



Legislative Assembly Of Manitoba

DEBATES and PROCEEDINGS

Speaker

The Honourable A. W. Harrison



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5th Session, 26th Legislature

THE LEGISLATIVE ASSEMBLY OF MANITOBA

2:30 o'clock, Monday, April 2nd, 1962.

Opening Prayer by Mr. Speaker.

MR. SPEAKER: Presenting Petitions.

Reading and Receiving Petitions.

Presenting Reports by Standing and Special Committees.

Notices of Motion.

Introduction of Bills.

HON. CHARLES H. WITNEY (Minister of Mines and Natural Resources) (Flin Flon) introduced Bill No. 111, An Act to amend The Mines Act.

MR. SPEAKER: We have with us this afternoon ten pupils from the Ellen Douglas School of Disabled Children. They are under the guidance of their teacher, Miss Helen Douglas and Miss Crosland. We are very happy to have with us this group of underprivileged children with us this afternoon. I have seen fit to invite them to sit on my right and my left due to the fact of their handicapped position makes it a -- not a good thing to put them in the gallery upstairs, and they are here on my personal invitation to sit on my right and my left. We hope that they have a very pleasant afternoon with us and they will long remember the visit to the Manitoba Legislature.

Orders of the Day.

MR. KEITH ALEXANDER (Roblin): Before the Orders of the Day I'd like to ask leave of the House to add the name of the Honourable Member from Rhineland to the Committee of Public Accounts. He has mentioned the fact to me that he would like to be on this Committee -- he is not on it -- and ask leave of the House that it might be done.

MR. SPEAKER: leave of the House? Agreed.

MR. ALEXANDER: Mr. Speaker, by leave I move, seconded by the Honourable Member for Arthur, that the name of Mr. Froese, the Honourable Member for Rhineland, be added to those comprising the Standing Committee of Public Accounts.

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

MR. SPEAKER: Orders of the Day.

MR. GILDAS MOLGAT (Leader of the Opposition) (Ste. Rose): Mr. Speaker, before the Orders of the Day I would like to address a question to the Attorney-General. During his absence in Ottawa the then-Acting Leader of the House, the Minister of Industry and Commerce, indicated in reply to certain questions about the Brandon Gaol, that an investigation was being conducted on the handling of funds at that institution. Could the Minister indicate when we may expect the report on this investigation?

HON. STERLING R. LYON, Q.C. (Attorney-General) (Fort Garry): Mr. Speaker, to date I have had only a preliminary report myself. I understand that it's still continuing and I would expect that by the time my estimates are up, there may be further information which can be given to the House at that time.

MR. MOLGAT: Mr. Speaker, a subsequent question. At that time the Minister indicated that this would be confined to Brandon Gaol. Has the Attorney-General considered investigating at the same time the other gaols in the province to ensure that the same situation does not exist?

MR. LYON: Mr. Speaker, I'm not sure what same situation my honourable friend is referring to because, of course, there is an investigation under way to determine just what the situation was at Brandon but I am sure that a full explanation of this matter can be gone into at the time the estimates are up.

MR. SPEAKER: Orders of the Day.

MR. FRED GROVES (St. Vital): Mr. Speaker, before the Orders of the Day I would like to make a statement concerning a printed form that was received in the mail last Friday by all members of this House, including myself, and by members of the press and radio. This printed form purported to be a copy of a letter that was sent to me by Councillor Fisher of the Metropolitan Corporation of Greater Winnipeg. I want to inform the members of the House that other than this printed form which I refer to, I have not received any letter over Councillor Fisher's signature similar to the one printed on the form received by the members. The first indication that I had of the existence of such a letter was when I received a telephone call at 10:30 a.m. on Friday. This telephone call came from a local radio station and the gentleman on the phone

(Mr. Groves, cont'd) asked if I had received a letter from Councillor Fisher. My answer was "no." When I arrived at the Legislative Buildings about 1:30 p.m. on Friday I was greeted by a number of the honourable members brandishing printed copies of this alleged letter, and advised by them that they had received a copy of the letter which I had received from Councillor Fisher. When asked at that time if I had received such a letter my answer was still "no." On Friday when I picked up my mail before the House assembled I received my copy of the letter -- the same form that all of the other members of the House received -- so, Mr. Speaker, all of the members of the House had received copies of this so-called letter, and no doubt the newspaper story which appeared over the weekend was set in type, before I received even my printed copy of the letter, and I will refer in the balance of this statement, Mr. Speaker, I will use the word "letter" to refer to the letter that I never did receive from Councillor Fisher. For these reasons, Mr. Speaker, the fact that the letter was dated March 28th, and referred to a speech made on February 27th, one month earlier, and the fact that such a fuss has been made over a simple slip of the tongue, I cannot regard this matter seriously. It is, in my opinion, a neat, and I must admit clever and effective publicity stunt, and I congratulate Mr. Fisher and any advisors he might have had, on their efforts, and I thank him for sharing it with me. Since Mr. Fisher has not in fact written and signed a letter to me, I of course, do not intend to write him a letter in return. I will, however, invest 10¢ in a copy of today's Hansard and mail it to him in the hope that it may soothe his ruffled feelings. Mr. Fisher's printed letter quotes from Hansard of February 27th the following paragraph which he deems offensive, and I quote: "Mr. Paulley: You were going to name somebody and you never named him. Mr. Groves: Oh yes, I'm sorry. This, however, doesn't excuse the other Metro councillors who, although on a lesser and more quiet scale, are equally guilty." These remarks, of course, Mr. Speaker, had nothing to do with Mr. Fisher. They referred to references that I made earlier in my remarks and I think the Honourable Leader of the New Democratic Party could bear me out in this.

Now, Mr. Speaker, we come to the part of the speech which Mr. Fisher apparently deemed, and I quote: "harmful to him personally, holding him up to ridicule and possibly causing damage to his reputation," and I quote from Hansard of that day, which in turn was quoted in Mr. Fisher's letter: "This brings to mind, Mr. Speaker, a picture which I saw on the front page of a Winnipeg newspaper last summer, of Councillor Fisher in front of the Winnipeg City Hall, with his arms folded, boldly proclaiming that the City of Winnipeg would build a City Hall on that location only over his dead body." If, Mr. Speaker, Councillor Fisher feels after a month's contemplation and advice that my use of his name, when I should have used that of Councillor Ostrander, has really done this much harm to him, then I am glad of this opportunity to set the record straight in this regard. I sincerely believe, Mr. Speaker, that this must have upset Councillor Fisher because he has gone to a great deal of trouble and expense in publishing the printed matter which I referred to earlier. The meat of Councillor Fisher's complaint is in the following quotation from the printed letter, and I quote therefrom: "However, let me state categorically and unequivocally, that at no time have I stood before the City Hall with my arms folded nor have I said that the City of Winnipeg would build only over my dead body, nor has any newspaper reported me to have done that or anything like that or to have said that or anything like that. You could not possibly have seen my picture in that pose, nor could you have read as coming from me the words quoted by you, nor for that matter, words having a similar meaning."

Mr. Speaker, I wish to set the record straight in this connection with the following statement. I wish to state categorically and unequivocally that to the best of my knowledge at no time did Councillor Fisher stand before the City Hall with his arms folded, nor did Councillor Fisher, to the best of my knowledge, say that the City of Winnipeg would build over his dead body, nor has any newspaper, to the best of my knowledge, reported him to have done that or anything like that, or to have said that or anything like that. I did not see his picture in that pose nor did I read as coming from him the words mentioned by me nor, for that matter, words having a similar meaning. At this time, Mr. Speaker, because -- this, Mr. Speaker, is true because the picture and the remarks were that and those of Councillor Ostrander, and let's not be naive, Mr. Speaker, a month's time has elapsed and I'm sure that even Councillor Fisher knew to whom I was referring. Before completing my amends to Councillor Fisher it is necessary to refer to the article which I was recalling from memory at the time of my remarks

(Mr. Groves, cont'd) on February 27th. The headline of this article reads: "Metro Planning Chairman Vows to Fight City Hall Site." The picture is a picture with the City Hall in the background and Councillor Ostrander in the foreground with his arms upraised like this -- not folded as I mentioned in my speech. The caption under the picture says, "No City Hall here, says Metro Councillor Ostrander." Now the article itself, Mr. Speaker -- and I will only quote the part purporting to report the words of Councillor Ostrander -- "City irresponsible, claims Ostrander. The Chairman of Metro's powerful planning committee has declared he will fight all the way to prevent Winnipeg building its new City Hall on the present Main Street site. L. E. Ostrander told the Tribune he would urge the committee to seek a new survey of all available sites before it grants approval for a City Hall project. He said, 'I am not prepared to see a building designed for Broadway just plonked onto Main Street. Any new structure must fit in with Metro's over-all development plan. The City has been highly irresponsible in ignoring the mandate given by Winnipeg taxpayers for a new building on Broadway'." Then he is quoted as saying later on in the article, "The City has made such a terrible mess of the whole City Hall business that it will never be able to extricate itself", said Mr. Ostrander."

"In my opinion" he is quoted as going on to say, "In my opinion that is one of the main reasons why the provincial government brought in Metro, to plan and build those amenities the City has never shown itself capable of providing." Then in an article at the side of this one, "Metro Councillor L. E. Ostrander has challenged Mayor Stephen Juba to stand against him in the next metro election." And I quote his words as quoted in this article, "I'll win hands down," said Mr. Ostrander, "the Mayor wouldn't have a chance." The 62-year old Councillor described as stupid City Council's decision to urge the provincial government to hold a metro election in 1962 instead of 1964. And Mr. Speaker, Councillor Fisher does not emerge from this thing entirely unscathed, for a most fitting and appropriate quotation from the same article I have saved to the last, and it reads, and there's a little headline that says, "Backed by Fisher," then it says, "Only one member, Councillor A. H. Fisher, backs up the stand taken by Mr. Ostrander."

I would think, Mr. Speaker, that I would be wise at this time to take out some insurance against Mr. Ostrander now publishing a new letter. I wish to apologize to Mr. Ostrander for referring, though not naming him in my speech, to his standing in front of the City Hall with his arms folded. This is not true because he stood in front of the City Hall with his arms upraised. This was a serious oversight on my part and I do hope that it has not been harmful to him personally, held him up to personal ridicule and possibly caused damage to his reputation. With reference to my remarks about the City Hall being built over his dead body, I should perhaps correct this, although I was not too far wrong in my opinion. I was reading from the article, or recalling the article from memory, and to lift some words from Councillor Fisher's letter I asked myself, "Could I have possibly read as coming from him the words quoted by me or for that matter words having a similar meaning?" The answer to that, Mr. Speaker, is "yes." For to me, fighting all the way against something as Councillor Ostrander is quoted in the press as having said, to me has always meant, "unto the death."

