Lissaman	832 Eleventh St., Brandon, Man.
BROKENHEAD	E. R. Schreyer	2-1177 Henderson Hwy., Winnipeg 16
BURROWS	J. M. Hawryluk	84 Furby St., Winnipeg 1
CARILLON	Edmond Prefontaine	St. Pierre, Man.
CHURCHILL	J. E. Ingebrigtsen	Churchill, Man.
CYPRESS	Mrs. Thelma Forbes	Rathwell, Man.
DAUPHIN	Hon. Stewart E. McLean Q.C.	Legislative Bldg., Winnipeg 1
DUFFERIN	William Homer Hamilton	Sperling, Man.
ELMWOOD	S. Peters	225 Melrose Ave., Winnipeg 15
EMERSON	John P. Tanchak	Ridgeville, Man.
ETHELBERT PLAINS	M. N. Hryhorczuk, Q. C.	Ethelbert, Man.
FISHER	Peter Wagner	Fisher Branch, Man.
FLIN FLON	Hon. Charles H. Witney	Legislative Bldg., Winnipeg 1
FORT GARRY	Hon. Sterling R. Lyon, Q. C.	Legislative Bldg., Winnipeg 1
FORT ROUGE	Hon. Gurney Evans	Legislative Bldg., Winnipeg 1
GIMLI	Hon. George Johnson	Legislative Bldg., Winnipeg 1
GLADSTONE	Nelson Shoemaker	Neepawa, Man.
HAMIOTA	B. P. Strickland	Hamiota, Man.
INKSTER	Morris A. Gray	141 Cathedral Ave., Winnipeg 4
KILDONAN	A. J. Reid	561 Trent Ave., E. Kild., Winnipeg 15
LAC DU BONNET	Oscar F. Bjornson	Lac du Bonnet, Man.
LAKESIDE	D. L. Campbell	326 Kelvin Blvd., Winnipeg 29
LA VERENDRYE	Stan Roberts	Niverville, Man.
LOGAN	Lemuel Harris	1109 Alexander Ave., Winnipeg 3
MINNEDOSA	Hon. Walter Weir	Legislative Bldg., Winnipeg 1
MORRIS	Harry P. Shewman	Morris, Man.
OSBORNE	Obte Baizley	185 Maplewood Ave., Winnipeg 13.
PEMBINA	Mrs. Carolyne Morrison	Manitou, Man.
PORTAGE LA PRAIRIE	Hon. John Aaron Christianson	Legislative Bldg., Winnipeg 1
RADISSON	Russell Paulley	435 Yale Ave. W., Transcona 25, Man.
RHINELAND	J. M. Froese	Winkler, Man.
RIVER HEIGHTS	W. B. Scarth, Q. C.	407 Queenston St., Winnipeg 9
ROBLIN	Keith Alexander	Roblin, Man.
ROCK LAKE	Hon. Abram W. Harrison	Holmfild, Man.
ROCKWOOD-IBERVILLE	Hon. George Hutton	Legislative Bldg., Winnipeg 1
RUPERTSLAND	J. E. Jeannotte	Meadow Portage, Man.
ST. BONIFACE	Laurent Desjardins	138 Dollard Blvd., St. Boniface 6, Man.
ST. GEORGE	Elman Guttormson	Lundar, Man.
ST. JAMES	D. M. Stanes	381 Gullford St., St. James, Wpg.12
ST. JOHN'S	David Orlikow	179 Montrose St., Winnipeg 9
ST. MATTHEWS	W. G. Martin	924 Palmerston Ave., Winnipeg 10
ST. VITAL	Fred Groves	3 Kingston Row, St. Vital, Wpg. 8
STE. ROSE	Gildas Molgat	Ste. Rose du Lac, Man.
SELKIRK	T. P. Hillhouse, Q. C.	Domintion Bank Bldg., Selkirk, Man.
SEVEN OAKS	Arthur E. Wright	4 Lord Glenn Apts., 1944 Main St., Wpg. 17
SOURIS-LANSDOWNE	M. E. McKellar	Nesbitt, Man.
SPRINGFIELD	Fred T. Klym	Beausejour, Man.
SWAN RIVER	A. H. Corbett	Swan River, Man.
THE PAS	Hon. J. B. Carroll	Legislative Bldg., Winnipeg 1
TURTLE MOUNTAIN	E. I. Dow	Bolssevain, Man.
VIRDEN	Hon. John Thompson, Q. C.	Legislative Bldg., Winnipeg 1
WELLINGTON	Richard Seaborn	594 Arlington St., Winnipeg 10
WINNIPEG CENTRE	James Cowan Q. C.	512 Avenue Bldg., Winnipeg 2
WOLSELEY	Hon. Duff Roblin	Legislative Bldg., Winnipeg 1

THE LEGISLATIVE ASSEMBLY OF MANITOBA

2:30 P.M. Wednesday, March 28, 1962

Opening Prayer by Mr. Speaker.

MR. SPEAKER: Presenting Petitions.
Reading and Receiving Petitions.
Presenting Reports by Standing and Special Committees.
Notice of Motion.
Introduction of Bills.

HON. STERLING R. LYON, Q.C. (Attorney-General)(Fort Garry) introduced Bill No. 106, An Act to amend Certain Provisions of The Statute Law and to correct Certain Typographical Errors in the Statutes.

MR. MORRIS GRAY (Inkster): For many years we have had so many bills -- it costs money to print it or to introduce it time again. I want to direct a question to the Honourable the Attorney-General. You say a bill is going through the Legislative Counsel and it goes through the Ministers department. Why should there be errors in a bill unless the condition changes? But this is correcting errors, whether a period or a comma or a spelling, what is it and why should it come up here? It costs money to do it.

MR. T. P. HILLHOUSE, Q.C. (Selkirk): I would like to ask the Minister a question too. Why do they have rubber on the end of pencils?

MR. SPEAKER: Committee of the Whole House.

MR. DUFF ROBLIN (Premier of Manitoba)(Wolseley): Mr. Speaker, I beg to move, seconded by the Honourable the Attorney-General, that Mr. Speaker do now leave the chair and the House resolve itself into a Committee of the Whole to consider the proposed resolution standing in my name.

Mr. Speaker presented the motion and after a voice vote declared the motion carried and the House resolved itself into a Committee of the Whole House with the Honourable Member for St. Matthews in the Chair.

COMMITTEE OF THE WHOLE HOUSE

MR. ROBLIN: Mr. Chairman, His Honour the Lieutenant-Governor, having been informed of the subject matter of the proposed resolution, recommends it to the House.

MR. CHAIRMAN: Resolved that it is expedient to bring in a measure to amend The Metropolitan Winnipeg Act by providing, among other matters, that the committee or commissioners to review the field of common municipal services, for the appointment of which in the year 1965, and payment of the cost thereof, provision is made in Section 210 of The Metropolitan Winnipeg Act, may be appointed before the year 1965.

MR. ROBLIN: Mr. Chairman, I think the resolution pretty well speaks for itself. In the amendment to The Metropolitan Act, which will be given first reading I trust this afternoon, there is provision for altering the date at which the Committee of Review provided for in that Act may be called into action, and for that reason it seemed advisable to proceed by way of a message from His Honour.

MR. GRAY: With my apology to my leader, I am going to express an opinion of my own in connection with this resolution. We have supported the Metro, and there is no question about a Metro now. My first question is, the reason for it now. There must be a reason for giving them the power to consider it tomorrow instead of 1965. There must have been a reason. When we have given them the authority in '65, there must have been a reason then -- why now?

No. 2. The Metro Assessment Commissioner has made a re-assessment recently and have raised -- in many cases at least because I have hundreds of enquiries--raised the assessment, particularly on the land and, in some cases, even on the homes; and, of course, the Metro is being blamed. If the Metro Chairman or the Metro Council should come up before the court of the people today, I am sure they'd approve their hanging on the market square for tomorrow morning. But I think the public should know that an assessment commissioner is not responsible to both the municipality or the Metro. He's hired or could be fired in case he's

(Mr. Gray, cont'd.) not carrying out his duties right, but he cannot be criticized and he has full power to do it. The reason that I mention this is there is a real revolution -- or evolution among the working class for the increase of the assessment. Of course they don't know what would be the increase of the taxes because the tax bill has not yet been sent out, but the assessment indicates that there'll be quite an increase in the taxes. I think perhaps this should be brought to the attention, particularly of those who cannot afford to pay higher taxes, that the Metro is not entirely to blame.

Once we have supported and created the Metro, I think it is our duty to support them. We know that they are doing something which is radically wrong, but I don't think they are doing it, so my opinion is that something should be done in this connection to tell the people about it. There are rumours of reductions of assessment and so on. I think this could be cleared. I may tell you this, Mr. Speaker, this House, that there is a terrible unrest, a serious unrest among the taxpayers on the lower homes -- working men's homes -- blaming that this government has created something in order to get money out of them for their own purpose only. I don't think it's right and I think the Premier's duty is that this information should be in some way submitted to the people. Of course I am very anxious to know what is the reason to give them that power now instead of waiting until '65.

MR. ROBLIN: If I may say a word or two in response to my honourable friend, Mr. Chairman, I think that when we have second reading of the bill there'll be a pretty full explanation as to the purposes that are behind the government's move in this connection, and I'll be glad to give that explanation then if that might be satisfactory.

I would also like, however, to thank my honourable friend for his reference to the assessment question, because he is perfectly right and I think it should be pointed out that the assessment operation under Metro is carried out as an independent operation. It is not under the specific control of the Metro staff in the usual way. In fact, if one examines the Metro Bill you will find that the assessment commissioner under Metro, in the Winnipeg area, operates under the terms of the Winnipeg Charter. I think that's very important because the assessment commissioner and his assistants are deemed to be assessment commissioners, etcetera, for the City of Winnipeg and operate under the provisions of the City of Winnipeg Charter with respect to assessments. The Metropolitan Act contains no provisions in instructing the Director of Assessment as to the manner in which he shall make his assessments, except to say that he is bound by the assessment provisions of the Winnipeg and St. Boniface Charters in respect of these municipalities and by The Municipal Act in respect of other area municipalities, except where these municipalities may have special assessment provisions contained in their respective charters. So it is important to note that this function of assessment is not one which is within the policy decision of the Metropolitan Council. It's true that the metropolitan assessor is paid from their sources and it is in that respect he is an official of the Metropolitan Council, but in carrying out his assessment, he is bound by the provisions of the Winnipeg Charter; the provisions of the St. Boniface Charter; the provisions of any other special charters that exist; or, lacking those, by the provisions of The Municipal Board Act itself. So that means that the function of assessment is carried out in a strictly independent way in accordance with those Statutes.

MR. GILDAS MOLGAT (Leader of the Opposition)(Ste. Rose): Mr. Chairman, the Minister has indicated that one of the provisions here is to set up earlier time for the review. The resolution, however, says: "by providing among other matters." Could the First Minister indicate what other matters are also coming up in the Bill?

MR. ROBLIN: Mr. Chairman, I think I'd like to save that for second reading. We're just dealing with the financial provisions at the moment and I'll deal with the matter at length -- some great length I think, later on.

MR. MOLGAT: Mr. Chairman, are there other proposals to come from the government with regard to Metropolitan Government or is this the only Bill and the only measures that will be considered at this session?

MR. ROBLIN: I don't know what other measures will be considered at this Session, Mr. Chairman, because anyone can bring in a Bill on Metro, but as far as we are concerned, this will be our Bill for the Metro situation.

MR. RUSSELL PAULLEY (Leader of the New Democratic Party)(Radisson): Mr. Chairman,

(Mr. Paulley, cont'd.) . . . this resolution deals with the question of setting up either a committee or a commission. The provisions of course in The Municipal Act or The Metropolitan Act, the provision is there for either one. I wonder if the Minister might indicate which method is going to be chosen by the government at this stage?

In addition to that, Mr. Chairman, I would like to suggest to him, and I guess I could do this on second reading just as well, that there has been some speculation in the press that what the government has in mind is an advisory committee of the area municipalities working in conjunction with Metro on the problems that are being faced at the present time, and I suggest that the problems are two-way. Some of them are the result of activities of the area municipalities as well as activities in Metro itself, but I would like to suggest to the Honourable the First Minister that if this is to be in accordance with newspaper speculation of a committee of this type, I'd like to suggest to him that there should be direct government representation on any committee that is set up for this purpose. I don't think that it would be sufficient enough, Mr. Chairman, to set up what has been suggested as more or less of a committee comprising representatives of the area municipalities and Metro without governmental participation to the fullest degree.

I stated before and reiterate now that, to me, the problems that are being faced in the Greater Winnipeg area are a three-way responsibility and I would not like to see any Committee, that's set up to review the progress that has been made since the setting up of Metro, unless there's full governmental participation and representation into all aspects of the situation. I wonder whether or not the First Minister may give us some indication at this time as to what the government has in mind as to the two alternatives.

MR. ROBLIN: I think I would be correct in saying that we have merely duplicated the language of the original statute here and that it would be premature for me to answer that question at the present time. I do agree, however, that the other points my honourable friend raised would be suitable matters for debate.

MR. MOLGAT: Mr. Chairman, in reply to my question, the First Minister indicated that he was referring here only to the portions that would cost money. We can then assume that there are no other financial considerations in the Bill, or bills, that will be presented in the matter of Metro.

MR. ROBLIN: That is a fair assumption, Mr. Chairman.

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

Mr. Speaker, the Committee of the Whole has considered a certain resolution, requested me to report the same and ask leave to sit again.

MR. W. G. MARTIN (St. Matthews): Mr. Speaker, I beg to move, seconded by the Honourable Member for Swan River, that the report of the Committee be received.

Mr. Speaker presented the motion and after a voice vote declared the motion carried.

MR. ROBLIN introduced Bill No. 100, An Act to Amend The Metropolitan Winnipeg Act.

MR. SPEAKER: Before I call the Orders of the Day, I should like to introduce to the members of the Legislative Assembly, 33 pupils from Deer Lodge Junior High School. They are under the guidance of their teacher, Mrs. Joyce Littlejohn. The school is situated in St. James constituency and is represented in the House by the Honourable Mr. Stanes. I am sure that the students this afternoon will enjoy their visit with us and they may take back with them good impressions of the lawmakers of Manitoba. They will also have a chance to view, at first hand, people that pass the money that make their school and their education possible in the Province of Manitoba.

