

THE LEGISLATIVE ASSEMBLY OF MANITOBA

2:30 o'clock, Monday, March 7, 1966

Opening Prayer by Madam Speaker.

MADAM SPEAKER: Presenting Petitions
Reading and Receiving Petitions

MR. CLERK: The petition of Donald W. Muir and Others, Praying for the passing of An Act to incorporate The Wildlife Foundation of Manitoba.

MADAM SPEAKER: Presenting Reports by Standing and Special Committees.
Notices of Motion.
Introduction of Bills.

MR. D. M. STANES (St. James) introduced Bill No. 68, an Act to amend Certain Acts respecting The North-West Line Elevators Association.

HON. MAITLAND B. STEINKOPF Q.C. (Provincial Secretary)(River Heights): Madam Speaker, I beg to move, seconded by the Honourable the Minister of Labour, that Madam Speaker do now leave the Chair and the House resolve itself into a Committee to consider the following proposed resolution standing in my name.

MADAM SPEAKER presented the motion.

MR. DOUGLAS L. CAMPBELL (Lakeside):no, Madam Speaker, I don't think it was read into the record.

HON. GURNEY EVANS (Minister of Industry & Commerce)(Fort Rouge): Madam Speaker, is it not usual for the Chairman of the Committee to read this into the record?

MR. CAMPBELL: Yes, that might be right, I'm sorry, Madam Speaker -- so long as it's read into the record.

MADAM SPEAKER put the question and after a voice vote declared the motion carried, and the House resolved itself into a Committee of the Whole with the Honourable Member from Winnipeg Centre in the Chair.

COMMITTEE OF THE WHOLE HOUSE

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

MR. CHAIRMAN: The resolution before the Committee is:

WHEREAS the Legislative Assembly of Manitoba at its Second Session of the Twenty-Seventh Legislature on the fourth day of March, 1964, constituted a Special Committee of the House consisting of nine members to examine, investigate, enquire into, study and report on all matters relating to highway safety and highway administration and control;

AND WHEREAS this Special Committee was reconstituted and re-appointed with the same powers and the same personnel at the Third Session of the Twenty-Seventh Legislature, on Monday, the seventeenth day of August, 1964, and at the Fourth Session of the Twenty-Seventh Legislature on Wednesday, the Twenty-Eighth day of April, 1965;

AND WHEREAS the said Committee has not completed its work;

AND WHEREAS the said Committee has submitted a report and made certain recommendations with respect to matters referred to it, and recommended that it be reconstituted and report at the present or next Session on the following matters:

1. To hear further representations re studded tires,
2. To further consider the matter of the 15 mph limit in school zones and playgrounds and the substitution of a charge of careless driving, and
3. To further consider and finalize any other matters outstanding on the Committee's terms of reference,
4. That the revision of The Highway Traffic Act be referred to the Committee as re-constituted following second reading of that Act at the present Session,

THEREFORE BE IT RESOLVED that the Special Committee on Highway Safety and Highway Administration and Control consisting of Honourable Messrs. Steinkopf, Weir; Messrs. Bilton, Hamilton, Hillhouse, Lissaman, McDonald, Patrick and Peters, reappointed and reconstituted at the Third and Fourth Sessions of the Twenty-Seventh Legislature, be reconstituted and reappointed for the same purpose and with the same powers to examine, investigate enquire into, study and report on all matters relating to highway safety and highway traffic administration and control, and without restricting the generality of the foregoing to pursue its deliberation upon the following matters notwithstanding the fact that the Committee

(MR. CHAIRMAN cont'd)..... may have already heard representations regarding these matters.

1. To hear further representations re studded tires,
2. To further consider the matter of the 15 mph limit in school zones and playgrounds and the substitution of a charge of careless driving, and
3. To further consider and finalize any other matters outstanding on the Committee's terms of reference,
4. That the revision of The Highway Traffic Act be referred to the Committee as re-constituted following second reading of that Act at the present Session.

And that the Special Committee consisting of Hon. Messrs. Steinkopf, Weir; Messrs. Bilton, Hamilton, Hillhouse, Lissaman, McDonald, Patrick and Peters, shall have power to sit during the present Session and in recess, after prorogation, and to report to this House on the matters referred to them at the next Session of the Legislature.