Mr. Speaker, Councillor Fisher admits in his letter that he knows little about legislative proceedings. This is unfortunate and I might advise him to start with a study of the Legislative Assembly Act, our rules, and the provisions of his own jurisdiction dealing with the rights and privileges of elected officials without fear, favour or intimidation to say and do, within the bounds of proper order, those things that he feels in the best interests of those whom he represents. Councillor Fisher should know more about public life. He is older than I, and I respect the experience he has gained in his field. He should, though, because of his own experience in public life, know that one who cannot accept criticism should not be there, for this is something that we must all accept as part of the game.

In closing, Mr. Speaker, the statement which I have just largely read and the notes to which I have referred are in my own handwriting. I have not given advance notice nor distributed copies of it to honourable members, press, radio, TV or to the Metro Council, or to any member of a council of a municipality in the Greater Winnipeg area. I am quite prepared, Mr. Speaker, to take my chances with the news media in this regard. And in closing, this, Mr. Speaker, will not stop me because I am prepared, and I wish to pledge to the residents of my constituency my every effort to "fight all the way," to quote Councillor Ostrander's words, the Metro Council, the Chairman and its high salaried hierarchy separately or together, to get from

(Mr. Groves, cont'd) ... then the benefits intended from the original concept of Metro, and to leave no stone unturned in efforts to root out those whom I think would attempt to thwart this original concept to make it a failure because of inability, poor judgment, or unwillingness to take into their confidence the area municipal representatives with whom they must work in order to make a success of their job, and those who might be tempted to root out, those who might be tempted to forget about the people, present and future, who must be sold on a program, people who will have in years to come to bear the burden of the large taxes that will have to be paid when present metro plans develop into completed projects.

MR. D. L. CAMPBELL (Lakeside): Mr. Speaker, may I ask the honourable gentleman a question? I'd just like to ask him, is it not a fact that inasmuch as it appears from what he has read that he was rather innocently led into this mistake by a question asked by the Honourable the Leader of the New Democratic Party, doesn't he think that the Leader of the New Democratic Party should also apologize for having innocently led him into that ?

MR. RUSSELL PAULLEY (Leader of the New Democratic Party) (Radisson): I have no apologies to make, Mr. Speaker.

MR. SPEAKER: Adjourned debate on Bill No. 65, the Honourable Member for Rhineland.

MR. J. M. FROESE (Rhineland): Mr. Speaker, I have several ideas that I wish to pass on to the Minister with regard to this Bill No. 65, an Act respecting Insurance of Residents of the Province against the costs of the Provision of Hospital Services. First of all, the act as it is before us is a compulsory act and the voluntary part is absent, and that to me should be one of the basic principles in the bill. I am not in accord with the act as it presently is before us. I do not believe that it should be a compulsory act; it should be voluntary. People in Manitoba are capable of making decisions on their own whether they wish to insure or not. This should be left up to the individual himself. And if we allow matters to go on like this by having the compulsory features come into various legislation and various bills, if we allow them to be incorporated and introduced into these various bills, I feel that there will be no end to it. We must bring these matters to the attention of the Ministers and the government at the time when the legislation is introduced. This means to me that there is a loss of freedom. The matter of choice is no longer there. We have to subscribe to a government plan and are not able to have a choice of selecting a private plan. Further, it becomes a monopoly, and a Crown monopoly at that, which is imposed on the people. They will have no yardstick as to the cost of operating the government plan compared to another private plan. By this I'm not inferring in any way that the people who will be operating the plan, who will be heading the commission, are incapable or will not try to do a good job, but just because of the absence of another competing plan, robs us of this yardstick. The government endorses the principle of choice and a voluntary scheme in a medical plan which they're going to propose at a later date. We have a resolution on the Order Paper where they bring out the three principles that they will embody in the medical plan. These are: 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. Why cannot these same principles be embodied in the health plan? How can the government possibly reconcile the two, by subscribing to a voluntary plan in one instance and in the next disregard it completely?

Then there's also the matter of section 17 which will now require, if a husband fails to pay the premium they're able to collect it from his spouse, or wife. I feel that this is going too far and I don't think past experience merits to go this far. I think that part of the bill should be deleted.

MR. PAULLEY: Mr. Speaker, I'll just make one or two comments in respect of this bill. We do not intend at this time to, of course, delay the passing of this bill to put it into the committee, at which time we will take under consideration some of the specific clauses in the bill that we cannot debate this afternoon. I was somewhat intrigued by the remarks just uttered by the Honourable Member for Rhineland insofar as the compulsory aspects of the bill. As is well known in this House, the members of this group agree with that part of the bill most heartily. I would like to ask the Honourable Member for Rhineland whether he not also would like to abolish the compulsory aspects of the Manitoba Public Schools Act. If we're going to go one direction, well surely we should go the whole hog. Let's go back 100 years to where schools are only operated privately without compulsion from the government -- (Interjection)-- Well -- we won't really debate Mr. Bennett of BC in his expropriations there. After all that's

(Mr. Paulley, cont'd) a local problem for British Columbia, be it a Social Credit policy. But as I was saying, Mr. Speaker, I'm not going to delay the passing of this bill. I do question a number of the sections in the bill. I do wish that the Honourable the Minister when taking under consideration the broadening of the term "dependent" had included those people that we of this group feel should be exempt from the payment of hospitalization premiums, namely, those people who by virtue of income no matter what ages they are are exempt from the Dominion income tax, should be exempt also from the Manitoba hospitalization premiums. I do wish that the Minister in his bill had spelled out the contributions that come from the Consolidated Revenues into the fund are those contributions that the citizens of Manitoba now make in respect of the changes in the tax collection agreement with Ottawa. You know, Mr. Speaker, we had considerable debate last October in connection with the provincial income tax. It had been stated in this House, but not stated in the income tax bill, that the purpose of this was to make provision for greater contributions from the consolidated revenues for the purpose of hospitalization. At that time, if you recall Sir, we had considerable debate and the only thing that we have of a more or less concrete nature is the statement by the Honourable the First Minister that the purposes of these additional funds by way of income tax is to make greater contributions from provincial sources to the hospitalization plan. I do wish, I say again Mr. Speaker, that the Minister, in his bill, may have spelled this out a little more clearly than the explanations given to us last October.

There are one or two other points in connection with the bill that we will take under consideration and debate, as I say, Mr. Speaker, at the time that the bill is before the Law Amendments Committee. I appreciate and I realize the position of the Minister in this being quite a comprehensive bill due to the previous amendments and the change in the system of the commissioner etcetera in respect of the bill. So therefore, Mr. Speaker, with those few remarks, as far as I am concerned the bill can go through second reading.

MR. FROESE: Mr. Speaker, in view of what the Honourable Member, the Leader of the NDP just said, I think I should make a comment or two.

MR. SPEAKER: Order. Order.

MR. FROESE: I think I'm entitled to

MR. SPEAKER: No, you've exhausted your right to debate the question. You may ask him a question if you wish to.

MR. FROESE: I'll ask a question then. Did not his party members also vote for creating the power utility in BC a public utility?

MR. PAULLEY: As a matter of fact, the answer to that, Mr. Speaker: our party sponsored it.

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

HON. GURNEY EVANS (Minister of Industry and Commerce) (Fort Rouge) in the absence of the Honourable the First Minister, presented Bill No. 57, an Act to amend The Trustee Act, for second reading.

Mr. Speaker presented the motion.

MR. EVANS: Mr. Speaker, there was a discussion at the committee stage, the Act is intended to include school areas, school divisions and metropolitan Winnipeg among the securities that may be invested in by a trustee in Manitoba. I think that is the only principle in the bill.

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

MR. EVANS, in the absence of The First Minister, presented Bill No. 58, an Act to amend The Treasury Act, for second reading.

Mr. Speaker presented the motion.

MR. EVANS: Mr. Speaker, the same provision is carried into the Treasury Act to enable the Treasurer, with the approval of the Lieutenant-Governor-in-Council, to invest in the securities of school areas, school divisions and metropolitan Winnipeg. There is a second principle involved, too, and that is to increase from \$100,000 to \$200,000 the amount at the disposal of the Treasury to be used for accountable advances.

MR. MOLGAT: Mr. Speaker, I just want to ask a question actually, on one of these, and this same question applies to the previous one that was presented, and I think one of the later bills that's coming up where there's a change made in the type of security that can be invested

(Mr. Molgat, cont'd) in. Now here, when it said, "include the securities of school areas, school divisions and the Metropolitan Corporation of Greater Winnipeg," am I correct in saying that insofar as the debentures of the school areas and school divisions, these are guaranteed by the Provincial Government now, and in the case of Metropolitan Corporation it is not so?

MR. EVANS: The Minister of Education tells me they are not guaranteed by the province.

MR. MOLGAT: then, are government-guaranteed securities?

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

HON. GEORGE HUTTON (Minister of Agriculture and Conservation) (Rockwood-Iberville) presented Bill No. 70, an Act to amend The Fruit and Vegetable Sales Act for second reading.

Mr. Speaker presented the motion.

MR. HUTTON: Mr. Speaker, at the present time there is no provision under the act to give the Minister authority to make regulations providing for the transportation of ungraded vegetables and fruit from the producer to the warehouse, or to the processing plant, and this amendment is required to bring the Act into line with the spirit of the legislation.

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

MR. LYON presented Bill No. 71, an Act to amend The Liquor Control Act for second reading.

Mr. Speaker presented the motion.

MR. LYON: Mr. Speaker, this bill contains a number of varied sections, most of which, in the case of those very few which are new, are completely self-explanatory. If members of the House wish any further elucidation upon any of the sections, I would be quite happy to answer any questions, but really, to pick out one section and say that it is more important than another, is pretty well impossible. I would say that the general purport of the bill itself is to make a number of remedial changes to the act. There are no changes of great substance or moment in the act, but I would be quite happy to clear up any points that members may have noticed in their perusal of it.

MR. MOLGAT: Mr. Speaker, I didn't get a chance to actually compare the act with the -- or the amendment to the original act. If there were some special items I would trust the Minister would tell us about them now. They're purely routine and I don't think it's too serious. Some specific questions that I would have, are there any changes proposed in the matters of advertising and, if so, are they included in this Act? If not, will we be getting some subsequent legislation in that regard? The other matter is with regards to the Legion. I notice here a mention of them. Are there any proposed changes insofar as the Legions are concerned? One of the problems that seems to be arising in rural parts of the province is the membership rule insofar as Legions. This is inevitable as some of the First World War veterans are disappearing and as the movement towards urbanization reduces the population in a number of those areas, and this is creating some concern with a number of the smaller Legions out in the country. I wonder if the Minister is proposing to do anything in that regard?

MR. A. J. REID (Kildonan): Mr. Speaker 18 and 19 it says something a small quantity of liquor may be brought into the province. Well I was just wondering what that means -- whether it means sealed liquor, or if people over in the States or say in Ontario and Saskatchewan consume part of a bottle or part of a case or something, is that what it means that then they are permitted to bring it back home?