Orders of the Day.

MR. GRAY: Mr. Speaker, in my reading -- I want to direct a question to the Provincial Treasurer. In my reading of the press this morning, I understand that some statement had been made by the Provincial Treasurer that the bond sale issue will likely terminate very soon because, according to my understanding, that the sales are somewhat behind last year. I don't know if I would be in order to urge the Provincial Treasurer not to stop the sale but carry on. It doesn't cost any more money and let's see what the people are going to do within a week or two or three and not cut out because they don't come to the subscription so soon. Chances are they are waiting for their April 1st wages or salary, and I certainly would not like it to be

(Mr. Gray, cont'd.) . . . on record that the sale is a failure, because I don't want to give this comfort to the brokers, bankers and investment companies.

MR. SPEAKER: Orders of the Day. The Honourable Member for St. Boniface.

MR. LAURENT DESJARDINS (St. Boniface): Mr. Speaker, I just wanted to remind the members of the House and the members of the Press Gallery that the annual "Pea Soup Night" held every year in St. Boniface will be held at the Cercle-Ouvrier at 8:30 this evening.

MR. SPEAKER: Orders of the Day.

HON. GEORGE HUTTON (Minister of Agriculture)(Rockwood-Iberville): Mr. Speaker, before the Orders of the Day, I would like to present the latest forecast of the Flood Forecasting Committee. They met this morning to review and re-assess the flood prospects on the Red and Assiniboine rivers. The Committee reports, since the last meeting held on March 20th, favourable temperature and precipitation conditions have prevailed over both the Red and Assiniboine basins. Precipitation over the Red River Basin has been less than normal.

Snowfall on the Assiniboine basin has also been light. The weather in the last week has been mild enough to cause release of water from snow-melt. At the same time, the rate of release has been slow enough to permit the snow-melt water to infiltrate gradually into the ground. This has reduced the amount of snow-cover available for run-off. In view of these favourable conditions, the Committee reports that the prospects of flooding on both the Red and Assiniboine rivers have lessened.

On the basis of calculations which have just been completed, the Committee concludes that, with normal precipitation and temperatures during the melting period, the stage at James Avenue will be about 18 feet city datum which is ordinarily considered to be the first flood stage, while 26 1/2 feet city datum corresponds to the tops of the major dikes in the Greater Winnipeg area.

The Spring peak discharge now estimated at Emerson indicates that the flow at that point and along the Red River downstream from Winnipeg will be confined within its dikes and will approximately correspond to peaks which occurred in 1945, 1949, 1960. The Committee advises that the peak discharges calculated for the Assiniboine River a week ago have now been reduced. Calculations show that the river will be contained within its banks over most of its course. Some low-lying areas in the Assiniboine Valley may experience minor flooding, but the area involved is not likely to be significant.

The Committee points out that we are just entering the break-up period, and that while recent conditions have been favourable and have indicated a lowering in the previously predicted river levels, abnormal conditions of precipitation and temperature could still occur over the watershed in time to adversely affect the present outlook. The situation will be under constant surveillance by the Committee and further forecasts will be issued as conditions warrant.

MR. ELMAN GUTTORMSON (St. George): Mr. Speaker, I have a question I would like to direct to the Attorney-General. A Crown witness giving evidence at a Preliminary Hearing in Minnedosa has testified that he was persuaded by the Crown Prosecutor and the police in that area to plead guilty to a charge that he did not feel that he was guilty of, and subsequently was sentenced to gaol after pleading guilty. This is a serious allegation and I wonder if the Attorney-General has investigated the complaint.

MR. LYON: Mr. Speaker, this matter arises in a trial which is presently subjudice before a Court of this province and I would not like to make any comment on the subject matter until such time as the present trial is concluded and until such further time as some formal evidence of this matter, other than through the newspaper, has come to my attention.

MR. MOLGAT: Mr. Speaker, before the Orders of the Day, I would like to direct a question to the Minister of Welfare. Has his department completed yet the review of The Social Allowances Act? Will it be forwarding the \$10.00 increase in the pension that the Federal Government put through?

HON. JOHN. A. CHRISTIANSON (Minister of Welfare)(Portage La Prairie): Mr. Speaker, the District Supervisors are presently meeting in their regular monthly meeting and they are reviewing the regulations under The Social Allowances Act. We have also asked the Department of Health to conduct a further study of the food allowances permitted under The Social Allowances Act to determine as to their adequacy. These matters will all be referred to the Welfare Advisory Committee which will be meeting in late April or early May.

MR. NELSON SHOEMAKER (Gladstone): Mr. Speaker, before the Orders of the Day are proceeded with, I would like to direct a question to the Honourable the Minister of Agriculture. I would like him to define "agricultural machinery" as set out in Clause (1) (a) of Section 10 of The Gasoline Tax Act.

MR. HUTTON: I didn't know that I was considered to be a person who was qualified to give legal explanations, and I wouldn't undertake to do so.

MR. SHOEMAKER: Mr. Speaker, a supplementary question. Does he consider a farm welder that is operated by a tractor -- that is a tractor-driven farm welder -- does he consider that a piece of agricultural machinery? He is a farmer and should be able to answer that one. Would the farmer be entitled to a tax rebate when he used gasoline for that express purpose?

MR. ROBLIN: I think that the question ought properly to be directed to me because it involves the administration of The Gasoline Tax Act. I'll be glad to take my honourable friend's question as notice and see if there is any information that I can give him.

MR. SPEAKER: Orders of the Day.

MR. GUTTORMSON: Mr. Speaker, a subsequent question to the one I asked the Attorney-General. When he said it couldn't be answered now, did he mean not until the Preliminary Hearing is completed or until the matter goes to the Court of Queen's Bench and then is finished there? Is that what he meant?

MR. LYON: Mr. Speaker, all that I know is what I have read in the newspaper and my comment with respect to that, based on my honourable friend's question, was that this alleged statement was made during the course of a preliminary enquiry. I would not wish to comment any further on it until such time as that legal matter, that inquiry and trial is settled; and furthermore, what I would like to do is see the actual transcript of the evidence which I understand is just in the course of going in.

MR. SPEAKER: Second reading of Bill No. 48. The Honourable the Minister of Health.

HON. GEO. JOHNSON (Minister of Health)(Gimli) presented Bill 48, An Act to Amend The Hospitals Act, for second reading.

Mr. Speaker presented the motion and after a voice vote declared the motion carried.

MR. SPEAKER: Second reading of Bill No. 69, The Honourable the Acting Minister of Municipal Affairs.

HON. JOHN THOMPSON, Q. C. (Acting Minister of Municipal Affairs)(Virden) presented Bill 69, An Act to Amend The Municipal Board Act, for second reading.

Mr. Speaker presented the motion.

MR. THOMPSON: Mr. Speaker, part of the proposed bill is routine and deals with procedure. There are certain provisions which I might mention. One is a provision which clarifies the notices which should be given on a hearing. It is provided here that notices shall be given by the applicant before the Municipal Board for any hearing.

Another matter which might be mentioned is that dealing with the estimates of the cost of supervision of municipalities which are under the supervision, financially, of the Municipal Board. In one of the sections we are removing the ceiling of one-eighth of one percent, which is set forth at the present time as the estimate which must be given in the existing legislation.

A third provision which I could mention relates to the report which is presented annually by the Municipal Board. This provision before us provides for a summary report in less detail than that which has hitherto been the case. Because of the great number of cases now before the Municipal Board, it is felt that summaries of these cases in the annual report would be adequate. Of course, the information which comes before the Board would be available to anyone seeking it at any time.

Mr. Speaker put the question and after a voice vote declared the motion carried.

MR. SPEAKER: Adjourned debate on the proposed resolution proposed by the Honourable the Minister of Welfare. The Honourable Member for Rhineland.

MR. J. M. FROESE (Rhineland): Mr. Speaker, this resolution that we are dealing with on the contributory pension scheme, whereby we're going to repeal present Section 94A and substituting it with a new section, my main concern, and it is a main concern, is that whatever legislation is brought forward that it be permissible legislation only. I do not favour any compulsory scheme in connection with contributory old age pensions. We know from the past

(Mr. Froese, cont'd.) that, in some cases, we've had plans come up, contributory plans, and then later on we find that these are not voluntary plans but compulsory plans. I think our Hospital Plan was one of them. I don't think we should force this on the people, but any plan that is brought forward should be good enough, have merit of its own that would in itself sell itself to the people.

We know, also, that there are many small concerns today which probably do not have a pension plan of their own and who might want to avail themselves of such a plan, and, therefore, it could turn out to be not a voluntary plan but in many cases a compulsory plan. I would like to have the assurance of the Minister that this is going to be a voluntary plan and not one that is going to be forced on the people.

Mr. Speaker put the question and after a voice vote declared the motion carried.

MR. ROBLIN: Mr. Speaker, I think we had better have a recorded vote on this division, if you please.

MR. SPEAKER: Call in the members.

The question before the House is the proposed resolution proposed by the Honourable the Minister of Welfare. Whereas the government of Canada

A standing vote was taken, the result being as follows:

YEAS: Messrs. Alexander, Baizley, Bjornson, Campbell, Carroll, Christianson, Corbett, Cowan, Desjardins, Dow, Froese, Gray, Groves, Guttormson, Hamilton, Harris, Hillhouse, Hryhorczuk, Hutton, Ingebrigtsen, Jeannotte, Johnson (Assiniboia), Johnson (Gimli), Klym, Lissaman, Lyon, McKellar, McLean, Martin, Molgat, Orlikow, Pauley, Peters, Prefontaine, Reid, Roblin, Roberts, Scarth, Schreyer, Seaborn, Shewman, Shoemaker, Smellie, Stanes, Strickland, Tanchak, Thompson, Wagner, Watt, Weir, Witney, Wright and Mrs. Morrison.

NAYS: Nil

MR. CLERK: Yeas, 53; Nays, Nil.

MR. SPEAKER: I declare the motion carried.
Committee of the Whole House.

MR. ROBLIN: Mr. Speaker, may I ask you to call as the next item of business the proposed resolution on page 4 Respecting the Royal Commission on Health Services that stands in the name of the Honourable Minister of Health.

MR. SPEAKER: Proposed resolution standing in the name of the Honourable Minister of Health.

MR. JOHNSON (Gimli): Mr. Speaker, I beg to move, seconded by the Honourable the Minister of Labour, that WHEREAS a Royal Commission on Health Services has been appointed by the Government of Canada to make a comprehensive and independent study of the existing facilities and the future need for health services for the people of Canada and the resources to provide such services, and to recommend such measures, consistent with the constitutional division of legislative powers in Canada, as the Commissioners believe will ensure that the best possible health care is available to all Canadians;

AND WHEREAS the Government of Manitoba has placed before the Commission its views as to existing facilities and services in the Province of Manitoba, its proposals for their improvement, and its plans for future development;

AND WHEREAS The Government of Manitoba has proposed to the Commission that together with the proposals for financing health services a plan for comprehensive medical care coverage should be introduced, based on three essential principles:

- (1) That it be universally available to all citizens of Manitoba;
- (2) That it be at a stipulated premium within the range of the great majority of the citizens of Manitoba;
- (3) That it be voluntary.

THEREFORE BE IT RESOLVED that this House is of the opinion that subject to federal participation the best interests of the people of Manitoba will be served by a plan of medical insurance which is universally available, on a voluntary basis, at a stipulated premium within the range of the great majority of the citizens of Manitoba.

Mr. Speaker presented the motion.

MR. JOHNSON (Gimli): Mr. Speaker, in speaking to this proposed resolution before the

(Mr. Johnson, (Gimli), cont'd.) House, I should explain that the submission of this government recognize that the Royal Commission would be faced with a multitude of policy and fiscal considerations before it would approach the details of the health care plan with any clarity. I would call your attention to the array of health services and health facilities that are discussed in the government brief to the Royal Commission, which I have distributed earlier, and I call your attention to the fact that these services and facilities must become available before a comprehensive health care plan can become a reality. We have, we believe, reported these matters faithfully to the Royal Commission and, I might say, that if a health care plan were introduced tomorrow it would not materially affect the amount or distribution of medical care available.

It is quite obvious that increasing federal participation in the financing of health facilities and services is a necessary prerequisite, as pointed out in this brief, and we look to the Royal Commission on Health Services to make this point. Because it is obvious that all our needs cannot be met overnight, the manner in which federal assistance comes forth and the sequence of priority that is established, will very much affect our programming at the provincial level. Meanwhile, we have considered it important to place before the commission three basic principles which, in the opinion of this government, should guide any planning for a comprehensive care plan.

The first of these principles -- I feel the need of the resolution is in presenting these three principles to the commission and which we wish endorsed -- suggested that such a plan should be universally available to all the citizens, and in the brief we -- and I quote: "medical care is a universal need of all Manitobans. Whatever plan that is developed, therefore, should be available to them regardless of where they live; regardless of their age; regardless of their medical condition; or indeed their income." Also, the philosophy of this government to the problem of health and medical services for our citizens is that the individual has the right and the responsibility to provide for his needs. Government, therefore, quickly becomes involved in providing a universal opportunity for all citizens to avail themselves of essential health and medical services. Now such opportunity of course must be practical, and to make the opportunity practical represents the real role of government.

The device recommended to the Royal Commission is outlined in the second essential principle underlying this resolution, that comprehensive medical care coverage should be provided at a stipulated premium within the range of a great majority of the citizens of Manitoba; and, by this principle, Manitoba simply confirms its brief that there is still merit in considering the premium as a means of bringing home to subscribers that the plan belongs to them and that their good sense in the use of a plan would have the effect of keeping costs down. By stipulated premium it was simply meant to emphasize that a premium that was to be practical and to be bodily appealing would, of necessity, require subsidy. During the delivery of the brief and during the subsequent cross-examination, it was explained that the implementation of this principle should await acceptance, by the Royal Commission and the Federal Government, of the need for federal financial contributions to any medical insurance plan.

The third essential principle in this resolution suggests that a health services plan should be voluntary. Under cross-examination from the commissioners, it was emphasized that there are fundamental differences, between a hospital plan for example and a health plan, which should be clearly understood. One attends a hospital, as we pointed out, on orders from his doctor. There is very little matter of choice. You go to a hospital because really there's no way around it. Secondly, a hospital is an institution. It is not a person, whereas for example a doctor is a person. You can compel possibly an institution with a good deal more justification than you can a person. In general, the plea was made that compulsion would not create facilities; would not provide the necessary personnel; and that the individual citizen should not be compelled to do anything unless it can be clearly shown that compulsion itself results in the attainment of greater real freedom for all. These then, Mr. Speaker, are the three essential principles which Manitoba presented to the Royal Commission on Health Services for which the support of the House is solicited in this resolution.

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

Mr. Speaker presented the motion and after a voice vote declared the motion carried.

MR. ROBLIN: Mr. Speaker, I would now ask you to be good enough to call the order of business on Page 7, which has to do with the motion standing in the name of the Honourable the Attorney-General with respect of the Constitution.

MR. SPEAKER: The Honourable the Attorney-General.

MR. LYON: Mr. Speaker, I beg to move, seconded by the Honourable Acting Minister of Municipal Affairs, that,

WHEREAS all self-governing members of the British Commonwealth of Nations except Canada have the power to amend their respective Constitutions without reference to the Parliament of the United Kingdom;

AND WHEREAS for many years successive Governments of Canada and of the several Provinces have given consideration to the desirability and the method of amending the Constitution of Canada without the necessity of petitioning the Parliament of the United Kingdom to enact the legislation required;

AND WHEREAS the Honourable the Minister of Justice for Canada and the Attorneys-General of the Provinces, at the invitation of the Honourable the Minister of Justice for Canada, have since the month of September, 1960, met in conferences from time to time with the object of formulating a procedure whereby the amendment of the Constitution of Canada might be domiciled in Canada and without recourse to the Parliament of the United Kingdom;

AND WHEREAS it appeared that there was unanimous agreement on the desirability of establishing an amending procedure as aforesaid, and thereby achieving this important measure of national self determination for Canada;

AND WHEREAS it was found possible to reconcile in part some of the divergencies in views of the Provinces and to adopt in principle for presentation and consideration by the several Provincial Legislatures a draft of legislation that, if enacted by the United Kingdom Parliament, would achieve the objective desired;

AND WHEREAS as a result of the deliberations of the Conferences between the Honourable the Minister of Justice for Canada and the Honourable the Attorneys-General of the several Provinces, the draft of an Act to be known as the Constitution of Canada Amendment Act set out in Schedule A to this resolution, was prepared, embodying an amending procedure, and was submitted to the several Provinces for their approval;

AND WHEREAS in the opinion of this House it is in the public interest and in the interest of the citizens of Manitoba that the power to amend the Constitution of Canada should be domiciled in Canada;

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED that this House doth approve the principle of establishing the right of Canada to amend its Constitution without reference to the Parliament of the United Kingdom;

AND BE IT FURTHER RESOLVED THAT the draft of an Act to be known as the Constitution of Canada Amendment Act set out in Schedule "A" to this Resolution be referred to the Standing Committee on Statutory Regulations and Orders for consideration and that the said Committee be empowered to sit and hold public hearings on the said draft Act during the present Session, and in recess, after prorogation, and to report to this House on its findings and recommendation at this session or at the next session of the Legislature;

AND THAT the Provincial Treasurer be authorized to pay out of the Consolidated Fund, to the members of the said Committee, the amount of expenses incurred by the members in attending the sittings of the Committee, or expenses incurred by the members in the performance of duties ordered by the Committee, in recess, after prorogation, as are deemed necessary by the Comptroller-General;

AND THAT the Provincial Treasurer be authorized to pay out of the Consolidated Fund, the expenses of counsel, secretaries, technical advisers, clerks, and stenographers, to aid and assist said Committee in its hearings during the session or after prorogation during recess as are deemed necessary by the Comptroller-General.

Mr. Speaker presented the motion.

MR. LYON: Mr. Speaker, this is a resolution which I believe is among one of the most important that this House will deal with during the present session. It is a resolution, Sir, which I hope will commend itself to all sides of the House, for Sir, it represents the culmination of a series of conferences, begun in September of 1960 among the various Attorneys-General

(Mr. Lyon, cont'd.) . . . of the several provinces and the federal government, charged with the task of domiciling the amending procedure of our Constitution within our own nation.

I think, Sir, that the general statement can be made that the work of these conferences has advanced the achievement of this aim further than ever before in our history. I am not going to suggest for a moment, Mr. Speaker, that unanimity has been reached on this very important question, nor am I going to suggest for a moment that the draft act proposed embodies in full measure the principles and ideals of which this province, through its various administrations including the present administration, would like to see or would have liked to have seen come about in years gone by. But I do suggest, Sir, that it contains and represents a long forward step in the resolution of those impasses which have heretofore hindered the achievement of domiciling the amending procedure in Canada.

I want to make it clear at the outset, Mr. Speaker, why this resolution is introduced in the way in which it is. First of all, I think it is commonly known by all members of the House that the Attorneys-General, including myself -- when we attended these various conferences were merely acting as agents for our various governments and we were the working committee, so to speak -- met to determine whether any agreement was possible in the first instance. I think, also, that it was clearly understood that any working paper produced by this group of Provincial Ministers, under the chairmanship of the Federal Minister of Justice, represented largely the feelings of the agents they represented and not always necessarily the full view or the full concurrence of the governments of the various provinces represented by their agents.

I think also, Sir, that most members of the House would agree that the Constitution, and particularly the amending procedure, is not a sterile legal problem to be left to governments or to lawyers but rather, Sir, that it is the concern of all of the citizens of this country. It is something that the very root and branch of our life springs from. Thus I feel, Sir, that the best way of reporting Manitoba's opinion on the draft is to report to the federal government the opinion of this House on the draft, after due consideration has been given to the draft by all sides of the House represented on the committee; and after that committee has had the opportunity of hearing from the public, hearing from any other interested bodies outside, and considering themselves of what the report and the outlook of Manitoba should be on this important document.

I stress, Sir, that it is the desire of the government, and I feel that this would be shared by all Parties in the House, to have the fullest participation in discussion of this draft that is humanly possible. There may well, Sir, be areas of improvement that can be suggested to the draft and I can assure all honourable members that certainly the government will listen most intently to all members and to the public, in committee, in this regard, so that when we finally do report back to the federal government we can report the view of Manitoba, not just the review of a government or of a Party, but the review of this House, having considered the draft and having had the opportunity of hearing from those members of the public who may wish to make representations concerning this draft bill.

Now, Sir, I think we might usefully spend a few moments on the background, or the history of the attempts over the past several years to domicile the amending procedure of our Constitution in Canada. I suppose we might start from this proposition, namely, that practical men would say that we have always, or at least in this century, we have been able to amend our own Constitution except for the formalities or the machinery that we had to follow. When one realizes that it is clear that the United Kingdom Parliament would not act unilaterally in making an amendment to the British North America Act; and when one realizes further that the United Kingdom Parliament would act on the joint address of the House of Commons and the Senate on this matter; one could say in practical terms that Canada does have this power, notwithstanding the legal machinery that is necessary to implement it. Nonetheless, Sir, the hard legal fact is, that notwithstanding these practical qualifications that I have mentioned, the hard legal fact today is that recourse still must be had to the Parliament of the United Kingdom if we are, in fact, to effect an amendment to the British North America Act. In fact, it is rather ironic that we just concluded debate on a resolution which expressed the unanimous opinion of this House to the effect that the federal government should petition the United Kingdom Parliament with respect to a new provision relating to Section 94A of that Act concerned with a social security plan.

(Mr. Lyon, cont'd.)

If I need call further evidence on this point, I would refer of course to the proceedings of the 1950 Conference, which was participated in by the Honourable Member for Lakeside when he was the First Minister of this House, and I would refer to the comments made at that time by the then Prime Minister of this House, and I would refer to the comments made at that time by the then Prime Minister of Canada, the Right Honourable Louis St. Laurent, when he said in this connection, quote, on Page 8 : "Canada is today the only nation in the Commonwealth lacking full capacity to amend its own Constitution by its own actions, and our country is indeed the only sovereign state in the world which lacks this power. The development of complete nationhood by Canada; the establishment of the constitutional principles confirmed by the Statute of Westminster that the United Kingdom and Canada are equal in status and that neither country interferes with the affairs of the other, would make it extremely difficult, if not impossible, for the authorities in London to reject a request for any kind of amendment to the BNA Act if that request was in the form of an address from both Houses of the Canadian Parliament. The only way in which we Canadians can be sure of avoiding inexcusable embarrassment of ourselves and of the United Kingdom, its parliament and its government, in these matters, is by agreeing on a method of amending our own Constitution within Canada which will enable us to discharge our full responsibilities for ourselves. Until we do this, the legal position will continue to be that the only way in which amendments could be made to those parts of the Constitution, which are of joint concern to the federal and provincial authorities, is by an Act of the United Kingdom Parliament."

Now honourable members will realize that I have not up to this point mentioned the amendment which occurred to the British North America Act in 1949, whereby Section 91, subsection (1) was inserted, giving broad power to the federal parliament to enact amendments in Canada to the British North America Act. I think, for the sake of the record and for the benefit of those members who have perhaps not had occasion to refer to this section recently, that I might read it on to the record for their understanding. This is Section 91 and it relates in the preamble, or in the first part of the section that, "it shall be lawful for the Queen, by and with the advice and consent of the Senate and House of Commons, to make laws on various subjects." Then it goes on to enumerate these subjects, the first of them being this: "The amendment from time to time of the Constitution of Canada except as regards matters coming within the classes of subjects by this Act assigned exclusively to the Legislatures of the provinces; or as regards rights or privileges by this or any other constitutional act granted or secured to the Legislature or the government of a province; or to any class of persons with respect to schools; or as regards the use of English or the French language; or as regards the requirements that there shall be a session of the Parliament of Canada at least once a year and that no House of Commons shall continue for more than five years from the day of the return of the writ for choosing the House, provided, however, that a House of Commons may, in time of real or apprehended war, invasion or insurrection, be continued by the Parliament of Canada if such continuation is not opposed by the votes of more than one-third of the members of such House." So that very important provision which has been a part of our Constitution since 1949 does, to the extent that I have mentioned and to the extent that honourable members can comprehend from a reading of it, does alter the position insofar as the amendment of the Constitution is concerned. But, as Mr. St. Laurent clearly pointed out, and he was speaking after this amendment had come into effect, it still leaves the broad area of powers, which are either shared between the federal and the provincial governments or which are the sole prerogative of the provincial jurisdictions, it leaves this broad area where recourse must be had to the Parliament of the United Kingdom if an amendment is to be sought.

I think, Sir, in looking to the background of this matter it might be well to rehearse some of the traditional positions which have been taken by the Federal Government, which have been taken by some of our sister provinces, which have been taken indeed by this province in consideration of the amending procedure that should be adopted. Remembering always that the series of conferences, which have produced the present draft act which is before us, represent, I think the fourth and fifth series dealing with this matter over the past 30 to 40 years, and we will get into that in a little more detail in a few moments.

I refer first of all again to the Constitutional Conference of Federal and Provincial

(Mr. Lyon, cont'd.) . . . Governments of 1950, and I would refer you to the opening statement again of the Prime Minister of the day, wherein he made this general statement of principle with respect to the federal outlook on the amending procedures. Quoting from Page 10, he said: "To sum up, the Federal Government believes that any satisfactory method of amendment must meet three tests. It must protect minority rights absolutely; it must preserve the federal character of the Canadian Nation by preserving the autonomy within their respective spheres of the provincial Legislatures and of Parliament itself; it must have sufficient flexibility to enable our country, with all its great human and natural resources, to continue to go forward as a dynamic nation." I commend that principle to the members of the House and I'm sure that there will be very few who would disagree with the sentiment expressed at that time by the former Prime Minister.

. Continued on next page.

(Mr. Lyon, cont'd.)

I read you now a few comments by the Prime Minister of Ontario, who at that time was the Honourable Leslie Frost, with respect to the outlook of his province on this matter. Quoting now from Page 13 of these proceedings, Mr. Frost said: "Without hesitation I answer the question--should we have power in Canada to amend our own Constitution--in the affirmative. Concerning the second question--if so, by what method--the answer perhaps is not so simple. I think again we should bear in mind that we are not here to discuss whether our Constitution should be amended, but how it should be amended if at any time we desire to do so. I shall not discuss this matter in detail at this time but it occurs to me that the methods should be: (a) elastic enough to meet the needs of a growing and developing nation; (b) difficult enough to discourage indiscriminate tampering with our Constitution; (c) rigid enough to provide ample safeguards to protect minorities and fundamentals and the federal system under which we have developed so satisfactorily during the past 83 years." Again, Sir, I commend those principles to the members of the Chamber because I feel that most, if not all of us here, would subscribe in general to the principles enunciated there by the Prime Minister of Ontario.

I refer now, if I may, Sir, to another provincial statesman who attended that conference, the Honourable Member for Lakeside, and I quote to you from Page 27, his words in the opening statement by Manitoba at that time: "Let me here restate the position which was taken by Manitoba at the conference held in 1935. It was this: first, the Parliament of the United Kingdom should no longer be retained as the instrument for effecting legislative amendments to the British North America Act, 1867; and second, there should be established a procedure by which the British North American Act, 1867, may be amended under legislation enacted by the Parliament of Canada, in which procedure special provision should be made for safeguarding the existing rights of racial and religious minorities, and legitimate provincial claims to autonomy." Now I realize, Sir, that I do not do justice to the statement of the then Premier of Manitoba by quoting only that portion, and I do say that there is very little in that statement with which any of us would find fault. It was certainly an effective statement on behalf of this province and one with which this present administration would find very little difficulty in agreeing. But I make these quotations to you, Sir, in order to point out the similarity and almost unanimity in outlook of the Federal Government and, say the Province of Manitoba, and the other provinces of Canada with respect to this very important matter. I suggest to you as well, Sir, that there has been no change in this consonance of outlook by the various provinces and by the Federal Government in this new series of conferences which we are presently considering.