MR. SPEAKER: Are you ready for the question? -- (Interjection) -- The Minister is closing the debate.

MR. LYON: Mr. Speaker, there's no section in the present bill dealing with advertising, that is in the general sense of that word, as to whether or not more advertising will be permitted, and I can only say to the Honourable Leader of the Opposition that I have no knowledge of any future section that's going to be brought in at the present session.

With respect to the Legion, the section change there is merely to change the name of the Legion to the Royal Canadian Legion which is the new title under which it is operating by federal charter.

He raised one or two other questions. He said if there were any other matters of substance, other matters that were other than of a routine nature, would I bring them to the House's attention. I would hate to use the word routine with respect to some of them, but I might run

(Mr. Lyon, cont'd) over briefly some of the points that he might consider to be in the non-routine category, although I'll be quite happy to explain any of them in committee. There is a re-casting of the section whereby different brands of beer must be sold by all hotels in Manitoba, but that is a re-casting rather than a new principle that is being brought in. There is a section which honourable members will notice which now permits the inclusion of beer parlors in that group of licensed premises which may be utilized during periods when they are closed for purposes other than consumption of liquor. At the present time, honourable members know beverage rooms, cocktail rooms may be used for dining purposes on Sundays when they are not otherwise in use. To this category is being added beer parlors, because from time to time, particularly in rural areas, requests come to the Commission that the beer parlor premises be allowed to be used -- in one case as I recall, for a church meeting. This privilege having already been extended to beverage rooms and cocktail rooms, it was felt that there would be no particular abuse so long as the special permit were given in each case for their use for purposes other than the consumption of liquor on days when the consumption was prohibited. Beyond that, Mr. Speaker, without picking out one or any more of the 26 sections, I can only say I'd be quite happy to explain any other matters in committee that the members might wish to raise.

MR. MORRIS A GRAY (Inkster): to ask the meaning of another section?

MR. SPEAKER: I believe that the debate is closed.

MR. MOLGAT: Didn't the Minister indicate that he'd be prepared to answer any further questions though?

MR. LYON: In committee.

MR. GRAY: I'd like to get an explanation. The reason for section 22

MR. SPEAKER: I believe that according to the rules of the House you would be required to do that in committee. The Minister has already spoken.

MR. EVANS: Mr. Speaker, I think on this particular occasion if my honourable friend didn't realize that the Minister was closing the debate, I'm sure the Minister would accept one simple question, otherwise I think we should acknowledge two things: first of all the debate has been closed; second, that to ask any question on a particular section of the bill, the place for that and the time is the committee stage.

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

MR. HUTTON presented Bill No. 72, an Act to amend The Rivers and Streams Act, for second reading.

Mr. Speaker presented the motion.

MR. HUTTON: Mr. Speaker, the Rivers and Streams Authority operates under this section of the Rivers and Streams Act and, at the present time, they have authority to control the building of structures adjacent to the river but their authority extends for a distance of 150 feet from the normal summer water line in the Assiniboine and Red Rivers. The Rivers and Streams Authority No. 1 has been concerned about the rate of construction in the areas adjacent to these rivers and the fact that some fairly large structures are going up beyond the 150 foot area in which their discretion extends. Last summer they called in Dr. Casagrande to carry out an investigation as to the adequacy of the terms of reference or the authority that they are now operating under to meet the problem of these large buildings going up adjacent to these rivers. Dr. Casagrande in his report to the Rivers and Streams Authority made a strong recommendation that the area in which the Rivers and Streams Authority had jurisdiction should be extended, and after serious consideration and much deliberation they have recommended that the designated area of 150 feet from the summer water level be extended to 350 feet. This is, of course, the major amendment. There's a further amendment which gives the members of the Authority protection in carrying out -- gives them personal protection in carrying out their duties in respect to this act.

MR. ARTHUR E. WRIGHT (Seven Oaks): Mr. Speaker, I understand the need for control or for further control in the case of large buildings, but I'm just wondering how this will affect the smaller operator. For instance, I understand now that it's against the law without the consent of the Rivers and Streams Authority to even place a yard or two of soil on river bank property within 150 feet of normal summer level. Now, is this going to be strict to the point where it will prohibit a lot of people from improving property, because 350 feet is certainly

(Mr. Wright, cont'd) a long way from normal summer level?

MR. REID: Mr. Speaker, I don't see how a fellow can improve his property -- the present places along the river bank now, they're sitting out about 100 or 150 feet. Now if he's going to start improving property from 300 feet, like this law's going to make it, he's going to be out in the middle of the street -- unless the government is going to pay for the street and buy additional property to have these people on the river banks, because they haven't got that property now so -- unless they get some new property and not for existing property.

MR. SPEAKER: Are you ready for the question?

MR. MOLGAT: Mr. Speaker, we will not object to this bill going on through second reading on to committee although we reserve our right at that stage. We wonder if there will not be some people who would be interested in making presentations on this subject. Could the Minister indicate as well who the authority is in section 31 (a)? Exactly who is defined there? And did I understand him correctly to say that this applies only to the Red and the Assiniboine or does it apply to all other streams as well?

MR. HUTTON: Mr. Speaker, the Rivers and Streams Authority that I am referring to here is the one which has been set up by Order-in-Council and operates in the Greater Winnipeg area. There are a six member municipalities and their jurisdiction is only over those river banks within the area of the member municipalities. They have no jurisdiction beyond their own municipality. The municipalities concerned are: City of Winnipeg, City of West Kildonan, East Kildonan, City of St. Boniface, St. Vital and Fort Garry. I think it should be made clear that just because the jurisdiction of the Authority has been extended to 350 feet does not mean that all building within that distance will be denied. It means that they are able to exercise discretion in approving projects within an area extending from the river bank 350 feet. In the past, they have only had jurisdiction within 150 feet. Now, it is possible that they could approve one project and deny another type of project. However, the difficulties that have been raised by the Member for Seven Oaks are very real, and I'm sure that the Authority recognize the grave responsibility that they have in coming to the decisions from time to time that they have to face. The municipalities are closely associated. In some cases the representative for the municipality or city is a member of council, and they are more than aware of the oftentimes delicate character of the decision that has to be made. But it was felt that in the face of the recommendation that Dr. Casagrande made when he said that if we were to experience a flood flow on the Red and Assiniboine Rivers of anything approaching the 1950 flows in the future, that it could represent a real danger to the buildings, and in turn the large structures too close to the river banks would constitute a danger of causing a bank failure. And so in view of the evidence and the strength of Dr. Casagrande's findings and recommendations, they felt that they had to ask for this amendment.

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

HON. STEWART E. McLEAN Q.C. (Minister of Education) (Dauphin) presented Bill No. 73, an Act to amend The Public Schools Act (2), for second reading.

Mr. Speaker presented the motion.

MR. McLEAN: Mr. Speaker, there are no matters of major policy in this bill. They're just entirely of a number of administrative matters, for example having to do with the matter of transfer of lands from school districts and requiring that it be determined what ward of a particular school division that it will be in. There are some matters which are designed to assist in the question of annual meetings and financial reports. I think perhaps that if there are any questions, because of the rather detailed nature of the bill that it would be well to deal with it fully in committee, although I'll be glad to answer any questions now if there are any.

Mr. Speaker: Are you ready for the question?

MR. E. I. DOW (Turtle Mountain): Mr. Speaker, I've just one question from the Minister in regards to annual audit reports. Is there any provision made within this bill that the audit reports for school divisions be available to the public either by notice given or availability to them rather than wait until annual meetings, same as school districts. I believe at the present time if they followed the Municipal Act they would be made available to the public at large.

MR. MOLGAT: Mr. Speaker, once again, this bill is somewhat like the bill on the Liquor Control Act that was presented by the Attorney-General. It covers a number of various sections through the Department of Education, and as on second reading we're supposed to stay to principle,

(Mr. Molgat, cont'd) it's somewhat difficult to go into the details. I hope, however, the Minister has indicated and if he has any further -- where there are major changes either in principle or in policy that he would indicate to the committee at this stage so that when we come along to the actual committee stage we're in a position to discuss further details then.

MR. McLEAN: Mr. Speaker, dealing first with the point raised by the Honourable the Leader of the Opposition, I would say there are no major changes to which I could direct his attention. I think, as I've indicated, that everything deals with administrative details designed, in my opinion at least, to facilitate certain functions that are carried on under the provisions of the Public Schools Act, and certainly the detail can be considered in committee.

Answering a question of the Honourable Member for Turtle Mountain, there is nothing in this bill that deals with the point which he has raised. School Divisions are not required to hold annual meetings but there are already provisions in the act that deal with the matter of their annual financial statement, but that particular subject matter is not dealt with in this bill.

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

MR. HUTTON presented Bill No. 85, an Act to amend The Livestock and Livestock Products Act, for second reading.

Mr. Speaker presented the motion.

MR. HUTTON: Mr. Speaker, there has been a movement right across Canada for the establishment of local auction and sales yards for cattle and livestock, and this movement has been apparent in Manitoba as well. There have been a number of local livestock yards established. I can think of two or three right offhand -- Swan River, Virden, Pilot Mound. There has been a local yard at Neepawa for some time, and we have, of course, our feeder cattle sales auctions in the fall of the year. This legislation provides for the licensing and supervision of such facilities to ensure the proper sanitation, or controls for sanitation, disease and so forth, and also provides for the bonding of these auction marts. The other section of the bill deals with the branding of meat and it makes it illegal for anyone to use brands which are in a semblance of the Canada Agricultural Standards brands. I think it's rather obvious that if anyone wished to draw the public into buying a product of lesser standard, this could be done by marking meat with a ribbon-like mark which wasn't exactly the same as the Canada Agricultural Standards brand, but enough like it so that they wouldn't be aware of the fact that they were purchasing a product of lesser quality, and so, in an effort to ensure the maintenance of the quality of our product and the maintenance of our grading system in respect to meat products, we are introducing this new section in the act to make sure that our official grading program here in this province will be safeguarded.

MR. STAN ROBERTS (LaVerendrye): Mr. Speaker, I think the department Minister should be congratulated for introducing the first section. There is this definite trend toward more and more stockyards in Manitoba for the auction sales of livestock, and I think that they do require this sort of supervision. I hope that this has been patterned after the, perhaps the Ontario plan, which seems to give quite good supervision of their yards. I'm not quite so clear on the second section, why this came about; why this is being introduced now. This appears to be a federal matter as to whether or not their stamp is used, and secondly I would like to ask the Minister if there have been cases of breach of this -- or misuse of this stamp which brought about the introduction of this section.

MR. REID: Mr. Speaker, I agree with the Minister, it should be properly stamped, but how is he going to stop these local areas and outside areas using a substitute stamp? It's all right to make a bill and we pass a bill here, but how is he going to enforce this bill to make sure it's carried out?