If I may be so bold, I will even quote for a moment from a few remarks that I made at the opening meeting in September of 1960 to the present series of conferences. Honourable members will find the statement in Hansard of last year, Page 915, I believe it was, where this statement was read on to the record at that time in the course of the debate. I said at that time: "At the outset may I express Manitoba's appreciation of the initiative taken by the Federal Government in calling together the Attorneys-General of all provinces to this conference. To say that we enthusiastically welcome the opportunity of discussing and, we hope, achieving the aim of domiciling the Canadian Constitution in Canada is an understatement. The time for this step we consider to be long overdue. Ten years have now elapsed since the last Federal-Provincial Constitutional Conference, in which time areas of disagreement which then prevented realization of this goal, has surely been diminished. We are, therefore, optimistic that we can achieve this measure of national self-determination which the people of Canada most surely will welcome, and which the times demand." Continuing on: "At the meeting in January of 1950, the position taken by Manitoba was the same as that taken at the 1935 meeting, namely, that; first, the Parliament of the United Kingdom should no longer be retained as the instrument for effecting legislative amendments to the British North America Act, 1867; and secondly, there should be established a procedure by which the British North America Act, 1867 may be amended under legislation enacted by the Parliament of Canada, in which procedure special provision should be made for safeguarding the existing rights of racial and religious minorities and legitimate provincial claims to autonomy." I quote, Sir, and this is my own statement: "The Government of Manitoba still subscribes wholeheartedly to these principles." So I think honourable members can see that there has been this thread running through the submissions made by the various administrations on behalf of Manitoba going back to 1935, which was reiterated again in

(Mr. Lyon, cont'd.) 1950 by the Honourable Member for Lakeside as the head of the Manitoba Delegation, and then again in 1960 reiterated again by myself on behalf of Manitoba at this conference.

MR. D. L. CAMPBELL (Lakeside): Mr. Speaker, I wonder if the Honourable the Attorney-General would permit a question at this stage.

MR. LYON: Yes.

MR. CAMPBELL: I notice that he mentioned and quoted from the proceedings that he identified as the year 1950. My recollection is, and I have not taken the opportunity to check on this, that there were two constitutional conferences in 1950. If that is correct, which one did the Honourable the Attorney-General quote from?

MR. LYON: I am quoting from the Proceedings of the Constitutional Conference of Federal and Provincial Governments held at Ottawa, January 10th to 12th, 1950. I believe there was a subsequent meeting in the Province of Quebec at Quebec City in September of that year, or approximately that month.

Now, Mr. Speaker, I think all members of the House will realize that to achieve the ends that the Federal Government has expressed from time to time, and that this province has expressed and the various other provinces have expressed, each province, or regional grouping or population grouping or whatever, cannot insist on imposing its will on some other part of the country. In fact, in these discussions I think there was projected, in the clearest terms, the essence of our Canadian democracy; and the essence of that, Sir, I would suggest, is that compromise is necessary to accommodate the varying views that one gets from province to province; from region to region; and among the various racial groups which make up this country of ours. I say, Sir, that the spirit and will of all of our people to achieve this common aim was never better manifested than it was at the conferences that I had the privilege to attend. It was equally evident that there was a great necessity to avoid any parochial or regional or party outlook and to subvert, if you will, the commonplace attitudes and rise to the challenge of this national requirement. I suggest, Sir, by compromise we were able to reach some decisions which certainly manifest themselves in this draft which we have before us today.

One doesn't like to philosophize about one's country too often, but I do suggest to you, Sir, that this nation was not built and certainly will not continue to be built or progress in the future without disagreements, and serious disagreements among the various provinces and among the different regional groupings which make up this country. I suggest as well, Sir, that the hearth of disagreement in Canada has forged and tempered pretty proud steel, and steel that is used to brace this nation very firmly on the foundation that we have today. So I do not feel that we should be afraid to express disagreements that we may have. We should not be afraid to come forward and say: "Well now why would Quebec want this; why would Ontario want that; why would British Columbia insist on this? Because this is exactly what we did in the series of conferences that took place. As a result of all of these ideas being tossed back and forth across the conference table in a spirit of goodwill, we were able to arrive at the draft that you have before you today. I can report, Sir, that the attitude that I have just spoken about, the attitude of compromise; the attitude of respect for others opinions; the attitude of realizing that one could not impress one's will upon another section or another group; prevailed at all times, may I say, among all provinces, and I am happy to be able to report that fact to this House. That does not mean to say that there are not still some areas of disagreement, but I do say, Sir, that it represented a wonderful exercise in democracy in Canada to see the various provinces getting together on a measure such as this and being able to arrive, at least at one stage, of agreement on a very important matter."

Now chronologically I started out to say what has happened with respect to domiciling the amending procedure in Canada. I think a very brief summary would indicate the following fact. Going back to Confederation, the debates contain only one mention of amendments to the British North America Act and, on that occasion, the Speaker said only that this would be a matter for the United Kingdom Parliament, so we can well understand that the Fathers of Confederation and those who followed closely on their heels were not too much concerned at that time about this province. While the British North America Act certainly can be considered a fundamental law for Canada, it was, so far as the British Parliament was concerned, simply a statute on the same basis as all other statutes, to be changed by the ordinary means of passing another

(Mr. Lyon, cont'd.) law. No special procedure was contemplated or required in 1867. Some conventions concerning the matter of changes in the BNA Act, however, soon did develop. The British Parliament did not pass amendments without a request of an appropriate Canadian authority. Over the years, the proper form for making these requests became that of a joint address of the Senate and the House of Commons, which was sent to Britain together with a draft of the amendment to be passed. Since 1867, there have been 12 amendments that have made substantial changes in the British North America Act, so one can see that recourse has not been had too often to this procedure, only 12 substantial ones having been made. I think there were some lesser ones that were made from time to time that had no subsequent effect upon the Constitution.

There was little discussion in the earlier days, especially in the pre-1900 era, either in press or in Parliament on the question of finding a more satisfactory method of amending the Constitution. The question came to the fore, one could suggest, with the rapid growth in Canadian autonomy after the 1914-18 Great War, with many arguing that appeals to the British Parliament were not consistent with approaching Canadian nationhood. The first official action was in 1920 when the government of the day raised the question with the Attorneys-General of the various provinces. The diversity of views was such that no further action was taken at that time. A second attempt to find a method of amending the Act in Canada came soon after the Balfour Report of 1926.

In November of 1927, when representatives of the provinces and the federal government met in Ottawa, one item on the agenda was "Procedure for Amending the British North America Act." The Honourable Ernest LaPointe, the Minister of Justice, suggested to the conference that a possible formula might divide the provisions of the Act into two parts. First, ordinary provisions for which a consent of the majority of the provinces would be required, and fundamental provisions for which unanimous consent would be required. The conference foundered on the question of what provisions were fundamental or, as we call it now, "entrenched" and broke up in failure. Since agreement on how the Constitution was to be amended could not be achieved, it was necessary to put the following section in the Statute of Westminster in 1931: "Nothing in this Act shall be deemed to apply to the repeal, amendment or alteration of the British North America Act, 1867 to 1930, or any order, rule or regulations made thereunder." That is Section 7 Subsection (1) of that Statute.

In 1935 a concerted effort, begun by the Conservative administration and continued by the Liberal Government, was made to find a satisfactory amending formula. In February of that year a Committee of the House of Commons was set up to consider the problem and, after 11 meetings and much expert testimony, it adjourned without making a recommendation. On the following December, a Federal-Provincial Conference was called and a subcommittee of the conference was struck to re-examine the whole issue. The result was the convening of a further conference of experts representing the provincial and federal governments. Eventually, a specific amending formula was worked out, and while it appeared to have a large measure of support, it foundered primarily because of objections from the Maritime provinces.

No further official attempts to find a formula took place until 1949. Two significant events occurred in that year. The first one I have already mentioned, namely, the amendment that was obtained, Section 91 (1) of the British North America Act, permitting the federal government to amend the Constitution in Canada in those particularly federal spheres which I have read from the Act itself.

Now after the passage of this amendment, the federal government called a Dominion-Provincial Conference, the one to which reference has been made and from the proceedings of which quotations have been given, for the specific purpose of finding a formula by which the rest of the Act, that is its non-federal aspects, might be amended. There was unanimous agreement that the most profitable approach would be to divide the British North America Act into six categories, each of which would have an appropriate method of amendment. Firstly, provisions which concern Parliament only--and the suggestion was by an Act of Parliament itself. Secondly, provisions which concern Provincial Legislatures only, by an Act of the Provincial Legislatures themselves. Thirdly, provisions which concern Parliament and one or more, but not all provincial Legislatures, by Act of the Dominion Parliament and each of the Legislatures affected. Fourthly, provisions which concern Parliament and all the Provincial Legislatures, by Act

(Mr. Lyon, cont'd.) . . . of Parliament and the majority of the provinces, which majority is to be decided upon. Fifthly, provisions which concern fundamental rights such as education, language, administration of justice, solemnization of marriage, provincial property and lands, and the amending of the amending procedure, the amending of the amending procedure by Act of Parliament and all the Provincial Legislatures; in other words by entrenchment. And finally, the last provision, provisions of the Act which should be repealed.

Now without detailing any further the background of the matter, it's sufficient to say that further conferences were held. The Committee of Attorneys-General was struck from that plenary conference of the First Ministers of each of the provinces, and after a most intensive consideration, the committee reported to the reconvened conference that it had been unable to achieve agreement on some 46-odd sections. So we can see that there have been four attempts, not including the present one which would be the fifth, and I don't like to classify the present one as an attempt at this early stage, you will see that there have been four attempts since 1920 to find a satisfactory amending formula and, unfortunately, all of them up to the present time have failed.

Now, Mr. Speaker, I suggest that we might usefully come to the draft act itself, resulting from the most recent series of conference. It is not going to be my attempt to reconstruct this act and to say that this province came from Quebec and that provision came from Alberta and here's the change that Manitoba suggested or anything like that at all. I think the best thing to do is to take the draft, go over it, and make some very general comments upon it in order that there might be a better understanding of just what was arrived at.

Mr. Speaker, if honourable members have a copy of the schedule to the resolution in front of them, if they refer to it, I would make the following few comments with respect to it. The first section, I believe, is self-explanatory. It merely says that subject to this part, Parliament of Canada may make laws repealing, amending, or re-enacting any provision of the Constitution of Canada. That's pretty basic and I think is understood by everybody. This is the transference of power, so to speak, to amend this statute within Canada.

The next section might loosely be called the "Entrenchment Section," and if read with Section 4, these two might be called the two entrenchment sections of the proposed Draft Amendment Act in Part I. I would make only this comment in reading the first part of Section 2: "No law made under the authority of this part"--and that refers to Part I. Part I, you will note, is not an amendment to the BNA Act. It's a separate act. Part II is an amendment to the British North America Act, but it says: "No law made under the authority of this part, affecting any provision of this act"--that is referring to the amendment act itself--so that is the first thing that is entrenched. Or Section 51 (a) of the British North America Act, that is the second thing that is entrenched, and that refers to no province having fewer members of Parliament in the House of Commons than it has senators or affecting any provision of the Constitution of Canada relating to (a), (b), (c) and (d). These are the traditional powers of the Legislatures, the divisional provincial jurisdictional sections which are totally entrenched by this section. I want honourable members to recall that because I don't want them to fly back in awe of this statement, because we must realize that we come on the second section which deals with delegations and which, to some extent, ameliorates the effect of this entrenchment that we see in Section 2. You can see that those things that are entrenched are the powers of the Legislature of a province to make laws.

Now this I suggest, Mr. Speaker, is qualified by Section 3 and by the delegation clause which we will come to a little later on. It entrenches the rights or privileges granted or secured by the Constitution of Canada to the Legislature or the governments of the province. Now that is a broader way and, as a lawyer would say, it's just to make certainly more sure, that they put in this second section. (c) the assets or property of a province--that refers to such things as natural resources, etcetera; and (4) the use of the English or French language--that is one of the basic rights which all agree at all times should be entrenched and that of course is included.

Section 3 of the act, I believe again is pretty well self-explanatory. It merely states that any provision of the Constitution of Canada referring to one or more, but not all of the provinces, may be amended if it is concurred in by the Legislature of every province to which the provision refers.

(Mr. Lyon, cont'd.)

Now Section 4 deals with the question of education: "No law made under the authority of this part affecting any provision of the Constitution of Canada relating to education in any province, other than Newfoundland, shall come to force unless it is concurred in by the Legislature of all the provinces other than Newfoundland." I may say, Sir, that there was a special reservation made by Newfoundland because of the way in which they were brought into Confederation with respect to the education clause, that they asked for this exception from the general clause entrenchment.

Dealing now with section 5, this again, while largely self-explanatory says--this is what you might call the general power of amendment that is contained in the draft act--"No law made under the authority of this part affecting any provision of the Constitution of Canada, not coming within (2), (3) or (4), shall come into force unless it is concurred in by the Legislatures of at least two-thirds of the provinces, representing at least 50 percent of the population of Canada according to the latest general census."

Now you see immediately, Mr. Speaker, the three methods of amendment that are set forth. First of all, you have the entrenched clauses; then you must seek unanimous approval from all provinces in order to amend any of those sections. Then you have the second grouping, laws which do not affect all of the provinces. These provisions may be amended by consent of the provinces affected and with concurrence of the federal government. The third grouping lies in between those two categories and, as well, Sir, between them at one end and Section 91 (1) at the other end. It's not such a broad area that is left to be covered by this two-thirds concurrence representing 50 percent of the population, as might have been the case had this act been drawn some 15 years ago. But reference having already been made to Section 91 (1) of the British North America Act and the effect there to permit Parliament to amend with respect to federal matters, one can see that this area left to be determined by two-thirds of the provinces and 50 percent of the population is not as broad as it might otherwise be.

Section 6, I suggest, preserves the Dominion and provincial jurisdictions--the traditional jurisdictions which they have had, and also, Sir, if not directly, certainly by implication. In the present draft, it preserves the effect of Section 91, subsection (1) which was put into the Constitution in 1949.