MR. MOLGAT: Mr. Speaker, when introducing this, the Minister indicated this would cover a number of the stockyards or livestock auction rings that have been set up across the province. I'm particularly concerned about the three livestock auctions that have been set up on a voluntary basis -- non-profit, the first one being in Ste. Rose, the next in Pipestone, the next in Ashern. Now, in reading the bill, I can't quite determine whether these will be covered by this bill or not. Under the exclusions, "does not include section (g) (1)", it would appear that possibly they might be excluded and possibly they might not. In each case I think they are leased to a group, but not to any one individual, and on that basis it would depend on the interpretation. I would appreciate if the Minister would make clear, at this stage, whether or not

(Mr. Molgat, cont'd) it is intended to cover those non-profit voluntary groups, or not.

MR. HUTTON: everyone has finished with their questions, Mr. Speaker, Yes, I believe that the sales -- feeder cattle auction sales at Pipestone, Ste. Rose and Ashern will be covered by the provisions of the act. I think that it is in their interest to be covered by this legislation because it doesn't only protect the people who patronize the sale, it also offers protection for the management regardless of whether it is a business for profit or whether it is a co-operative non-profit venture such as the feeder cattle auction sales.

On the question raised by a number of members with regard to the branding of meat carcasses. There has been some indication that -- and this, of course, is the reason that we're bringing in the legislation -- that brands are being used, name brands are being used which bear a striking similarity to the grade brands of the Canada Department of Agriculture, and we feel that the best thing to do in these circumstances is to make it illegal to use a brand which can be mistaken for an official brand of the Canada Department. We're not making any charges -- there's no reason for concern about meats which are not at the present time Canada Approved. They, of course, are not branded, and under our system, or the present grading system, they could not be branded. It would be illegal to put, under this legislation, to stamp them with a brand that is even similar to that of the Canada Approved brand. So we feel that it is a good protective action to take, to conserve the grading system for our meats because we depend on the reputation and the protection that these brands give to the customer in the sale and in the attractiveness of the product.

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

HON. JOHN A. CHRISTIANSON (Minister of Public Welfare) (Portage la Prairie) presented Bill No. 87, an Act respecting Fitness and Amateur Sport, for second reading.

Mr. Speaker presented the motion.

MR. CHRISTIANSON: Mr. Speaker, before we can talk about the principles implicit in this bill, we must first talk about some particulars, and mainly how we define amateur sport and fitness. Reading from the bill, amateur sport means "any athletic activity that is engaged in solely for recreation, fitness or pleasure, and not as a means of livelihood." And fitness is defined to mean "the physical and mental condition of an individual that enables him to function at his best in society." The main objective of this bill, then, is to develop a high level of fitness. There are many ways of attaining this aim. One way is through the medium of amateur sport -- sport of all kinds. I wouldn't want anyone to think that we are trying to develop a nation of Maurice Richards or Marilyn Bells, Mr. Speaker. There's no doubt that our program will result in the production, in the development of more and better athletes, but that will be its own reward. Now, the goal of a high fitness level can be attained in many ways. The two extremes in any national or government program would be from the top down in one case, where government has complete control of every phase of the program. This has been, I think, done in some countries, some socialist countries and some others, in the Old Country. The other way is from the bottom up with no government support of any kind. And since 1955 this has largely been the case in Manitoba, and it's fair to say, Mr. Speaker, that it has achieved a remarkable degree of success because of the tremendous efforts of the volunteer groups, the Manitoba Amateur Hockey Association and the various sports organizations in the province.

Now our program, we envisage, will come somewhere between these two extremes. We would like to call ours a people-centred program based on the inherent strength in our society. It will utilize the resources and the talents that abound now at the local level in our communities. We see our responsibility as mainly of providing leadership for the volunteers and the municipal people already active in the field. I think this was the philosophy behind the recreation leadership program that was started last year by the Department of Industry and Commerce and held a training course at Gimli during the summer. The new federal program, which is set out in their Bill C 1(31), passed last Fall, has of course provided tremendous impetus for our program here in Manitoba and has greatly broadened its scope over the one that was previously outlined as being mainly in the field of recreation.

The main emphasis of our program will, I believe, be on leadership training -- the training of coaches, referees and instructors in all types of sport and recreational activities, by imparting to these people at the local level the skills that are necessary to organize and to administer

(Mr. Christianson cont'd) the sports programs and to co-ordinate them, I think, will greatly strengthen the effort being made now and will enhance it tremendously. This leadership training can be done by setting up regional training clinics or schools on a sport by sport basis or on a general leadership basis where organizational skills are taught by holding baseball clinics, hockey clinics, football clinics and all that type of thing. It would be our intention to employ specialists in the field to instruct in each of these different courses and to make them available as much as possible in every part of the province. Also, I think we could provide very useful organizational skill and support for the local organizations -- secretarial help that the organizations so desperately require in organizing their inter-school and inter-club activities. We would also hope to be able to co-ordinate more effectively the government resources presently available in the field, particularly in the Department of Education.

In the last few years there have been a tremendous number of new gymnasias and auditoria established across the country, and we believe that these can be of greater value to the communities and can serve a better purpose in the whole scheme of physical education. The high school athletic association that was recently formed is endeavouring to accomplish this same end and we believe that we can help and assist them very materially. In the rural parts of the country we now have a tremendous program being carried forward by the Department of Agriculture in their 4-H plans, and we would hope to be able to work with them through the Agricultural reps in developing this program further and expanding it and giving them whatever help we can. Another field where people at the local level require help is in the technical advice and guidance in designing and planning of recreational facilities at the community level. This would not only be of support to those groups that are presently building and equipping play grounds but also the municipalities in their town planning schemes and in the general development of the towns and villages of Manitoba.

Another area where we believe we can assist materially is in the distribution of films and technical literature, rule books, the standardization of procedures throughout Manitoba in all the various sports. In today's changing world, Mr. Speaker, where physical effort is rarely required in day to day living, but where the mental stresses are ever-increasing, we recognize that the maintenance of a high degree of physical and mental fitness, while becoming more difficult, is becoming increasingly important. It is apparent too, there must be greater efforts to achieve the high level of fitness, particularly among our youth. We accept the responsibility for providing leadership and guidance so that volunteer and municipal efforts in this field can achieve their maximum potential and yield their greatest return. It's not our purpose to make every child an athlete, but we do intend to see that so far as is practical every child has an opportunity to develop fully his physical strength and skills. The goal of sound minds and healthy bodies can be achieved for the general good of all our people through the program envisaged in this legislation.

MR. MOLGAT: Mr. Speaker, I want to thank the Minister for his statement on the bill. Quite frankly I was hoping for a more detailed program at this time of what he exactly intends to do. He has given us some general lines, but when we had our discussion on the resolution stage we at that time asked a number of specific questions which I was hoping he would be able to give us further details on today. One of the basic elements that we were concerned about was exactly what size of a program was he planning to go into, and when would he be starting it? At that time we discussed the arrangements with the federal government. We would also be interested in knowing whether these are now completed or if they are still in a negotiation stage. Assuming that they are completed, then he would be in a position to tell us automatically the size of the program. If it is still in the discussion stage then he should be in a position to tell us when he expects the conclusion to come, and in the meantime what he proposes to do insofar as size of program, because this will influence very much his whole handling of the situation.

On some of the specific items that he covered -- for example, in the rural areas he mentioned that they would be working through the ag reps. Well, Mr. Chairman, certainly working through the ag reps is a desirable means, I would suppose, but I would suggest to the Minister that the ag reps now are over-loaded and not in a position -- and I believe not equipped -- to do the type of work which this bill should -- and I presume intends -- to do. I am afraid that he will have to consider some other means of contacting the rural areas and getting his program across. I don't think it can be done with people who are certainly very qualified in their own

(Mr. Molgat, cont'd)line -- the ag reps -- but who are not experts in the field of physical fitness, and this is the main purpose of this bill. The provision of teachers or leaders and trainers is certainly essential but surely this can only be done by a group of people who themselves are qualified in this particular field and this, of course, ties in with the whole field of physical fitness in which my honourable friend, the Minister of Education is involved as well, and what is being done or not being done at the university in this regard. If my honourable friend is going to be successful in this he will have to be prepared to put a very considerable amount of effort and get properly trained and qualified people. If he intends to do this as a makeshift proposition with people who are presently involved in other work I am afraid that he will not be successful in the endeavours that he sets up for himself in this new field. So we hope that the Minister will be in a position to give us more details on his program, when it will start, what exactly it will provide, and the size of the program, so that we can get this thing going or know exactly what he proposes to do.

MR. REID: Mr. Chairman, in my area most recreation and physical fitness is carried on through community clubs under the jurisdiction of the Parks Board, and we have a good program of all sports -- in fact we have a recreational committee. They have well-organized hockey; in the summertime swimming, football, baseball, all other sports; in the wintertime, square dancing and all others; and what we need more in our area is not so much leadership, Mr. Speaker, as financial aid, and I was just wondering if our Parks Board, under its scheme, couldn't appeal for funds, because right now I think we have about a half a mill for recreation and it's not enough to carry the area, and we're doing all that work ourselves and I figure under his plan the work that we're doing in my area, that the East Kildonan Parks Board should be able to get assistance in helping to promote this program in that area.