Section 7 is what might be referred to technically as the sign-off section. This is the section which removes irrevocably from the United Kingdom Parliament their right ever to effect any amendments to the British North America Act. There's always been some discussion as to whether or not this is even necessary, because the United Kingdom Parliament will have to enact the amending act itself. Of course this will always remain a Statute of the United Kingdom Parliament and so there is perhaps a doubtful value, although probably a good psychological value in having this Section 7 in the act. In any case, it is there and I see no great objection to leaving it there.

Section 8 is merely the definition section which defines what the Constitution of Canada is. I am sure honourable members will appreciate that the Constitution of Canada certainly is much more than just the British North America Act. There's a list of the other enactments set forth there as well. By the Constitution we refer to the customs, usages and traditions that we have built up and the commonlaw--the judicial decisions that have built up around the Constitution, all of which become a part of the written or unwritten Constitution of this country.

We come now to Part II of the act and, as I mentioned before, Sir, Part II purports to be an amendment to the present British North America Act, 1867, and Part II deals with delegation. You will remember, Sir, that when we were dealing with the entrenchment sections I mentioned that their effect would be ameliorated by the existence in the act of a delegation provision, and this is the important provision that we have appearing in Part II. I can quote from the late Honourable Angus L. McDonald, the Prime Minister--or Premier of Nova Scotia, speaking at the same conference in January of 1950 as to his ideas on delegation. He had a very simple explanation of delegation that I don't think I could improve upon, and I give you his words from Page 21 of that report. "I shall now take up the last section of the submission which I call delegation of legislative powers. Though the conference is primarily concerned with the establishment of a permanent method for the formal amendment of the Constitution, the province recommends that the conference consider the desirability of a provision enabling

(Mr. Lyon, cont'd.) temporary and partial amendments by way of authorized delegation of existing legislative powers by the Dominion to one or more of the provinces and vice versa."

Now that explains delegation in a few words, Mr. Speaker. Delegation is merely that procedure, which by the way at the present time is not lawful under the Constitution of Canada, whereby the federal jurisdiction might transfer certain areas of its responsibility under the British North America Act to one or more provinces, or vice versa, the provinces might transfer certain areas of their jurisdiction to the federal government. As an example, I suppose if this act were now in force and the power in the provinces were enabled to delegate to the federal government and the federal government back, the problem that we have with respect to the orderly payment of debts might be resolved by delegation, because the federal government might say: "It is true we have the authority for bankruptcy proceedings under Section 91, but you have a system that has been working well in the provincial field so we will delegate our authority under 91 (1) to you so that you can enact a provincial act in this field and thereby make it a constitutional piece of legislation." Now that is a very simple example of how delegation might work.

MR. HILLHOUSE: divorce laws.

MR. LYON: I think it would apply of course to the whole field except as circumscribed by the delegation clause itself, and we're just coming to that. The first subsection (1) and subsection (2) deals with delegation by the provinces to the federal government, and I have given an example perhaps of a delegation back from the federal government to the provinces which would apply in (3) and (4). A delegation by the provinces to the federal government might conceivably be, for instance, in the field of prisons and reformatories. There might be an arrangement, for instance, between the federal government and the Maritime Provinces whereby the provinces would undertake to give the federal government authority to incarcerate in federal institutions all provincial prisoners. Well this could be done by delegation by the provinces, giving up an area of jurisdiction which they have under the act but giving it up voluntarily to the federal government. Now I don't think there are any detailed comments I wish to make with regard to--any further detailed comments with respect to delegation except to say that the procedures set forth here are largely reciprocal. The provinces may delegate to the federal; the federal may delegate back to the provinces.

Getting into the machinery of how it is done, you can see that in subsection (2) at least four of the provinces, in the case of a delegation to the federal government at least four provinces must consent to the operation of such a statute as provided; or, if it is declared by the Parliament of Canada that the enactment of the statute is of concern to less than four of the provinces, the provinces so declared by the Parliament of Canada to be concerned have, under the authority of their Legislatures, consented to the enactment of such a statute.--(interjection)--That is 2 (b) or 94 (a). This merely means, for instance, that if under the delegation provision that the provinces of Saskatchewan, Manitoba and Alberta wished to delegate certain authority with respect to a common problem, say with respect to marketing, to the federal government, they might do this. Now under (a), if that were a hard and fast rule, there must be four provinces consenting to it. It would mean that B.C. or Ontario would have to consent to an act that had no relation to them at all, and so (b) was put in enabling the federal government to declare or to designate those provinces, if there were less than four who were affected, in order that they may effect the delegation in that easier manner. Now the delegation in (3) and (4) by the federal parliament back to the provinces is similar in concept to that contained in subsections (1) and (2). You will note, however, that in the machinery provided in subsection (4), that if the federal government wishes to delegate, prior to the enactment, the Parliament of Canada must consent to the enactment by the Legislature of the province and a similar statute must, under the authority of subsection (3), be enacted by the Legislatures of at least three other provinces. Now there is not a balance in these procedures. We fought for a balance in the procedures and we couldn't get agreement on that point at all. There was a concern by some of the parties at the conference that the Constitution might become a patchwork if the federal government could delegate to one province or, in turn, one province could delegate to the federal government. Our argument and our position, and I commend it to the House for consideration, was this: that there should be the greatest flexibility as possible in delegation, and that one province should be able to delegate in the broad field, not on a restricted field at all but in

(Mr. Lyon, cont'd.) a broad field to the federal government and vice versa. Our further feeling was that the Constitution could not become a patchwork because the federal government would always have the final veto to say whether or not either it would delegate or it would receive back a delegated power.

Now in dealing with this, Mr. Speaker, I did not mention at the beginning in 94 (a) that delegation, as you can see, is restricted to head: (6), (10), (13) and (16) of Section 92 of the British North America Act. I do not have to say to the House, Sir, that the position of Manitoba was that all of Section 92 should be capable of delegation. This again, I suggest, is the compromise that was arrived at after long discussion, long debate on this matter, and while this is perhaps the perfect example of an area in which our ideals and our hopes were not reached, it represents the only compromise that was able to be reached at the conference. I still feel, and I'm sure most members of the House would feel, that the method of amendment should be flexible; that the delegation powers should be broad and flexible, because the first portion of the act contemplates the total entrenchment of all provincial powers under 92. We felt, conversely, there should be a total power of delegation under 92, but this was not possible in the draft as it appeared.

Now I don't believe that there is anything further, Sir, I wish to say with respect to the Act itself. I think we can give it more detailed consideration when we get into Committee and run over some of the procedures, or machinery that is contemplated for the operation of the Statute if it is agreed upon.

I reiterate again, Mr. Speaker, in closing, that this act certainly may not be perfect in the sense that it represents all that Manitoba has striven for over the years, through the four and now the fifth series of conferences on this matter, but it does represent a consensus of the deliberations to date, and it does, I reiterate this again, represent the highest plateau of agreement that has ever been reached in a series of these conferences over the past 20 to 30 years. Each of the provinces of Canada is presently considering this draft which is before the House today. Some of the Legislatures are considering the draft just as we are doing. We commend this draft to the House, Mr. Speaker, for consideration, for debate, for review, and, if need be, for amendment of certain of the provisions if that is felt absolutely necessary. I hope and trust, Sir, that in the consideration which the House will give to this matter, it will keep clearly defined, and before it, the ideal of achieving agreement on this most important step in advancing the true and unfettered nationhood of our country.

MR. CAMPBELL: Mr. Speaker, would the Honourable the Attorney-General be willing to answer a couple of questions at this stage? I don't want at all to get him to break any of the confidences that sometimes do pertain at these conferences by asking him about individual provincial stands on these matters, and to some extent he's already answered the one question because he has indicated that Manitoba would have liked to have gone further than this draft envisages with regard to delegation. Apart from that compromise, was there quite general agreement on these sections, for instance was there quite general agreement that there could be delegation as far as (6), (10), (13) and (16)? Is that complete agreement? On the basis of the area of agreement up to date, does the Attorney-General think that there is a good likelihood of something very close to this being agreed to by all the provinces now?

MR. LYON: Mr. Speaker, in answering the questions of the Honourable Member for Lakeside, I should say, first of all, that I have attempted not to comment upon positions of provinces, other than Manitoba, because I can't interpret the position of Prince Edward Island or British Columbia--only they can. And I think--

MR. RUSSELL PAULLEY (Leader of the NDP)(Radisson): Mr. Speaker, might I ask my honourable friend a question just relating to this? Is the gentleman's agreement of not talking about the attitude of the other Attorneys-General still in effect? That was in effect, as I understood it, before. Is it still so?

MR. LYON: Well, it's not a gentleman's agreement. I think it's just common sense, Mr. Speaker. Whether there is any agreement or not, I wouldn't attempt to try to paint a picture of another jurisdiction because my viewpoint may be entirely wrong. I think such a picture should be painted out of their mouths and out of their mouths alone. I did feel free to comment, and I think I should feel quite free to comment with respect to any position that Manitoba has taken, both in the past and during this present series of conferences.

(Mr. Lyon, cont'd.)

As to whether or not there is tight unanimity and agreement on this, I'm afraid I must answer in the negative because there are reservations with respect to certain sections, and reservations with respect to others. For instance, in the case of Manitoba, I was able to say that if this is the compromise, the only compromise, or the best compromise that we can arrive at, I will take it back to the government, or to the legislature, and ask for their consideration. And so I think that each delegation was subject to the same restriction, that this was the best that we could do at that point; we were going to take it back to our respective governments, or legislatures, for their consideration and report back. I think it would be fairly sanguine to say that there will be early agreement on this because I can still see some areas of concern. There are some jurisdictions who are quite concerned about 91 (1) of the British North America Act as it presently exists. Some jurisdictions may well want consideration by the federal government to be given to that section, the existing section, before they will make any commitment with respect to the present draft. So I think that while I am optimistic personally, that from this draft, or some variation of it, we will reach the ultimate one that we hope to embed in our Constitution. Still I wouldn't want to put any time limit on it. I think that still further negotiation and agreement, and perhaps amendment of this draft amendment act, will be necessary.

MR. CAMPBELL: Mr. Speaker, again I am intending to ask a question rather than make a statement. But I might premise it by saying that I agree with the Attorney-General completely in that he should not, I think, attempt to express the views of other provinces because they're quite difficult to interpret and I wouldn't think that would be advisable.

With regard to Section 5, on Page 2, last half of it, reading: "Unless it is concurred in by the legislatures of at least two-thirds of the provinces, representing at least 50% of the population," etcetera. Might I ask the Attorney-General, is that 50% pretty generally agreed to in his opinion? It's evident that one of the big central provinces is necessary to achieve that 50%, but would his opinion be that it's likely that there would be pretty general agreement with it being as low as 50 percent?

MR. LYON: It's pretty hard, pretty difficult, Mr. Speaker, to answer that question categorically. I would say this, that there is as much general agreement with respect to that section as there is to any other section of the Draft Amendment Act. So to that extent, there is general agreement.

MR. J. M. HAWRYLUK (Burrows): Mr. Speaker, during the discussion that took place, that we're all aware that at the time the BNA Act was passed in 1867 there were certain safeguards that were given to some of the provinces that were in effect before 1867 regarding the educational status in the various provinces, by law, and by practice, and so forth, and by gentleman's agreement, in the Maritime Provinces. Now there has been indications in various conferences that have been held, the educational conferences held in various parts of Canada, that there has been some talk of having more uniformity as far as the educational standards are concerned across Canada. Now has there been any discussion in which--will there be any latitude regarding the Act of 1867 which gave protection to the provinces regarding the Educational Act, as to the possibility of something in the idea of a national-wide Canadian educational set up? Or else, are the safeguards still in the new Act, as far as protecting the province is concerned? This has to do with the separate schools, and private schools, and so forth, in the various provinces across Canada.

MR. SPEAKER: Are there any other questions?

MR. HILLHOUSE: Yes, Mr. Speaker. From reading newspaper accounts of this conference I have the impression that before Canada will submit this Act to the Parliament of the United Kingdom that a majority of the provinces, plus a majority of the population, must give their prior consent. Is that right?

MR. SPEAKER: Are you ready for the question?

MR. CAMPBELL: Mr. Speaker, if it's not in order for the Honourable the Attorney-General to answer the questions at this time, I propose to move the adjournment of the debate. So I would like it to be taken that these are answers to questions--if he prefers to answer.

MR. LYON: by me, Mr. Speaker. I would merely say I am not sure what my honourable friend is getting at--the Honourable Member for Burrows--on the question of education. I think if he looks at the draft itself, in Section 4, he will find that it's entrenched, subject,

(Mr. Lyon, cont'd.) except with respect to the Province of Newfoundland.

With respect to the question asked by the Honourable Member for Selkirk as to what proportion, I think it's the desire, naturally, to get unanimous agreement. I don't think there's been really any discussion as to the hypothetical situation that might arise if one, two, or more provinces disagreed. So I really couldn't answer it one way or the other.

MR. CAMPBELL: Mr. Speaker, I move, seconded by the Honourable Member for Ethelbert Plains, that the debate be adjourned.

Mr. Speaker presented the motion and after a voice vote declared the motion carried.

.....Continued on next page.

MR. ROBLIN: Mr. Speaker, if I may I would now like to move the Committee of Supply. I move, seconded by the Honourable the Minister of Mines and Natural Resources, that Mr. Speaker do now leave the Chair and the House resolve itself into a Committee to consider of the Supply to be granted to Her Majesty.

Mr. Speaker put the question and after a voice vote declared the motion carried, and the House resolved itself into a Committee to consider of the Supply to be granted to Her Majesty, with the Honourable Member for St. Matthews in the Chair.

MR. CHAIRMAN: 6. Surveys Branch adopted?

MR. CAMPBELL: Are we finished with No. 5, Mr. Chairman?

MR. CHAIRMAN: Yes we completed 5. Going on to 6, passed. 7 passed?

MR. HAWRYLUK: I never did get the information I sought last week regarding the compensation, etcetera, of the injured or anybody that was killed at the time of the fire.

HON. C. H. WITNEY (Minister of Mines and Natural Resources) (Flin Flon): Mr. Chairman, we had no volunteers, as such, fighting fires this year. All who volunteered were put on the payroll and on the payroll they were covered by compensation. In some cases they were groups of people where we assisted them but in those cases those people were not on compensation -- (Interjection) -- Beg your pardon? The Honourable the Minister of Industry and Commerce was going to answer that question and it was, I believe, taken care of through the Civil Service.

MR. MOLGAT: Mr. Chairman, had we passed Item 5 the other day?

MR. CHAIRMAN: Yes, 5 was passed.

MR. MOLGAT: My notes were that we had just finished 4.

MR. CHAIRMAN: No, we passed 5 and we called 6.

MR. MOLGAT: Mr. Chairman, I think the other day I had asked the Minister for some specific information about the catch limits on some lakes. I wonder if he has that now.

MR. WITNEY: The catch limit on God's Lake was increased by -- it wasn't increased by 200,000; we transferred to the winter limit 200,000 that had not been caught on the summer limit, so the over-all production remained the same. On the Reindeer Lake we did the same; we transferred the uncaught portion of the summer limit which was roughly about 125,000 pounds to the winter limit, and on South Indian Lake we had in the summer a 100,000 pound season for pickerel in the north end of South Indian Lake.

MR. MOLGAT: Mr. Chairman, what does that make the -- has the Minister got the total limit?

MR. WITNEY: Yes, the total limit on God's Lake is 600,000 pounds, on Reindeer Lake, 600,000, and on South Indian, 900,000.

MR. MOLGAT: this with last year's total?

MR. WITNEY: Last year in South Indian it was 800,000; Reindeer, 500,000 and God's Lake, 600,000.

MR. MOLGAT: increase of 100,000 on two of them?

MR. WITNEY: That is right.

MR. SHOEMAKER: Mr. Chairman, we're on 6, are we not? Is this the department that would take care of the roadside parks and campsites and access roads to recreation areas?

MR. WITNEY: No, that was back in the Forestry Branch, Mr. Chairman.

MR. SHOEMAKER: Well, Mr. Chairman, in the annual report that I have before me it covers -- (Interjection) -- no, this is the annual report, 1961, Surveys Branch -- oh, that's Field Services, pardon me. Is that right? Is that what the Minister said? That would come under Field Services?

MR. WITNEY: Forestry in the number 2, Mr. Chairman.

MR. SHOEMAKER: Well then if that's not so in this report that I have before me, well anyway, Mr. Chairman, when I'm up on my feet, would the Honourable Minister tell me under the last one -- under Item No. 10 -- when we come to that, could we discuss that there? I was going to ask him in particular about Grand Beach, what developments have taken place there. I suppose that since there would be a large expenditure that Grand Beach would come under 10.

MR. WITNEY: We can discuss it under 10, Mr. Chairman.

MR. MOLGAT: Mr. Chairman, I think the point of my honourable friend though is well taken because when you take the report of the department, Surveys Branch starts on page 124

(Mr. Molgat, cont'd.) and under that heading there is certainly summer resorts and public campsites on page 127. Is that not ---

MR. WITNEY: These are the surveying of those -- the surveying of the campsites and the recreational areas are done by the Surveys Branch ---

MR. MOLGAT: Mr. Chairman, on the surveys then. What surveys are presently being undertaken insofar as the boundaries? Are we all complete now on the Manitoba-Saskatchewan and the Northwest Territories and the Ontario?

MR. WITNEY: The survey on the Ontario boundary was done some years ago. Last year the survey on the Northwest Territories boundary was complete and there is roughly 113 miles approximately to go on the Manitoba-Saskatchewan boundary and it's anticipated that that will be finished in 1962.

MR. MOLGAT: By that time we will have had a complete survey of all the boundaries of the Province of Manitoba.

MR. WITNEY: We should have, yes, by that time.

MR. CHAIRMAN: passed, 57, Mines Branch.

MR. MOLGAT: Mr. Chairman, I don't care where this comes up, but I understood and I made a note in the early part of Mine estimates that the Minister was to speak to us on the Grand Rapids archaeological works. I had asked about this from the Minister of Industry and Commerce who said to me that this would be done by the Minister of Mines and Resources. When will we be getting this?

MR. WITNEY: I think an appropriate time would be on number 10, Mr. Chairman.

MR. CHAIRMAN: passed.

MR. D. ORLIKOW (St. John's): No, no, Mr. Chairman, we had some discussion some days ago, a week or more ago, about the mine accident at Thompson, and I think the First Minister gave his assurances that we would have a pretty complete report from the Minister on what happened there and what steps will be taken if any are required to ensure that possibly we won't have other recurrences and so on. I think this is the place when we ought to have a pretty detailed statement on just that question.

MR. WITNEY: Mr. Chairman, I think possibly I should read here in order that I don't make any errors, because there are some technicalities here that it wouldn't be wise to make any mistakes on. The accident at Thompson took place at 7:00 p. m. on September 6th, 1961 and the mining officials notified our safety inspector on the same evening, roughly about 9:00 o'clock. He was on the plane, the first transportation he could get the next morning into Thompson to investigate the situation immediately. The accident took place on 63 stope. It's a longitudinal cut and filled stope 205 feet long, and it had been mined one cut above sill elevation with the second cut mined from the south half where the accident occurred. The men involved were in the process of removing pipes, timber and other materials. They were coming from the north half to the south half in preparation for mining the north half. Mining of the south end was completed, the last blast being on August 30th. Most of the broken ore had been removed and for the last few shifts the crews had been engaged in cleaning up. Both the north and south halves of the stope had been rock-bolted on the roof and hanging walls with 6 foot and 8 foot 3/4 inch high-strength headed bolts with expansion shelves according to standard practice at the mine. In the south half where the accident occurred there were some 115 roof bolts and 74 wall bolts installed.

On August 28th it was noticed that a hairline crack had developed and a timber cribbed bulkhead was installed on the following day. The stope had been checked by the shift bosses and the crews on each shift prior to the accident. The stope was checked by the divisional mine foreman and a shift boss on the morning of the accident. The general mine foreman was in the stope during the previous week. All reports were that the stope had been sound with no evidence to give concern as to the crack and no pressure on the timber. The crew on the morning shift had all but completed the clean-up and it was intended to blast on the afternoon shift on the north half of the stope. The stope miner reported that roof and walls were checked over and considered safe. On the afternoon shift, the shift on which the accident occurred, the crew and the shift boss had checked roof and walls and considered them safe. The check had been made by the shift boss approximately three-quarters of an hour before the accident. A stope leader and a driller were in the area with the four men who were killed. These two men are

(Mr. Witney, cont'd.) the regular stope crew. Others were engaged to do casual clean-up work in the stope under the direction of the stope leader. In this case the mass of rock which was all rock-bolted and had been apparently sound for over a week and supported by timber where it appeared to be necessary, gave way instantly and without warning. It is considered that no unusual circumstances sometimes resulting in what are known as "rock bursts" caused this occurrence, but the mass simply fell away under its own weight, and after a thorough investigation our people came to the conclusion that it was simply a very unfortunate accident.

MR. ORLIKOW: I certainly claim no expert knowledge of this type of operation, but I am struck by the -- what struck me about the report which we got from the Minister was that all the information which the Minister has is information which was given by people who work for the company, and that our people -- unless I missed something in the report -- that the employees of the government, employees of the department did not enter into looking into this situation until after the accident occurred. Now I'm not suggesting for a moment that this accident could have been avoided, that in this particular case that there was any dereliction on the part of the company or the people concerned, but I'm wondering, Mr. Chairman, just how much supervision does the Government of Manitoba, does the department take of this matter. In other jurisdictions, in the United States for example, the federal department and some of the state departments do carry on some pretty regular investigations, routine investigations of what is being done, what precautionary measures are being taken, what timbering and all the rest of the work is being done, so that accidents will not occur. This doesn't mean that they don't have accidents. This doesn't mean -- and I am not suggesting for a moment that I have reason to think that this accident could have been avoided -- but I do think that as we develop an increased number of mines and as more people go to work in the mines of this province that this House has a right to expect and the people of this province have a right to expect that the government of Manitoba will have an inspection department which will be carrying on investigations which will be working with companies, which will be working with the employees, not after accidents happen, because then it's too late, but before; and about this, of course, the Minister has not reported. Now it may be that this is not the right place. I took up with the Deputy Minister of Labour certain other procedures of the company at Thompson which had to do with safety, which I think are completely wrong, and it may be that the place to discuss them is under the Department of Labour, under the Workmen's Compensation Act, but I do think that we ought to get a report from the Minister as to the work which this department does, not after an accident takes place, but before.

MR. WITNEY: Mr. Chairman, regular inspections are made of our mines and quarries in Manitoba and during the past year some 91 such inspections were made. We have an electrical inspector and a mines inspector and we also in the past two years, with the increasing development of our mines in this province, have employed a ventilation engineer, and these people are making regular periodic check-ups of these mining areas and are prepared to look into anything which is drawn to their attention either by the employer or by the employee, and the mine up at Thompson had received its regular check -- I haven't got the exact date here with me -- prior to this accident, and our men have been in to Thompson since that accident as part of their regular routine operation.

MR. A. J. REID (Kildonan): Mr. Speaker, on this same subject, in talking to miners in the Manitoba area I understand that the provincial government is quite lax in imposing safety regulations and also in mine inspection. I am not sure whether the Minister or his Deputy Minister have ever been underground, but it's a very primitive and weird place to work under -- conditions as they exist at the present time in the mine -- and we must understand that any mine, their main concern is to get ore out at the cheapest cost possible, regardless of the welfare of the men. -- (Interjection) -- That's true. You can talk to the miners. And these mines they operate in a slap-hazard condition. -- (Interjection) -- Well, I don't know if you fellows ever worked in a mine but you go down there and you'll see.

True, Mr. Chairman, the unions request safety regulations and different things for the men, and they also have firms going around promoting safety and selling safety equipment but, Mr. Chairman, it must be this government. Unions and these private corporations, they can't impose these safety regulations. It must be the government through their inspections and their inspectors. I understand they have mining inspectors, but I think most inspection is done, Mr.

(Mr. Reid, cont'd.) Chairman, from the General Manager's office on top instead of going down underground and doing their job. For there's talk in these miners that these inspectors come around, they never see them underground; they come to the office and sit on top, get everything from the manager and give him a clean slate. Well, Mr. Chairman, that's no way of doing the business of inspection.

Also the matter of instruction information, Mr. Chairman. Just a while ago I read in the paper, and I was speaking to a miner. A man's first day underground -- hired one day and they stuck him underground. Well, no man should be put underground after first day employment until he is instructed of the dangers and what to look for. Stick a man underground; he's killed instantly first day; report it "accidental death" and the company just carries on the same as it carried on before. Another incident these miners told me about involved a cage which is similar to a freight elevator, Mr. Chairman. The only difference, in a freight elevator they have cables at the bottom and around and this is only suspended on one cable and controlled from above by a man watching the dials, and they have a man down below called a "tender" to look after this cage. Once he is given the signal and he gets in that cage it can't stop until it comes to the next level, and they tell me they have an attachment that closes inside, safety bars, and another bar on the outside to protect these big swinging doors swinging out, and also they have the roof -- it swings out to facilitate movement of long timbers and rails, whatever's required for underground construction. Well, this safety bar on the outside, Mr. Chairman, it required repairing for quite awhile. On this particular shift this fellow gave the signal to move and up it went, the man on top. He had no way of knowing anything happened; his dials were moving, but this bar swung out and jammed up against the ceiling of this opening. The dial kept turning. What happened? The cable was stretching. Well finally this bar broke and this man shot through the top -- just shot out like a sling shot -- killed instantly. The miners told me the part the company done. They covered up; they camouflaged; they fixed everything up to show it hadn't been repaired or anything. When the mine inspector came down there he gave them a clean bill, everything in first class shape. Well, Mr. Chairman, I am no miner or no inspector, but if a man knows his job and he goes to look at a piece of equipment he can see whether it has been repaired recently or not, and I am sure whoever went on that inspection either inspected from the top or if he was down he didn't look at it very closely to see that here's equipment that required repairs for a period of time, and after a man was killed it was repaired, and the company is still operating in a slap-hazard condition, like I said, and it exists throughout Manitoba right now, Mr. Chairman.

MR. WITNEY: Mr. Chairman, the honourable member has made a very irresponsible statement. He has said in effect that our men are not going underground to inspect mines. He has said in effect that our men are doing nothing more than sitting up and talking with a mine manager and finding out whether or not there are safe conditions underground, and I refute that statement very thoroughly and emphatically. Our men are underground, and if men draw to the attention of our inspector any areas of hazard, they look at them. I have been underground in Manitoba mines and I have found that these mines are extremely well-kept underground. The mining companies in this province have mine safety committees; they have safety engineers. We have mine safety rescue operations; we carry on our inspections regularly, and in the case that the honourable member has made mention of -- this apparent cable which had stretched, which he calls a slap-hazard -- he has made a very serious accusation against them. He has said that our men did not check it. So I want from him details; I want from him the name of the company; I want from him the time that this accident took place; where it took place; the names of the men, and those who are making the accusations. Because I cannot believe, and I refuse to believe that our mining inspectors would be so careless on a situation such as that. That would have been thoroughly investigated and he must give me those names. He must give me the full details on that in order to justify his statement, and I am positive that he cannot do it.

MR. PAULLEY: Mr. Chairman, on the 16th of February I asked by Order of Return for some information dealing with the death at Thompson. Subsequent to what we thought was an acceptance of the Orders for Return, in Votes and Proceedings one of the items was left out that I'd asked for. I wonder if the Minister's in a position to tell me now or to give us the information that I requested at that time insofar as the accident at Thompson was concerned. In

(Mr. Paulley, cont'd.) the course of the debate on the request of the Order of Return, the Attorney-General, if I remember correctly, stated that there was a copy of the evidence given at the Coroner's jury and in the debate suggested that it would be placed in the Library rather than this. However, the Votes and Proceedings of the day following, or for this particular day, left intact the three first points which included a copy of the evidence at the Coroner's Inquest, and I wonder now, Mr. Chairman, whether or not the Minister can tell me how far he's progressed in fulfilling the Order for Return. I only wish that I had had the full information before we came to this part of the estimates for the year, but unfortunately I haven't got the report as yet. I am wondering when I might be getting it.