MR. CAMPBELL: Mr. Speaker, like the others who have spoken I'm sure that all of us have awaited with interest the program that is envisaged under this bill, and like my leader I was somewhat disappointed that the Honourable the Minister didn't go into greater detail as to just what the program would consist of. I think all of us could agree with the general observations that he gave but still, as we pointed out at the time that the resolution stage was being discussed, this is a very large program -- a \$300,000 program -- and I am sure that my honourable friend is not going to find it either advisable or possible to spend \$300,000 or anything approaching that amount through the general avenues that he dealt with in a very -- if I may say so -- platitudinous manner. This is a development that all of us can certainly endorse. The objectives of the bill and the objectives of my honourable friend's address here are excellent, but how do we bring them into being. And it's this program that I think the most of us would like to hear discussed more fully. "Leadership training," said the Minister, if I understood him correctly, "leadership training will be our main project at the moment." Well, that's certainly important, and because mental stresses are ever-increasing they're going to do something about that as well. Well, that's a good thought, but exactly what's going to be done? Now fitness, according to the definition here, means "physical and mental condition of an individual that enables him to function at his best in society." Well, I have some idea about the kind of thing that you'll do to develop the physical condition, but what's going to be done on the mental condition, even supposing that we were equipped to profit by it? This is a large area and I'm afraid that -- though I don't pretend to be an expert on the physical side, I at least feel that I am more entitled to speak on that one than the other, and I would like to know what is proposed for the mental condition advancement. But in regard to the physical -- I think every single member of this House, and the other 16,000 or whatever the number was, who attended the events over here at the Arena last year and this year, must be tremendously impressed, not only with the excellent organization that the athletic meet profited by, but the performance that was put on there, and a good deal of the very best of it, Mr. Speaker, put on by our local athletes here. I confess that I am in full agreement with bringing in outstanding athletes such as was done -- it's a great thrill to see them -- but the thing that I got the greatest impression from at that meet, was the way our young folks are coming along here, and I think all of us are indebted to the Honourable Member for Winnipeg Centre for the fact that he has kept reminding us time and time again, in season and out of season, of the support that that project deserves, and certainly any of us that have taken in those couple of annual events couldn't help but be impressed by the over-all excellence of the program and, so far as I was concerned, very greatly

(Mr. Campbell, cont'd) impressed by the way our own young folks are coming along; but it seems to me that our young folks, particularly in the rural parts -- but in the urban area too -- need some more facilities, and I think we could do still better over there -- goodness knows we did mighty well -- I think we could do still better if we had some more facilities, and if that applies in the urban area here then it applies doubly and trebly in the rural areas. I don't know just what's needed, but I am sure that there are people have been working at this who ought to be in the position to tell us now. I'll tell you one thing that I think is needed -- or two or three things. I think we need some more really first-class outdoor tracks here with provision made for the field events as well. I know that there are two or three, maybe four, in the area that are very good -- goodness knows they're nothing like this good in most of the rural parts. This area is the one that is pretty well-equipped but I think we need some more. I believe there are only about three that are top-notch and I think if we had some more of that calibre, or even better, that we would find that the performance of our young people -- both girls and boys -- would be still better. So I would suggest that one of the things that should be looked at immediately is further provision for track and field work, even in the urban area here and particularly in the rural area, because that's where there is the greatest need, and I notice by the bill that the Provincial Treasurer has authority under this act to make grants. It appears to me that it's to municipal corporations but I'm sure that there would be no difficulty in getting municipal corporations to join in, and I would think that the most productive field in the early days, along with the leadership training, is to provide some more facilities. This area needs them. The rural area needs them even worse.

And speaking of facilities, I know that it's by no means all track and field. Goodness knows, we have the various sports and in many school areas we're well-equipped perhaps with gymnasiums -- there might even be some additions needed in that regard -- but I think something that is definitely needed -- and again, even in the urban areas, which is very well-equipped in most ways and certainly much better equipped than the rest of the province -- something that I think is needed in order to round out our athletic program is more indoor swimming pools. Now I understand that swimming is one of the best of all the sports in every way for the physical development and for this mental condition that is mentioned in the -- and you can't have the excellence that we wish to attain to when we go into this thing -- you can't have the excellence in any of these endeavours if you can only indulge in it for half of the year or less. People who attain to the standard of many folk that we saw over at the recent meet, have to practise -- even the very top flight of them -- have to practise daily, let alone weekly or monthly or something of that kind, and you have to practise the year round, not part of the year; and you can't very successfully carry on a swimming development program in this province unless you have indoor swimming facilities. So I think those are two things that the Minister might have told us about already, and I know that my honourable friend, the Minister of Education, must look at me with amazement at least -- if not something even more intense -- when he hears me advocating expenditures, but I believe that expenditures in the right places are worthwhile, and here we are planning to develop a \$300,000 program in the first year, and that takes a lot of organization, and I suggest to the Minister that he and his colleagues and the advisory committee that's to be appointed under this bill should have had some of these things ready to tell us about now, but as they haven't got them ready now let them get them ready immediately, so that some of these matters can be proceeded with while the funds are available, because apparently this money is going to be spent, and I think that you can get the help of the volunteer people that are talked about, you can get the help mentioned by the Honourable Member for Elmwood here and by the other honourable members who have spoken, you can get that much more readily and much more efficiently if you have the facilities, so I suggest that one of the key points to be talking about now is facilities, but in addition to that, this amount of money would build an awful lot of facilities. I don't expect anything like all of it is going to be spent in that way and I'm not proposing that. I certainly agree that a leadership program is needed, but let's have the program and get it under way at once.

MR. E. R. SCHREYER (Brokenhead): Mr. Speaker, I suppose I should at this time make some comment with regard to this bill inasmuch as I sponsored in this House the resolution on physical fitness and amateur sport in 1959, 1960 and 1961. All times, of course, the resolution was amended and watered down. I realize, of course, that this an important event as far

(Mr. Schreyer, cont'd) as this problem is concerned. It is possible, partly because of the generosity, in this case, of the federal government, and I think that what remains for us to do here is to set up the administrative outline so that we can utilize effectively the funds that will be forthcoming from the federal government. Some of the problems that we will have to place priority on, I feel, have to do with rural Manitoba and in the case of rural amateur sport I cannot help but feel that in the decade of the 1950's there was an unfortunate decline in community interest in baseball and hockey, but it seems that hockey in the last two years is again on the up-swing, which is of course a very welcome bit of news -- I feel this is the case -- but insofar as the baseball leagues that were so common throughout rural Manitoba in the 1940's, I think there was quite a drop -- quite a drop away from that interest from about 1952 on, and baseball tournaments, which were common from May 24th on through the summer, becoming less and less of them, and I think we could do worse than to allocate some of the funds and some of the administrative direction toward trying to lift up once again community interest and participation among the younger men in rural Manitoba in organized league hard-ball. I don't think it would take so much money, Mr. Speaker. I think it would just take some and a little bit of guidance as to effective utilization of these funds.

I welcome reference in Section 10 to -- reference there to interdepartmental co-operation in the government. I can only hope that the Minister will put his efforts into close co-operation with the Department of Education. Here again, at the high school level there is a lot we could do in rural Manitoba with regard to promoting sport -- inter-divisional high school sport. I can't really say what is the situation in western Manitoba but in eastern Manitoba, the area that I'm acquainted with, there is a lot that could be done toward the promotion of inter-divisional sport at high school level.

What about this program, Mr. Speaker? Will we really have it grow into something effective if we do not provide in this province the facilities for the training and educating of teachers of physical education. There has been some attempt in the past years to the establishment at the university of a faculty for that purpose. I am given to understand that the university is not very happy with this idea. I don't know why -- it could have something to do with the lowering of academic standards or whatever -- but if this is in fact true, the administration of the university is not particularly anxious towards the establishment of a faculty of physical education there, why not give some thought to establishing such facilities at the Institute of Technology. The only reason I mention it is because in western Europe, in Norway and Sweden -- two of which I am sure -- they have physical education instruction facilities, not at the universities but at the Institute of Technology and, though the Minister might think this is a rather queer departure -- but this is what they do in those countries, and if our university doesn't want to provide such facilities let's provide them over there, but let's provide them, and thus avoid having to rely on people who might come in after the completion of their courses in some American university. This will prolong the shortage.

I think that, in essence, is what I wanted to say at this time -- avoid repeating what others have said. As the Member for Lakeside has said, it's really in rural Manitoba where we can find all that we care to in the way of making good use of this program.

MR. EDMOND PREFONTAINE (Carillon): I must admit that I am puzzled with the definition given to the word "fitness". I, for one, cannot fully understand it. If I may read the definition: "Fitness means the physical and mental condition of an individual that enables him to function at his best in society." Now if we couple this with the definition of amateur sport, there seems to be a conflict between the fitness mentioned in amateur sport and the fitness mentioned in (c). And then, whereas under (a) seems to apply only to physical condition, physical fitness -- in (a) it includes only physical fitness or something like that -- and in (c) mental condition of an individual "to allow this individual to function at his best in society." To me, Mr. Speaker, this might mean that we believe that providing a person, an individual, functions at his best society, that is worth our spending quite a bit of money on it. Well, it might be that there are some fit people who might function at their best but not to the advantage of society, because we seem to be forgetting moral and spiritual values completely in this program, and without these values I don't know if we will have athletes that will work toward the advantages or the benefits of society. We're not trying to spend money in order to have individuals who will work at their best. We want their work to be to the advantage of society.

(Mr. Prefontaine, cont'd.) Now we have read in the papers recently certain incidents that have happened south of the border, two or three or four thousand young men and women who are educated and well trained, at a dance, causing difficulties, having to be taken to jails. Weren't they fit people? Apparently, physically speaking, they were. But possibly they did not have the moral and spiritual qualities that it would have been necessary for these boys and girls to have in order that society might benefit from all the training they would have received, and I say that if we ignore, as apparently we are ignoring, moral and spiritual values, we might have strong individuals, possibly, but will they achieve anything worthwhile for society -- the kind of society that we would like to see in our midst? I think these are important matters. I think we should add -- I haven't got the definition here for fitness, the kind of fitness that we want to have -- but I think that we will not have the real kind of fitness without stressing moral and spiritual values.

MR. LARRY DESJARDINS (St. Boniface): Mr. Speaker, I'd like to move, seconded by the Honourable Member for La Verendrye, that the debate be adjourned.

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

HON. J. B. CARROLL (Minister of Labour)(The Pas) presented Bill No. 102, an Act to amend The Labour Relations Act, for second reading.

Mr. Speaker presented the motion.

MR. CARROLL: Mr. Speaker, I suppose it would be an understatement to say that there has been some interest expressed in this bill before the House now. We've also seen some very interesting newspaper speculation with respect to it and also we have seen reports attributed to members of the House that appeared quite interesting as well. Before we get into the bill, however, I would like to say something about the history of labour legislation and how the role of government has developed in this field. I think it's safe to say that our early history in Canada has been some reflection of the experience and the traditions of the United Kingdom. As you know, in the days of the early parts of the industrial revolution, trade unionism was considered illegal and it was an offence to belong to them. Now this, of course, was the result, I think, of the laissez-faire philosophy of that time in which anything which was in restraint of trade was illegal, and also, possibly, some reflection of the concern of the people in that country resulting from the French Revolution. But in spite of this, Mr. Chairman, the workmen in the United Kingdom banded together for mutual protection to resist oppression and to fight injustice. We all know, of course, some of the conditions which existed at that time -- the long hours of work, the unsanitary conditions, in many cases unsafe conditions, child labour and things of that kind. Probably the best example of the kind of oppression that trade unionists in that day had to undergo, was the case of the Tolpuddle Martyrs in which these people were exiled. They were banned from their country because of their concern for the agricultural workers of that day.

The leaders of that time -- the trade union leaders -- were men of great courage, in my opinion. They had faith in their causes and were willing to sacrifice for them, and their efforts were not in vain because conditions did improve -- working conditions improved -- and finally they had some protection for their rights to organize in the passing of the Trade Union Bill in the United Kingdom in 1871. This was followed by legislation in Canada in 1872, the Trade Union Act, and certain amendments to the Criminal Code which, together with legislation passed in 1875 and '77, provided the framework and the protection for the free association of trade unionists.

Now the next significant change in labour legislation in this country was the Industrial Disputes Investigation Act of 1907, the purpose of which was to promote collective bargaining and to prevent work stoppages. At that time, majority vote of the employees could compel an employer to sit down with them to bargain collectively. There were several developments in the '30s, particularly in the United States, which had an influence on legislation in this country. We had the Wagner Act which gave very positive protection to trade unions, which established the National Labour Relations Board to recognize and give certification when the majority of employees were represented in a particular union. They also carried out prosecutions for unfair labour practices. As a result of these changes, we have further change in the Criminal Code of Canada which made it an illegal offence to discriminate against trade unions. And then, during the war years, we had a series of Orders-in-Council, the most important of which was

(Mr. Carroll, cont'd.) PC1003, which made it unnecessary for trade unionists to have recognition strikes because they could become recognized and certified under the provisions of this Order-in-Council. It also, of course, prohibited strikes during periods of negotiation and during the time of a collective agreement. Now these principles established in PC1003 were carried forward into most provincial legislation after the war, and this is the basis of our Manitoba law to date.

Now, the purposes and the function of government in labour relations initially was to provide certain protection and to spell out rights for the individuals participating. It also establishes the reasonable rules under which employees and employers can discuss their differences and negotiate for an agreement. It provides services of the department, conciliation services, conciliation boards, the services of the Manitoba Labour Board, and these, of course, are provided on an impartial basis by the department. There's also a charge to investigate any matter which appears to be in the public interest and to publicize it in any manner in which the Minister deems fit. And in all of these things it appears to be in the public interest to encourage the peaceful and just settlement of disputes.

We all know that labour relations are essentially human relations and there's no exact or precise or scientific method by which we can deal with these things. Our legislation is developed to quite an extent by trial and error method adapting to meet conditions as they change in our society. Now, some of the changes that are taking place -- of course, we have a very much increased number of industries; the size and complexity of industry is growing every day. We also have seen a very great increase in numbers and in the size of local trade unions. We see affiliations at the national and international level; we have labour councils, four of them in Manitoba; we have federations of labour in each province except one, I believe, in Canada; and we have, of course, certain congresses of labour, the largest being the CLC. Of course, there are many other changes as well. The kind of things that people are bargaining for today are different than they were a few years ago -- bargaining for fringe benefits, health and welfare plans, pensions, hospitalization and guaranteed incomes, and of course, changes in methods of production, and we have such things as industry-wide bargaining -- for example, in the construction trades here in Manitoba -- we have multiple certifications, and all of these things, and our legislation must adapt to meet these changing conditions.

Now in considering the parties to negotiations, we of the government think that it's desirable to have a strong and a healthy trade union movement. Indeed, it's an essential element of our society today, the only way in which many employers can talk to their employees on a fair and equitable basis. We believe, also, in a healthy, vigorous private enterprise and we think that both of these institutions are compatible and essential to one another. In view of this it's surprising and disconcerting when we see the failure to recognize the mutual dependency in many cases. In the briefs that come before us in the government one would think that they have very little in common. We think that there's almost an undeclared war between management and labour in some cases. The public image of the employer that's sometimes created is one of the grasping monopolist trying to exploit the working man. On the other hand, the employees are pictured as people who want more and more for less and less effort and with little or no concern for the employer. These attitudes, while they're not general, I think indicate an unhealthy situation because these parties have been joined together by necessity and they must make the best of this relationship. It seems rather ridiculous to one who sits in between to see labour blaming management, management blaming labour, and probably both of them blaming government for the trouble in which they find themselves from time to time. And the solution to these things, of course, lies not within our control but within their control in most cases.

I was certainly very interested to read in Hansard the speech made by the Honourable Member from Elmwood, I believe on the Throne Speech, in which he drew the attention of the House to the situation that exists in Sweden and the success which they have had in that country in solving some of their economic problems. In Sweden labour and management entered into an agreement in 1938 called the 'basic agreement' in which it spells out the general short terms of their joint responsibility in labour relations. It points out the dangers and the economic waste of work stoppages, but more important and probably most important, it spells out and emphasizes their joint responsibility in the public interest. And their negotiations show

(Mr. Carroll, cont'd.) . . . concern for the economy. They have concern for inflation; they try to work out their negotiations so it will not affect adversely the purchasing power of their currency in that country. And this high degree of responsibility is carried right through to the local level, and we think that there are lessons to be learned from the manner in which these people have solved some of their difficulties.

In some ways I think that we in Canada are at a very critical point in our economic expansion. We are a trading nation and we see some very serious disruptions in the normal -- what we've considered to be normal patterns of trading. We've seen the rise of very large, very powerful economic -- at least, good producers in Europe, western Europe particularly. We see increasing competition from low-wage countries. We see the growth of trading blocks some of which may affect our trade adversely. Now we in Manitoba are conscious of this problem and I'm very pleased to see that my colleague, the Minister of Industry and Commerce, saw fit to establish the committee on Manitoba's Economic Future because I think this is a step in the right direction, a positive step that we can take as a province to try to solve some of our problems. And we're pleased, too, that labour, management and government are working along with others to find solutions to this problem. We see the National Productivity Council established on the federal level to try to encourage efficiency in production. J. M. Macdonnell speaking in the House of Commons last month quoted from James Lincoln of Lincoln Electric Company who discussed the problem and recognized the problem of common interest between employer and employee in his book called, "A New Approach to Industrial Economics" in which he said this, and this I believe sums up his philosophy: "I knew that if I could get the people of our company to want the company to succeed as badly as I did, there would be no problem that we could not solve together." I think probably one of the most important -- the keys to our success in the future is a recognition of this co-operation between employees and employer in the solution of their joint problems. Through this partnership recognizing the common ground between them and taking into account the public interest, we feel that this will go a long way towards solving some of our economic problems.

Now the government has an open mind with respect to our responsibilities in labour relations matters. It's our intention to examine every situation for lessons which may be learned and to be guided by these investigations and to implement those measures which would appear to commend themselves to an improvement of our legislation or of our administration of it. In the light of this we've examined our Labour Relations Act and we're recommending changes that we believe will promote equitable relations between employers and employees and the just settlement of disputes between them.

Now, Mr. Speaker, to consider the amendments which are contained in Bill 102, the first amendment is, in my opinion, a minor one. It clears up an obscurity which appears to exist there with respect to the employer interference in the selection and representation of employees by a trade union that is served by it. This will give, we think, more positive protection to employees during the critical period of organization and during those times when they are negotiating for an agreement.

Next amendment provides discretion with the Manitoba Labour Board in determining an appropriate bargaining unit. Particularly in those cases of mergers and amalgamations, the Board may examine to see whether one or more units are appropriate for collective bargaining. At the present time the act provides that the certification will remain in the case of a merger, but this will give the Board the discretion to examine the situation to see whether, in their opinion, it should be one or two or more bargaining units within that merged place of employment, and in those cases where they determine that the certification should be changed, the bargaining unit should be changed, then they will have the discretion and be able to solicit the views of the employees to determine what union they want to be represented by. Now there have been several cases in recent years which have caused some concern in considering this particular matter. There's one before the Board at the present time affecting the amalgamation between Manitoba Hydro and Manitoba Power Commission. There are two or three others, and I can get the details on them if any of the members would like that. This also, I think, helps the trade unions in solving a problem that faces them because, as you know, trade unions are not able to raid other unions and maintain their membership in the Canadian Labour Congress so that this does cause some concern in situations like this where there are two

(Mr. Carroll, cont'd.) . . . unions in what might be ruled appropriate for one unit only, and this would effectively prevent those unions from taking steps to become certified, in my opinion.

The next amendment deals with a collective bargaining agreement in the case where the assets of a corporation change hands without the ownership of the corporation changing. In other words, the Act at the present time says, "Where ownership of a business passes, the agreement passes with it." If the company that is buying out the other does not take over ownership of the business as such; if he just buys out the assets and effectively takes over the operation of the business, then we're spelling out in this legislation that he also inherits with that the collective bargaining agreements that apply.

The next amendment deals with the secret government-sponsored strike vote. Considering this amendment we took into account the fact that all trade unions that I know of accept in principle the secret strike ballot, and we have determined that we are prepared to lend our assistance through the Labour Board to determine the views of employment in a strike vote situation. This is a very important vote to all employees in a plant because this, in a sense, determines their future as employees of that company. We think that every reasonable opportunity should be given to those employees to express their views and that the issue should be clearly made known to all of the members in employment. --(Interjection)-- You should know.

MR. ORLIKOW: Well is that a fact?

MR. CARROLL: I think that this will remove, to some extent, the stigma that now attaches to union-conducted votes. And I think that there is a very real stigma. I know that I've heard a great many stories; I think almost every brief that has come to us -- not almost, but there have been several that have mentioned it -- in the last three or four years from the employer groups, charges and criticism of rigged elections; of improper pre-vote conduct; show of hands votes or stand up votes where employees may or may not want to go against the recommendations of their leaders; inconvenient time and place of taking the vote; polling union members only instead of polling all of the members in employment. These are some of the criticisms that we have heard from time to time and I think every member in this House realizes that there is a criticism attaching to unions. It's a common criticism. I frankly don't believe that these criticisms in most cases are valid. I think in some cases there is some evidence that it is valid. And this, we think, will remove the various criticisms and will create a more favourable image in the minds of the employer groups and in the minds of the public as well.

Mr. Speaker, our next amendment deals with the representation on conciliation boards. At the present time, conciliation boards are established by the parties in dispute, each nominating a member to the board. Together they select a board chairman. If they can't agree on the board chairman then the Minister of Labour appoints the chairman. Now this amendment merely prevents people who have a pecuniary interest in either the union or the company or anyone who has acted as an agent for either party or as counsel for either party, it prevents them from acting on a conciliation board within a period of 12 months from the time in which they last acted for the company, or the union. This prevents people with an undue amount of interest in being represented on a board. In these cases where there is these interested parties, we find that there's a great competition between them for the chairman's point of view. In other words, they want to win him to their point of view for the people that they're representing. And frankly, the main purpose of the board is not to get people on there with a bias but people who can take an unbiased look at the facts that are presented to the board and then make a reasonable decision and recommendation if they can't get the parties together. We think that this, at least, will encourage some impartiality on our conciliation board.

Well, the next important amendment is one which deals with the legal status of trade unions and employer groups. We're providing both with a legal status for purposes of the Labour Relations Act and for those matters which arise out of the Act. I think we all recognize that these groups are easily recognizable; they're well identified; we know who the officials are in both management and union cases. They often have staff members; they have assets in many cases -- real property, investments, pension funds, welfare funds and things of that kind; so there is something there. Not only that, they are very influential, mature and responsible organizations in our society.