MR. WITNEY: That section of the Order for Return, Mr. Chairman, was considered to be an Internal Report from a member of the staff to the Minister. In the statement that I have given on the basis of this accident at Thompson, the details are there.

MR. PAULLEY: Mr. Chairman, also referred to the production of the evidence that was given at the Coroner's Inquest. That, when the record of Votes and Proceedings was shown for the next day, was accepted and I would like to know from the Attorney-General -- because I think it's in his department that this matter is dealt with -- when I might be getting it.

MR. LYON: Mr. Speaker, I can inform the Leader of the NDP that I left instructions with the department to have a copy of it obtained and lodged in the Library. I will endeavour to find out immediately whether that has been done. It may well be in the Library at the present moment, but I'll find out and report back.

MR. PAULLEY: But I might also point out to the Honourable the Attorney-General, Mr. Chairman, that that portion of the Order for Return was recorded as having been accepted. Therefore I should be receiving that as the result of my request.

MR. LYON: the evidence being placed in the Library. We agreed the honourable member could have it subject to that condition, because as I mentioned to him at the time, orders for transcripts are not ordinarily accepted because of the tremendous cost that might be involved in their procurement, but I think it met with his approval so long as he could see a copy. It happened that the evidence in this case was transcribed; a copy of it was obtained by my department for another department, and I undertook to have a copy placed in the Library for the honourable member's perusal. I will see right away whether or not that has been done.

MR. PAULLEY: I appreciate that, Mr. Chairman, but I again want to point out that as far as the Order for Return is recorded in Votes and Proceedings, while there was a deletion of Clause (4) which dealt with the Internal Report that the Minister apparently has just given, the other three items were accepted, and therefore I should receive a copy of the report.

MR. LYON: My honourable friend, Mr. Chairman, can continue his argument on that regard with the Speaker, but I'll undertake to carry out what I said I would do at the time.

MR. PAULLEY: Mr. Chairman, the Minister mentioned these reservations and I rejected them at the time, and then in the Votes and Proceedings, as I say, it indicated acceptance and I think it should be followed through once it's accepted.

MR. CHAIRMAN: Resolution 57 passed?

MR. ORLIKOW: Mr. Chairman, let's not be in such a hurry to rush. I want to get through this business as much as anybody else but this is pretty important. We want to make sure that we do everything possible so there won't be another accident before this House meets next year. Now I would like to know from the -- I am not making any charges personally about the work which the staff people who work for the department do, but I would like to know -- it's all very well for the Minister to say we have mine inspectors -- I don't know whether he said "a mine inspector" or "mine inspectors" -- and we have an inspector in charge of ventilation; we have an inspector in charge of something else, he said; but the fact is, Mr. Chairman, that there's been a pretty extensive development of mines in the last half dozen years. We have a tremendous operation at Thompson, we have several new operations on the part of the Hudson Bay Mining and Smelting Company outside of Flin Flon, and I would like to know, Mr. Chairman, I would like to feel certain that, not only that the people we have are competent people but I would like to feel more certain than I do that we have enough people to do the job which is required. Now I would like to know how many people are there on the staff doing this kind of inspection and how many people were there, let's say three years ago or five years ago. I think the House and this Committee are entitled to this kind of information.

MR. WITNEY: Mr. Chairman, we have a chief mining engineer, who looks after the safety and a mines inspector, an electrical inspector and a ventilation engineer inspector. The ventilation engineer man, as I mentioned before, has been brought in in the past two years because that was where we were receiving most of our problems. Since I have come into this department we have increased by one with the ventilation engineer, and I can assure the honourable member that up to the present time we feel we have enough inspectors for the amount of work that has been done, or the amount of development that has taken place in the province, particularly with the addition of the ventilation engineer. We, as we need inspectors, will include them in the estimates in the period to come, but at the present time we are able to adequately do the job in all fields of mining in this province.

MR. ORLIKOW: I can't understand that. I am one of those people who believe that when the Province of Manitoba hires people to work that the people put in a full day's work. Now, if we have the same staff now, except for the ventilating engineer, as we had three years ago, and we now have this tremendous development at Thompson, and we now have the new development at, is it Chisel Lake, and Stall Lake, now if the same people are able to do all these plus what we had before, I wonder what they were doing before we had them. Now surely if they were fully occupied before and the work which they were doing was necessary before, surely they can't be doing the same work they were doing before plus adequate inspection of these tremendous mines which are employing in the neighbourhood of between two and three thousand people. These are not small operations. These are tremendous operations. Now if they were fully occupied before, how can they do the same inspection which they did before and do the inspections of the new mining operations which have been opened, and that leads me, Mr. Chairman, to ask another question. Are there joint meetings of the people who do this work, of the various provinces, and if there are, are there any standards which have been evolved, and how do the standards in the Province of Manitoba, safety standards, inspection standards and standards with regard to staff, compare with the operations in other provinces? After all, there are large mining operations in Ontario; there are large mining operations in British Columbia, and I would like to know how our operations compare with what's done in the other provinces. I want to reiterate again, Mr. Chairman, that this is a very lucrative field to the province and a very lucrative field to the companies, but it's a field which can be extremely dangerous to the people who go to work there. After all, a person doesn't have much chance if an accident takes place there. I think we have a duty to perform to see that everything possible that can be done is being done.

MR. WITNEY: Mr. Chairman, during the Mines Minister's conference which is held every year, there is a committee working on various safety devices such as mine-hoisting ropes as one example. Our men are always represented at these Mines Ministers conferences. They are in consultation with their counterparts in the other provinces; they keep abreast to technical journals and they have a very extensive technical library with all the new methods, the new ideas, and I would say that the Province of Manitoba can stand up against any province in this Dominion in its standards of safety inspection and standards of the people that it employs. I come from the north country, and while I did not work underground I can recall accidents that took place up in the north country and I can recall the heartbreak that these accidents cause among wives and families and among relatives, and I can assure the honourable member that if I ever come to the position where I feel that we are falling down in this matter of mine safety inspection that that matter will be remedied, and remedied fast.

MR. ORLIKOW: Mr. Chairman, that's a very admirable statement by the Minister but it still doesn't answer the question which I asked. I simply said that I think that the province has a responsibility to make sure that the province is doing everything which is required, and it seems to me -- and I say it again -- that we are to a very large extent depending on the inspection services carried on by the individual companies. This may be very good; it may not be very good. I am not disposed to leave it to them alone. I personally made no suggestions that the calibre of the staff that we have is not adequate. I made no suggestion that the work which they're doing is not adequate. All I am saying is that if we have the same number of people that we had before, obviously they must have spread themselves out thinner than they were doing before. There can be no other explanation. And if they were doing a full day's work before then obviously they're not doing the same painstaking, careful inspection which

(Mr. Orlikow, cont'd.) they used to do, because they have so much more to do. The Minister hasn't replied to that question at all, and I think we're entitled to an answer to that question.

MR. WITNEY: Mr. Chairman, as to what the department did prior to my coming into office I am not aware, but I do know that since I came into office I have assured myself that the mining inspection in this province has been more than adequate and we do not either rely upon the mining companies to take care of inspection or the safety of men. We are inspecting on routine, regular checks, and we have been able to do so adequately for all the mining operations that have been taking place in this province.

MR. PAULLEY: Mr. Chairman, on this point that's been raised by my colleague from St. John's. I note that he drew the attention of the Committee to the expansion in the mining industry, particularly up north, but I notice that insofar as the staff is concerned that the numbers listed for the Mines Branch, of employees in the Mines Branch for the year under consideration, is 51 total staff in the Mines Branch, and in the estimates for the year ending March 31st, 1959 there was provision for 53 of a staff. Now that would indicate that the point that my honourable colleague has raised is a very valid one, that we have had considerable expansion in the mining industry in the Province of Manitoba, and at the same time, however, that in this expanding department we have less numbers of employees than we had for the year ending March 31st, 1959. So it seems to me that the points raised by my colleague are perfectly legitimate and that it is an indication that despite the expansion in the mining industry there are less staff in the department than there were two or three years ago.

MR. CHAIRMAN:

MR. ORLIKOW: Mr. Chairman, I would like to know from the Minister -- the Minister says -- I am just speaking of what I remember as best I can -- he said there are routine checks and there are spot checks and so on and so on. I'd like to know how often are the mines at Thompson or at Flin Flon or at Lynn Lake, how often are they inspected? I'd like to know specifically how often is -- the Minister says there are regular inspections. How often are they? Once a year? Is that what the Minister considers regular? Twice a year; once a month? I'd like to know, Mr. Chairman, because it may be that a year from now we will be discussing this under another accident and I think that the Minister should put on the record now what he considers adequate.

MR. WITNEY: Mr. Chairman, I am not sure of the exact numbers of time that the mines have been inspected in Manitoba, but I believe that I am quite safe in saying that they have been inspected more than once a month in this province. The mining inspectors go on a tour and when they go on the tour they cover all the mines that there are. If there are spot checks, of course, they go to the particular area where there are difficulties. I'd like also to mention to the honourable members that we are working very closely with the Department of Health on various sections of mine safety, particularly in ventilation, in that field, and I did mention that we have done 91 inspections during this past year. That 91, when you break it down to the operations, will indicate that there has been a considerable amount of inspection take place in the province.

Apart from that I think that is the answer, except to reiterate once again that if we get to the position where we haven't got enough that we will get more.

MR. CHAIRMAN: 7-passed.

MR. ORLIKOW: Mr. Chairman, I'd like this to stand and for the Minister to bring in -- it shouldn't be too difficult for the Minister to bring in a report and put on the record from his department, the number of inspections that are made and how frequently they are and so on.

MR. WITNEY: Mr. Chairman, ---

MR. FROESE: Mr. Chairman, I'd like to touch on a different matter, in connection with mining though. We all know that our sources of revenue are limited. Either we get them through taxation or we borrow them, or we get them through our natural resources in the way of royalties.

In 1957, if I am correct, International Nickel came into Manitoba and at that time an agreement was made with the government of the Province of Manitoba in which the government made an agreement whereby they would get certain monies in lieu of not making an assessment on the company property. My questions being; has the government reconsidered this agreement,

(Mr. Froese, cont'd) because as I understand it there was a provision that after 5 years' time this agreement could be reviewed and a revision could be made at that time? Further, I think at the time they entered into this agreement the prospects of the grade of ore that they thought would be mined would be much lower than it presently is, and whether or not a revision could be made upwards. Further to that, I understand that Ontario and Quebec for instance have increased their percentage of royalty from 9 to 13 percent, while I think Manitoba is still on the 8 percent if I am correct. First of all then, I would like to know whether any re-consideration has been given to this agreement or whether they're proposing to reconsider it at all.

MR. REID: Mr. Chairman, I have a question on the same thing. I got a press release here dated January 9th, '62: "Metal output doubled. New mines producing. Manitoba's production of minerals more than doubled in 1961," and so forth.

Now, Mr. Chairman, what does this mean, this new income, to the economy of Manitoba? True, it means putting some unemployed people to work, but then when you look through the estimates that this government is going to borrow for the coming year, some of this money will be used for power houses, some will be used for roads and so forth, to assist these mining corporations. Then when you look at the financial page of any newspaper or financial magazine and you see what these substantial properties, corporations, announce at the end of the year, it makes me wonder if they're paying a fair share of taxation in comparison to the average citizen. But I'm sure, Sir, if they were they could not declare these enormous profits at the end of the year. And my party, Sir, has always advocated, and insisted, that such corporations, especially when it involved natural resources, should pay their fair share of taxation in the society in which they exist. Thus we would all share the economy of natural resources, which rightfully belong to the people of this province, to be shared and enjoyed by one and all alike.

MR. MOLGAT: Mr. Chairman, the Saskatchewan area adjoining Manitoba in the vicinity of Esterhazy is proceeding with a large development of potash. This has been in the works for some time. Earlier this year there was some indication that there might be some potash developments in Manitoba. I wonder if the Minister could tell us something about this. What is the likelihood of a large commercial development in this field?

MR. WITNEY: We have had a company investigating the potash reserves adjacent to Saskatchewan for some time. They have been on a reservation and have drilled six holes up to the present time, and recently the company went to a lease of some -- I'm not sure of the exact number of acres -- but a considerable number of acres, and the activity up there is still increasing. I think it's encouraging to see that the company has gone to lease.

MR. MOLGAT: Is it likely, Mr. Chairman, that we will have commercial development of potash within the near future in Manitoba?

MR. WITNEY: That's rather difficult to say, Mr. Chairman, because the problems of mining potash are quite extensive. The markets have to be considered, and I would say that there is every hope of it, yes, in the future.

MR. PAULLEY: Mr. Chairman, I understand that this item is going to stand, but I would like to ask the Honourable the Minister, in connection with Clause (c) of 7, I note that there is about \$130,000 increase in the Development Investigations. I wonder if the Minister could tell us what he intends to do and why the increase in this amount.

MR. WITNEY: The increase, Mr. Chairman, is to provide for the aero-magnetic survey which will be done in conjunction with the Dominion Government this year. It will be covered over a period of three years and it will involve an aero-magnetic survey of three fairly substantial sections of the province during the next three years. It is an arrangement that was brought about by the Mines Ministers Conference where the Mines Ministers approached Ottawa to see if they would assist in the aero-magnetic survey of the precambrian areas of their province. The federal government has consented to go along 50% and Manitoba is taking its first activity this year. The number of line miles that will be done on this aero-magnetic survey will be 50,000 at a half mile apart. And we expect that by the end of the three-year period that three-fifths of the province will be done. This information will be put on maps which will be prepared in the following spring of the aero-magnetic survey for the availability of all the public.

MR. MOLGAT: Mr. Chairman, some years ago there was an extensive mining development in what we might call the Bird Lake or the Cat Lake area. Since then this seems to have

(Mr. Molgat, cont'd) gone back. The mines which were in operation there have for the largest part closed, although there has been some additional development in the Province of Ontario, very close to the Manitoba border. In particular, at Gordon Lake and also at Rainer Lake. These are both within, oh, some 10 or 12 miles of the Manitoba border. Some years ago as well some road development was begun in that area and the roads into Bird Lake and Cat Lake were built. My understanding is that surveys were undertaken and some work as well on the extension of the Cat Lake road to connect with Beresford Lake and on to Bissett, but since this government's taken over, there seems to have been no further development in this field and the plans that were laid appear to have just stopped there.