Now what is the situation with respect to legal status of trade unions. We'll just discuss

(Mr. Carroll, cont'd.) . . . trade unions at the moment. We find that there are several provinces in Canada today, and incidentally many countries throughout the world, in which trade unions are considered and have statutory authority making them legal entities, but I think we don't have to rely on that alone. I have here a little booklet, "Labour Legislation of the Past Decade." It's put out by the Federal Government and it's a review of the developments in Canadian labour legislation, 1951 to 1960. In this, they discuss the legal status of trade unions and what legislation is available in Canada, and then they go on to cite the court cases and court decisions dealing with the status. I'm just going to read a couple of short items here from the conclusion in this pamphlet. "It is evident from the above review, that the legal status of trade unions has undergone a decided change in this period. At the beginning of the decade, unions were generally held to be voluntary associations endowed with legal personality only for the purposes of enforcement of the obligations placed upon them by the labour relations legislation. A union could neither prosecute in its own name, etcetera." Then it goes on to mention the Therrien case which went through the Supreme Court a few years ago; and then at the end of this article they say: "Recently, courts have held unions to be legal entities for purposes other than being prosecuted under The Labour Relations Act and have held them liable in name and damages either for a breach of the provisions of The Labour Relations Act or under the common law." So we find that doing nothing, there has been a tremendous change in what the courts have held trade unions to be over the decade of the 1950's.

Well now, Mr. Justice McKinnon has recently completed a cross-country tour in which he was investigating labour relations matters on behalf of the government of Nova Scotia, and I just want to quote one brief comment that he makes on this same point. "Different employer groups contended that the Act should be amended to provide that unions be considered as legal entities." And then this is the important sentence -- "It would appear that recent decisions of the courts have made any consideration of this matter by the enquiry unnecessary." I take it from that, Mr. Chairman, that Mr. Justice McKinnon feels that the courts have already decided the matter of legal entity with respect to trade unions.

But we have a very peculiar situation here in Manitoba. We find that in the case of Dusesoy versus the Retail Clerks, the trade unions could be sued for any wrong-doing -- for damages by the employer. We have another decision, a later decision in which the judge at that time -- chief justice -- recognized that trade unions could be sued for wrong-doing but, in spite of that, he said trade unions did not have the power to go into the courts to take an action against an employer or others because they didn't have this status. So here we have the anomalous condition in Manitoba where a trade union can be sued for wrong-doing but it can't go into the courts to protect themselves or to sue in return. Now this, we think, is a very peculiar situation, and if we're to provide any degree of equality at all, surely we should give trade unions the right to be able to compete on equal grounds before the court.

Now there are some who have expressed concern about this matter of becoming a legal entity. They say that we will be litigated to death -- I think that's the expression used by some well-known trade unionists in Manitoba. I would like to say there isn't any evidence that I know of to substantiate this particular point of view. In examining situations across the country we find that there are very few cases brought against unions, and certainly in those areas where unions are probably most active, since the introduction of legal status it certainly hasn't cut into their membership to my knowledge. Trade unions are thriving in most countries where they are considered to be legal entities, and certainly I have had no evidence brought to me, and have had some investigation, that would indicate that there is any damage to the trade union movement. We think that in those cases where there is wrong-doing on either side, that they should be responsible for any damages that may occur; and we think it's right and proper that the courts should be in a position to deal with this on an equal basis on either side.

Another major change in our legislation is one that deals with the introduction of a mediation procedure. We're providing here an alternate method to our present conciliation procedures. This is a voluntary method. The parties, if they agree, can elect to have a mediator act for them in their dispute. They select the mediator; advise the Minister of Labour, who thereupon appoints that man to mediate their dispute. This is not an officer of the Department of Labour, this is someone outside of the government service. This is an unbiased individual with presumably, some experience in labour matters, someone that is mutually agreed to --

(Mr. Carroll, cont'd.) (Interjection) -- Pardon?

MR. ORLIKOW: Pay for it themselves?

MR. CARROLL: Yes. The present intention is that these parties should pay for it themselves. In that regard, you know these -- it's quite true that the criticism that we've heard from some about our procedures is that it's slow -- there are delays in the present procedure. Quite often the unions will hire legal counsel to carry their case through conciliation and, when these delays go on for several weeks, as they can under the old procedure -- and heaven knows there's no delay as far as we're concerned -- but you get three men on a conciliation board and one of them is sick, the board doesn't carry on; one of them has to leave town on some urgent business -- and these delays can be caused -- and does cause expense on both sides. Here's a procedure that can be put through, if there's good faith on both sides, with a minimum of time and a minimum of expense; because they can get the best man they can, a man with experience, and they can make sure that they finish their negotiations in a reasonable period of time.

Now the way in which the mediator would work -- he functions initially the same, I would think, as a conciliation officer. He tries to get the parties together, and if he fails to do that, then he has all the powers of a conciliation board. He can ask for documents; statistics; he can call witnesses to give evidence and things of that kind. So we have a combination here of a conciliation officer and conciliation board. He can make recommendations if they don't arrive at a settlement as a result of his endeavours. This is a speeded-up procedure and incidentally, and this is a very important thing, it encourages bargaining in good faith at an earlier stage. Now with this procedure, the one defect that it has, in my opinion, is that there is a tendency, in some cases -- I don't know that there are many -- but in some cases, there's a tendency on the part of both union and company to withhold something. They don't give it all away at the conciliation officer stage. They're holding back because they know that when the conciliation board is appointed to deal with it, the conciliation board has to make a recommendation if they can't get agreement, and they want something left to compromise with. I think that this is one of the defects probably in our present system. This will encourage them to bargain in good faith at a much earlier stage in their negotiations. I think this will certainly help in those cases where we can get mutual agreement to follow this speeded-up procedure.

Now the final point, Mr. Speaker, is with respect to the enforcement of The Labour Relations Act. Now we've been asked for some time -- two years to my knowledge -- that the government take a more active role in the enforcement of The Labour Relations Act. This has come largely from the Manitoba Federation of Labour. It has come from other labour groups as well; it has come from some employer groups; asking that the government take a more active role in the enforcement of this Act, and we're prepared to do that. The Attorney-General can, either on his own initiative or upon the recommendation of the Minister of Labour or the Labour Board, he can undertake to enter into a prosecution on behalf of an aggrieved party under this Act. This, I would think, will have to do largely with unfair labour practices, but could operate in areas of illegal strikes or illegal lock-outs and other matters as well, so we're prepared to lend much greater assistance from the government to the enforcement of this Act.

Now, Mr. Speaker, there may be some who will criticize this Bill because they will construe it to be against the best interests of labour. Well we don't believe this is the case -- we don't believe it's the case at all. I think there's nothing, not a section in this bill that should offend the legitimate interests of labour. On the contrary, what are we doing? Providing greater protection to employees. We're providing for the continuation of agreement in those areas where there was some doubt in mergers and amalgamations, clarifying the union status so they will have equal rights with employers to go into the courts. We're attempting to free conciliation boards from undue influence. We are assisting in the determination of employee views with respect to their preference with respect to bargaining units and in strike votes. We are providing this voluntary alternate speedier conciliation procedure and we're taking a more active role in the enforcement of the legislation. We think that all of these things should, on the contrary, be of great help to trade unionists in Manitoba.

Mr. Speaker, there are others who may say that we like what you're doing but for heaven's sake don't do it now. Let's examine this question further; let's delay for a while;

(Mr. Carroll, cont'd.) maybe our problems will go away; maybe they'll disappear in the next twelve months; but let's not take any action at this time. Well, Mr. Speaker, I would say that there's no Bill before this House this Session that's had more advance notice, in my opinion, than this present Bill. I think we've all had some opportunity -- every Party has had some opportunity for their own investigation on these matters. This may not be a perfect bill; we're prepared to agree that it may not be -- we don't know -- but I don't think there'll ever be a perfect solution provided by legislation because the only perfect solution lies with the parties involved. We can only assist in providing the rules, the sign posts, the safeguards, in those areas where the parties may go off track.

Mr. Speaker, we feel these amendments will provide increased protection to the parties; will provide greater assistance in some areas; and, at the same time, we maintain the freedom of the parties in labour relations. We believe this Bill will enhance labour relations in Manitoba and I would recommend it to the House.

. Continued on next page.

MR. MOLGAT: Mr. Speaker, I beg to move, seconded by the Member for Carillon, that the debate be adjourned.

MR. PAULLEY: Mr. Speaker, if I may, before you accept the motion to adjourn. I was prepared to speak this afternoon on second reading of this bill. May I have that permission and then if the Honourable Leader of the Opposition wishes to adjourn following that I would be perfectly happy.

Mr. Speaker, I listened with great interest to my Honourable Friend the Minister of Labour on introduction for second reading of this bill. For awhile he almost had me in tears. When he started out with reference back to the Tolpuddle Martyrs who were kicked out of England and sent over to Australia. I want to tell my honourable friend that these Tolpuddle Martyrs came from the County of Dorset in England, from which country my folk came also. And while they went to Australia, or were sent to Australia because they dared to protest oppressions particularly in the field of labour, I think some of the reactions of those Tolpuddle Martyrs must have ran through the blood of my parents and came now to their son who stands before you in this Legislature today. Because I am firmly convinced that in many respects the bill that we are dealing with at the present time is the type of legislation, albeit different in many respects, that would cause the Tolpuddle Martyrs to violently protest, with the net result of them being banned from their native land.

My honourable friend was very, very glib in the choice of his words this afternoon. He made it appear that anyone who had the audacity to protest the contents of this bill was doing a disfavour to the economy of our country. I dispute that entirely. I do not stand before you today, Mr. Speaker, as a representative of organized labour, although I frankly confess that there is an affiliation, but I stand before this Legislature even further than that, Mr. Speaker -- as a champion against oppressive legislation be it in the field of labour or any other segment of the economy and jurisdiction of government in the Dominion of Canada. My honourable friend in his opening remarks among other things stated that the purpose and function of government is to make just laws. I agree with him. And it is the purpose of Opposition to protest on each and every occasion when an attempt is made to impose on the peoples of the jurisdiction concerned in just laws. My honourable friend spoke in his opening remarks that one of the reasons for the introduction of the legislation that we have before us this afternoon is to aid in arriving at the peaceful and just settlement of labour disputes. I say to my honourable friend and to his colleagues that the very reverse is true of the legislation that has been proposed to this House this afternoon. I ask him, Mr. Speaker, I ask every member of the government to substantiate in any way, shape or form that at the present time in Manitoba or within recent years in the Province of Manitoba that we have not had reasonable peaceful labour relations in the Province of Manitoba. I challenge my honourable friend to list the record of labour management relations in the Province of Manitoba. I challenge my honourable friend, the Minister of Labour, to refute the words of the Premier of this province just recently when he stated publicly that the relationship between management and labour in Manitoba has been a model for others to follow; that we have not had disputes of any great magnitude; that our relationships in general over the past have been good. And I say this, Mr. Speaker, and I say this in all sincerity that the First Minister was correct. I will admit to my honourable friends to my right with whom occasionally I have disputes that I didn't agree with all that they did, but I would suggest this -- and they were the ones that introduced this Labour Relations Act -- by and large the labour relations picture in the Province of Manitoba has been good. And if you want to change it proceed with this bill, because that is exactly what the net result will be.