My honourable friends at one time spoke as well about a road along the east side of Lake Winnipeg, and at one time I think the Minister of Industry and Commerce indicated this was all set to go, but once again, we've heard nothing further about this, and I suggest to the government that this matter of road development in these areas is absolutely essential. I don't think that these mines can operate efficiently today without an adequate road system. There are of course additional benefits once the roads are put into the areas. It's not strictly for the benefit of the mines. To begin with it makes exploration easier; it has as well the other aspects which my honourable friend is interested in, that is, the tourist, the fishing, commercial as well as sport. I think that my honourable friend should pay close attention to this area. It's very accessible; it's in the southern half of the province; freight factors are an advantage to this area, and we should be paying more attention to the road development in there.

On checking into the area I find that at the moment there is only the Ontario mines operating. In Manitoba we had, until 1958, a mine at Cat Lake, the Lithium Corporation. It's no longer operating. At Bernic Lake we had the Camaloy Mines. It was operating, I think, until about a year ago, and it's no longer operating. At Cat Lake there was the New Manitoba Mine and it's also not operating, although I understand it will probably be in operation within the next year. But right in Ontario, Mr. Chairman, at Gordon Lake, the Nickel Mining and Smelting Corporation are proceeding now with an extensive development. I understand that they have up to 50 men underground at the moment and that they're proceeding with the construction of a mill. A little closer to the Manitoba border at Rainer Lake the Norfax Mining Company is interested in going back in production again, I understand. A little further on -- that's some five miles past Gordon Lake, which would make it some 17 miles inside Ontario -- there is the development at Rex Lake by International Nickel. They are presently apparently involved in some extensive developments there.

Now, at the moment, Mr. Chairman, these Ontario firms are doing the majority of their purchasing, and all of their hauling, through Manitoba, because the road access comes in through Lac du Bonnet and on through the Bird Lake Road and that way. And this means that a good deal of their production, a good deal of their purchasing is done in Lac du Bonnet or in Winnipeg. I'm told, however, that there is a good deal of pressure coming in Ontario -- pressure being put on the Ontario Government to proceed and build a road north from Minaki. There is already apparently a road from Minaki to Caribou Falls and it would not be too difficult to proceed from Caribou Falls for the north to connect with the Gordon Lake Development.

Now I suggest, Mr. Chairman, that this is very important to the Province of Manitoba, that it's important to us that we retain the access to this mining area because it can mean substantial additional employment and business to the Province of Manitoba.

I would like to ask the Minister if he couldn't at this time have an investigation made of the railway that goes from Lac du Bonnet to Point du Bois. There was some discussion, some statement earlier this year, that City Hydro who own and operate this line were going to cease operating it. Now it seems to me not too difficult to consider the extension of that railway line from Point du Bois where it presently stops, along the north side of the Winnipeg River and into the area of Ontario where these developments are now. If the Nickel Mining and Smelting Corporation at Gordon Lake are proceeding with their mill -- which they are -- there should be continuous movement out of there. I would suggest that before letting City Hydro abandon this line, that we should have a very careful investigation made of the possibility of taking this over, or having the federal government take it over under the CNR, and extending it so as to keep on passing that important mineral area for the Province of Manitoba. Presently the CNR are extending rail lines in other areas for mining developments. They're doing so in Northern Alberta,

(Mr. Molgat, cont'd) I understand. They've done some in the Province of Quebec and Labrador. And here we have already a section of a line built, has been operating, and I would think with not too much additional expenditure it could be extended and made to pass into this very rich mining area. I think if this were done, and if there were better transportation facilities through there, that a number of the mines that were in operation previously, possibly would find it once again possible to get back into operation, and that this would be of important assistance to that whole area and to Manitoba as a whole. Now I don't know whether this is economically feasible or not but it seems to me a shame that an asset which is there now, some several miles of line would be abandoned without having a very thorough investigation.

MR. WITNEY: Mr. Chairman, I think I can put it in brief words the difficulties in the southeast corner of Manitoba. Most of the mines the honourable member is speaking of are mainly lithium mines and their development will really have to wait until there is a demand for lithium and for caesium which can be obtained at the Bernic Lake Mine.

The mine on the other side in Ontario is a different base material and I'm not sure whether it's a copper find or a nickel find, but it is not lithium. And lithium is a product that is not wanted to any great degree at the present time and until it is the development there, on lithium at any rate, will have to wait until such time there is development. The company in question came to us some time ago to ask if we would allow them to have gravel, free of charge, so that they could break through an access road across the border, and to transport in supplies. That was done. We have co-operated with that company and they have expressed their thanks for that co-operation. And we have been watching that development very closely. I think as a result of the Manitoba co-operation with the mine in its early stages, that the pressure has been developing in Ontario for the road to come up through Kenora so that they can siphon off some of the trade which has been coming through Manitoba.

MR. MOLGAT: Mr. Chairman, I appreciate what the Minister says about the lithium development but I think that there are other minerals in that area as well. It seems to me that some of the Manitoba mines were producing other minerals. However, insofar as the Ontario mines are concerned, they certainly are not in the lithium field and they are proceeding. The one at Gordon Lake is now developing underground as well as proceeding with the mill. And certainly transportation will be one of the key factors in retaining this trade for Manitoba. Now, will the Minister be prepared to investigate the possibility of this rail line and seeing if anything can be done so that we would tap this as we have been doing and continue to hold it for Manitoba?

MR. WITNEY: The area of southeastern Manitoba is rich in various minerals, that is quite true, and one of the problems that the Bernic Lake mine has had has been the conglomeration of minerals that has been present and trying to find some method of being able to economically extract them from the ore. They are at the present time, or have been doing some work on mineralogy in the mine. I was down the mine and I was shown the mineralogist's map of the various metals that are there, and they are there but they are all quite entwined with each other. As for the suggestion of the railroad, it's an interesting suggestion, Mr. Chairman, and certainly the suggestion will not pass unnoticed.

MR. MOLGAT: Could the Minister indicate what the plans are for the extension of the Cat Lake road to connect it with the developments further north in the Bissett - Beresford Lake area?

MR. WITNEY: No plans for extension of that road at the present time, although we are watching this development over on the Ontario side of the border.

MR. MOLGAT: Mr. Chairman surveys were made on this road and some clearing, some years ago?

MR. WITNEY: Yes there were Mr. Chairman. To my knowledge there were surveys and some clearing made on that road at a time when it was expected that the lithium mines would develop, but they didn't develop.

MR. MOLGAT: operating now in the northern area. Bissett is still in operation, is it not, and in through there -- I understand there's still extensive exploration of the Wallace Lake and that area. Is it not considered advisable to make that connection? There is only a small connection now still left. I am told as well that there are important tourist possibilities in through there, and surely if the plans were laid for the work some years ago, if the survey was made and some clearing, it would seem wise to proceed with the extension. I don't

(Mr. Molgat, cont'd) understand why the hold-up.

MR. CHAIRMAN: The Member for Rhineland.

MR. FROESE: Mr. Chairman, I think my question that I put before deserves an answer. After all, the cost of living index has risen considerably since that agreement was reached, and surely the Province of Manitoba could stand some additional revenue. Therefore, I'd like to have an answer to my question whether the government is considering reviewing the agreement.

MR. WITNEY: Mr. Chairman, my attention was diverted at the time that the honourable member was making his remarks. I'm not aware of the agreement that he is speaking of. I'd like him to explain which agreement it is, please again.

MR. FROESE: The agreement with International Nickel Company -- between the Province of Manitoba and the International Nickel Company.

MR. WITNEY: I gather the honourable member is speaking about the royalties. The agreement with the International Nickel Company was signed some time ago and we are at the present time negotiating with them on the royalty rate. The royalty rate is set at 8% of the mining income. We are negotiating with them at the present time on just what that mining income will be and in the process of those negotiations we have sent our men into Ontario to ascertain the manner in which the Ontario Government is working with the International Nickel Company and to assure ourselves that we are getting, or we will get when the final negotiations are completed, a fair return for the Province of Manitoba of this natural resource.

MR. CHAIRMAN:57 - passed; 58, Air Service, passed?

MR. PAULLEY; Mr. Chairman, it is my understanding that the Minister said he would be agreeable to hold No. 7 for my colleague from St. John's.

MR. WITNEY: I don't recall saying that I would be agreeable to holding No. 57, Mr. Chairman, but I did make the commitment that we would have a complete breakdown of the inspections that have been made during this past year in mine safety in the province.

MR. ORLIKOW: It's assumed that if the Minister made a statement on it we could then discuss ---we can certainly not discuss it very intelligently unless we have that information. Members on this side -- I wish the member for that area were here when we were discussing his area; he doesn't seem to be very interested in his own constituents -- but we can hardly discuss intelligently whether the job is being done adequately unless we have that information, and I don't want to be difficult but it seems to me that it's not asking too much that this matter stand over so that we can discuss it if we're not satisfied with the information. It may be that we'll be very satisfied but I certainly would like to have a chance to comment on the figures we get from the Minister when we get them.

MR. WITNEY: Mr. Chairman, on that basis I'm not worried about having this matter stand over at all because I am very much convinced that we have done a more than adequate job in mine safety and we can hold this item over and the information can be available for the honourable members to discuss at will. And as for the Honourable Member for Churchill, he is attending a Hudson Bay Route Association Convention which is being held in Saskatchewan at Lloydminster. He is on his way across there at any rate, and which has a very vital effect upon his constituency.

MR. CAMPBELL: Mr. Chairman, I have not asked the questions that I was interested in because I understood that the matter was going -- this number 7 was going to be allowed to stand, that I would ask them later on. But if it's standing for only one purpose then I think perhaps I should raise the question that I was interested in. Like my honourable friend from Gladstone I happened to have an information section bulletin with me. It deals -- very recent vintage Mr. Chairman -- because it's dated March 23rd and it forecasts a substantial oil development at Pierson, and I am sure that all the ones of us who have been paying attention to the oil potential of the Province of Manitoba will be glad to see that there are at least indications of the area expanding again. For I've been noticing the reports that have been issuing and the annual report of the department, and the oil production in Manitoba has been declining, so anything in the way of an expansion is very welcome and I notice that not only Pierson is mentioned, but also the Tilston and Boissevain areas. My recollection is that Pierson had already had some oil exploration work; in fact that there were some wells had been proven in that area but had been capped. My geography may not be completely accurate though. Perhaps it was not right at or near Pierson but in that general area. Are there some indications recently of a renewal of interest

(Mr. Campbell, cont'd) in Boissevain, at Pierson, at Tilston? I gather that there are.

And then the other matter that I was going to comment on that's contained in the same release is the fact that Mr. Witney said that Manitoba's refining capacity would be greatly expanded if plans work out for a third refinery in Metropolitan Winnipeg. Is there likelihood of another refinery here soon? Then the last sentence deals with a refinery as presently under construction at The Pas. Could the Minister give us some information on those three or four matters?

MR. WITNEY: A refinery is being developed in The Pas area, Mr. Chairman. I am not sure just how far the plans for the third refinery in Winnipeg area have advanced, but if these refineries do go ahead here in Manitoba we do not have any rationing of our oil because we are able to consume more than we produce. Thus if we are able to get these refineries going it means that we will be able to take more production from our immediate oil fields in the southwest corner. I think perhaps we are overlooking one of the most important aspects of the oil fields down there, and that is the unitization which we expect will be completed -- the agreement will be completed this year -- and then flooding will take place in the North Virden-Scallion field and once flooding commences we will be able to increase our capacity by some 30 million barrels.

MR. CAMPBELL: I hadn't mentioned that part which is contained in the same report because I have been quite familiar with that operation, having seen it at work in the area a few years ago. Mr. Chairman, is the Honourable Minister at liberty to tell us the company that's building a refinery or that's expected to build one in the Metropolitan area?

MR. WITNEY: I am sorry, Mr. Chairman, I do not have that information. The Minister of Industry and Commerce, who probably has it, is not here.

MR. CAMPBELL: won't ask both questions because I know that there's a disposition on the other side of the House not to tie the two questions up, but if he can tell me either one thing or the other; that is either the name or if they're getting assistance from the department. I won't ask both at one time but what I would prefer to know would be the name and then we'll scout around about the other part later on. Perhaps I should ask this question -- the other one of the Minister of Industry and Commerce as well -- but is the refinery at The Pas proceeding satisfactorily and on schedule?

MR. WITNEY: I believe it's proceeding satisfactorily. As to the question on schedule, I am sorry I can't answer that question.

MR. E. R. SCHREYER (Brokenhead): Mr. Chairman, does the Minister know whether this third refinery is -- could it be the BA proposed refinery which company has been trying to acquire land in East St. Paul? Could that be the third one?

MR. WITNEY: I'm sorry Mr. Chairman, I can't answer that.

MR. CHAIRMAN: Resolution 58.

MR. E. I. DOW (Turtle Mountain): Mr. Chairman, I am informed that there is some agreement or will be some agreement entered into the transport of oil from the Williston Basin to Cromer. Has the Minister any information to impart to the committee on that?

MR. WITNEY: Mr. Chairman, the Matador Pipeline Company received the approval from the National Energy Board to transport oil from North Dakota in bond through Cromer but the matter as to whether or not the pipeline will be built depends upon -- I gather permission to come yet from the United States.

MR. DOW: effect on the quotas of refineries in Manitoba?

MR. WITNEY: No Mr. Chairman, not to my knowledge, because the oil passes in bond through the pipeline.

MR. CHAIRMAN: I'm letting 57 stand open. I think this would be a good time to call it 5:30. Committee rise and report. Mr. Speaker, the Committee of Supply has adopted certain resolutions, directed me to report the same and asks leave to sit again.

MR. MARTIN: I beg to move, seconded by the Honourable Member for Brandon that the report of the committee be received.

Mr. Speaker presented the motion and after a voice vote declared the motion carried.

HON. STEWART E. McLEAN (Minister of Education) (Dauphin): I move, seconded by the Honourable the Minister of Mines and Resources that the House do now adjourn.

Mr. Speaker presented the motion and after a voice vote declared the motion carried and the House adjourned until 2:30 Thursday afternoon.