My honourable friend mentioned the fact, and it's perfectly true, that we have had increases in the number of industries that have come here to locate in our province and also increases in the members of our trade unions organizations. It's true. And with those organizations and increases in industry, the incident of unrest in the Province of Manitoba has not gone up. He says that the government believes we should have healthy trade union movement. We've got a healthy trade union movement, but by putting in some of the sections that are contained in this Act if carried through the way the legislation reads can bankrupt many of our smaller trade union organizations here in the Province of Manitoba. My honourable friend has referred to certain statements in which there is an undeclared war between labour and management. He states that labour blames management and management blames labour. I suggest,

(Mr. Paulley, cont'd.) Mr. Speaker, that while these statements have been made, and I frankly admit that I have read them too, that in general they have no base whatsoever. And if it is on this base that this government is introducing the legislation that we have before us this afternoon, then I say it is on a base without any firm foundation at all and should be disregarded.

My honourable friend says in his remarks in respect to this bill that we have a need for co-operative action between labour, management, government -- and I'll go one further -- and the public. And I'll say to him, he's correct; but I also say to him that this is not the way to go about it. He made references to agreements in Sweden between industry and between labour for the well-being of that particular country. I want to say to him as opposed to the type of legislation that he is attempting to introduce into this House today that the Government of Sweden in a spirit of friendly relations with both groups and segments of the economy of Sweden took them into their full confidence; they did not find that it was necessary in Sweden to attempt to legislate in such matters as this government is attempting to do here in the Province of Manitoba. How, Mr. Speaker, can you have co-operation under what I claim to be and I am sure it is dictatorial legislation like we have before us this afternoon? I'm not being ridiculous.

My friend in his introductory remarks made mention of a resolution introduced by the Minister of Industry in respect to trading. I say to him and to the government this is very vital, and it's very vital in order to achieve our aims in productivity that we must have peaceful labour relations in the whole of the Dominion and, in particular, our own Province of Manitoba. My honourable friend has said that the government has an open mind in respect of this and will have to examine the situations as they come along. I suggest to my honourable friend that no situation is before us here in the Province of Manitoba that could conceivably or justly form the basis for the legislation that we have before us. My honourable friend has told us in this House that he is aiding labour by the introduction of these amendments to the Labour Relations Act. I could almost see the blood for labour pouring out in friendly co-operation to labour, as he spoke; but I would like to say to him, I think labour's attitude in respect of these amendments would be -- "God protect me from my friends; my enemies I can take care of myself." My honourable friend made mention to the question of secret strikes. He said that he doesn't think that there's anything wrong with this except that it will state a certain stigma that may be prevalent in respect of the present method of taking strikes. I say to my honourable friend that the Taft-Hartley law in United States was brought into effect simply because of the same thought that my honourable friend has today; and since that law became a law of the nation to the south of us, it has been proven conclusively that in respect of strikes the same results are true.

I wonder if my honourable friend in considering this piece of legislation, and in particular the matter dealing with the question of strikes, has taken a look at the constitution of many of our trades union which lay down in constitutionally within the orbit of their trades union, the manner in which strike votes must be taken. I reject entirely the premise of the Honourable Minister of Labour that inference which may be prevalent -- I don't attribute this generally to my honourable friend -- that strikes that take place are not in accordance with the voting of the individuals, because I think that it would be foolish of any organization to go on strike unless they had the backing of their members. And I doubt very much whether my honourable friend can show us one occasion where a strike has been called affecting people in employment unless they have supported it.

MR. CAMPBELL: How are they taken?

MR. PAULLEY: The same as we take votes here in the Legislature, in committee, on very important legislation, and if you're outside of the hall when you know that a matter is under debate you don't vote on it but the legislation goes through just the same.

MR. CAMPBELL: Standing votes?

MR. PAULLEY: Yes, if you're in favour and have been, of being stood up and counted, and what's the odds? My honourable friend suggests that in the matter of a strike vote that every single member or secret strike vote should be conducted by the government to all concerned. Would he go so far as to suggest that this should be a compulsory vote of all of the employees? -- I wonder? We talk of votes in this House -- we talk of our criticism say, for instance, of Metro -- yet about 20% of the people who are so vitally concerned with the results of Metro, decided who their representative should be on the Metro Council. I think this matter, as suggested in the legislation dealing with strike votes has got to be given far more thorough

(Mr. Paulley, cont'd.) . . . study than it has been given.

Dealing with the question of legal entity -- my honourable friend has suggested and told us that the courts have found that unions can be sued and they have been sued. I don't have to tell him, I am sure, that not only have they been sued by corporations and firms, but they have been sued by individual members who feel that the union has acted incorrectly. And yet my honourable friend after saying all of this turns around in order to help labour out, in order to help the unions out, we're going to be the big joe and bring in legislation to make them -- or put them in the position where they'll be able to sue too. How ridiculous. How ridiculous.

My honourable friend mentions the question of Mediation Boards; he mentions this in the vein that we will get down to mediation and we'll get down and the job done a lot quicker. Maybe he's right. He did state in his presentation that with our present processes of first the Conciliation Officer and then a Conciliation Board it takes a long time. He mentioned the fact that if one of the members of the board takes sick, well that delays the action. We have to wait until he gets well. I wonder if he means by this that when the mediators are chosen they'll be such healthy individuals that they'll never get sick either. My honourable friend mentioned another point when he is discussing dealing with the members of a Conciliation Board and the choice of a biases on one side or the other of labour or of management. I want to ask him, can he find individuals in this very important matter of labour relations, people who haven't some bias one way or the other? And I would gamble this to my honourable friend, that if he can find these types of individuals -- (Interjection) -- Yes, I think you're right. If he can find this type of individual who has absolutely no bias, then he's done something that no other man has ever been able to do before.

Now then, he made reference in his remarks to a proposition, which I made in writing to him, of delay in this regard, and he rejected that. He said that our attitude would be, or inferred this, that maybe the problems would go away, so let's not do this now. I say to him and the government that there is no problem now, and there's no necessity for the legislation as proposed. My honourable friend thinks that there is. To listen to him one would think that the labour relations situation in the Province of Manitoba was in a terrible state. One would imagine, just to hear him without knowing the facts, that there is constantly strikes before us here in the Province of Manitoba. I'm sure, Mr. Speaker, that my honourable friend, the Minister of Labour is aware of the fact that in the year 1960, there was approximately 90,000 man-days lost as the result of strikes in the whole year; and I am sure he also realizes that with the number of unemployed that we have on our hands at the present time -- approximately 25,000 -- that there are lost each and every week in the year 125,000 man-labour days. Does this indicate a situation as painted by my honourable friend? I suggest not. I suggest that there is no necessity for this legislation. I suggest, Mr. Speaker, that the Honourable the Minister of Labour -- and I almost was going to say "all", but I feel sure that there must be some on the other side of the House who don't agree with the majority of the government -- because I was going to say that I feel sure that the Minister and his colleagues have not given sufficient study as to the desirability, the necessity, or the consequences of the type of legislation that he is proposing to this legislature in this bill.

He says to us in many of the statements this afternoon that this is a bill designed to help labour. This is a bill on their behalf. He did not say to us in respect of strikes that whereas it is his intention to have a secret strike vote in respect of the employees concerned in a dispute, in an industry; he did not say to us that he is going to have a vote, too, of the shareholders of the corporation or management concerned. I say to my honourable friend is not the question of a strike a two-sided affair? I say to him if it's valid and just that all of the government legislation should be in the hands of labour, should it not like-wise pertain to the other side of the fence, Mr. Speaker? No indication at all of that. No indication that if management are going to lock out its employees, that before they can lock their employees out that they're going to call for a secret vote as far as management is concerned. My honourable friend, in his legal entity clauses deals with two or three groups -- he deals with employer organization groups insofar as legal entities are concerned. I ask my honourable friend, how often do employers organization groups have anything to do with the question of strikes? I ask my honourable friend under this legislation and dealing with the making of trade unions legal entities, does the action of any particular shareholder of the corporation with whom the dispute

(Mr. Paulley, cont'd.)

is taking place subject the organization or company to the same penalties as the trade union will be under the legislation that is proposed before us?

I say to my honourable friend and I say to the Government of Manitoba, if you want to be fair, if you want to continue the past peaceful -- with some exceptions -- relationship between management and labour -- withdraw this bill. The situation, Mr. Speaker, is not as rosy as the Minister of Labour has attempted to lay before us this afternoon -- and Mr. Speaker, I conclude where I started off -- (Interjection) -- I beg your pardon? Would you kindly repeat that.

MR. LYON: If you concluded where you start off, you haven't made much progress.

MR. PAULLEY: No -- well, my honourable friend says that -- the Attorney-General says that I have not made much progress. Then I say to my honourable friend -- it's awfully tough talking to a tree, because you can't blow a tree over with logic, and apparently that is the case here. But I say again, Mr. Speaker -- I say again, to my friend, the Honourable the Minister of Labour and to the Government of Manitoba, if you want peaceful labour relations in the Province of Manitoba, do not proceed with this bill now. The situation isn't as rosy as my honourable friend has made out. We require in the Province of Manitoba the full co-operation for the mutual benefit of all of the citizens of this province, the co-operation of government, the co-operation of management, the co-operation of labour and the peoples of this province, and this type of legislation will not give it to us. The summary, I presume, Mr. Speaker, of my remarks, is that I am going to oppose second reading of this bill.

Mr. Speaker put the question.

MR. MOLGAT: Mr. Speaker, I had asked for the adjournment. I believe the House was agreeable to that.

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

MR. EVANS: Mr. Speaker, I wonder if it would meet the wishes of the House now to call it 5:30?

Mr. Speaker, just before you leave the Chair, I wonder if I could tell the House that it is proposed to call the adjourned debate by the Honourable the Minister of Health, which stands now in the name of the Honourable Member for Gladstone, and following that the adjourned debate standing in the name of the Honourable the Attorney-General on the question of the constitution standing in the name of the Honourable Member for Lakeside. If that suits the wishes of the House that will be the order of business when we meet again.

MR. GRAY: debate oh, that's in the committee

MR. NELSON SHOEMAKER (Gladstone): Mr. Speaker, I anticipated that this might be coming up and I was going to ask the indulgence of the House to allow the matter to stand for today.

MR. CAMPBELL: be prepared to proceed, Mr. Speaker.

MR. EVANS: Then if it suited Your Honour, we might call it 5:30 now.

MR. SPEAKER: Call it 5:30 and I leave the Chair 'till 8 o'clock this evening.