And that the Provincial Treasurer be authorized to pay out of the Consolidated Fund to the members of the said Committee the amount of expenses incurred by the members in attending the sittings of the Committee or expenses incurred by the members in the performance of duties ordered by the Committee, in recess, after prorogation, as approved by the Comptroller-General.

And that the Provincial Treasurer be authorized to pay out of the Consolidated Fund all other expenses of a kind and nature required to assist the Committee in carrying out the provisions of this resolution, and provided the same have received the prior approval of the Treasury Board.

MR. STEINKOPF: Mr. Chairman, the work of the Highway Safety Committee is not complete. There are, as the resolution sets forward, three specific matters on which the Committee would like to have further hearings with the public, and also the more specific one of the reference of the Highway Traffic Act, the revision of it, to the Committee so that it could be studied by the Committee between now and, we hope, the end of the Session in order that the bill might receive Third Reading and be passed at this Session. If that is not possible, then the Committee has authority to sit during the recess and bring in its report at that time, which we hope would be in such a fashion that we could bring in a new Highway Traffic Act at the next session and have it approved at that time.

MR. GILDAS MOLGAT (Leader of the Opposition)(Ste. Rose): Mr. Chairman, I thank the Minister for his explanation. There is certainly no objection from my standpoint to having a further discussion on the matter of studded tires and some of these other subjects. I would like to see the committee move along at a more rapid speed than, in my opinion, it has in the past on these matters, but we certainly want to see everything investigated thoroughly and proper legislation brought in.

I'm wondering, though, about the fourth item that the committee is asked to do, and that's to proceed with the analysis of the new Highway Traffic Act, Bill No. 5, after the second reading. Now my colleague the Member for Selkirk spoke about this the other day, and certainly if it's the intention of reporting back to this Session the Act itself, I would be prepared to accept this, but if it is not the intention to report at this Session, then I think that the Committee in the House has to look very carefully at what the likely outcome of this bill is going to be. If, as speculation has it, it is the intention of the Premier to call an election, then once this House prorogues there'll be no means of getting this bill obviously back for action. The dissolution would mean the termination completely of the House and then the bill could not be reported back in any case, because the committee would disappear and so would the House. We would then be faced with having to go through another year the reconstitution of the Committee at the next session after the election, the study of the bill all over again - we might not get this bill into law on that basis for another two years. I must confess I have not had an opportunity to study the bill in detail but I think it must be studied in detail and I think if it is a good bill - and I presume the Government would not be recommending it if in their opinion it was not; the Committee has now been studying this for two years - but I think we should proceed with the study of the bill at this Session. It seems to me therefore, that the Committee should be instructed -- if it is felt preferable that this go to this Committee rather than Law Amendments, they be instructed to report at this Session of the Legislature, and if that is not done, then that we have a commitment from the Government as to what their intentions are so that we will know if this bill will come into law or not.

MR. M. N. HRYHORCZUK Q.C. (Ethelbert Plains): Mr. Chairman, I agree with what my Honourable Leader has said but I would like to go a little further than that. I have been in the House now for pretty close to seventeen years and I do not recall a procedure of this kind ever being followed. We have before us a bill which was introduced by the Minister, it's a complete revision of the Highway Traffic Act presumably based on a study by the Committee and on the Committee's report. There are a great number of new sections in this bill, presumably based on the recommendations of the Committee's study for two years, sections which no doubt are required, are sensible and needed in this particular Law. Why the Minister wants to refer it back to the Committee where the chances are one in a hundred that we'll see it again at this Session, because the questions that are left to the Committee for study are too important and too large for them to be able to receive the evidence they need and make a report back to us in the next 5, 6 or 7 weeks, whatever the term of this Session may be - - but if it was not the intention of the Minister to proceed with this bill at this Session, why did the government go to the trouble of printing the bill as it has, and introducing it? Surely if there was no intention of proceeding with it, then this was a waste of time and effort and money.

I would also like to remind you, Mr. Chairman, that not so very long ago the Honourable the Attorney-General, when speaking to Bill 7, stated that he thought that Bill 7 should be allowed to stand - and that's the one that amends The Summary Convictions Act - because he was waiting to see what this bill produced and how that bill, Number 7, would relate itself to Bill No. 5, so it would appear to me that both the Honourable the Attorney-General and the Minister who is introducing Bill No. 5 were both of the opinion until recently that Bill No. 5 would be proceeded with in the usual manner; that is, it would receive its second reading, it would go to Law Amendments, come back for third reading and become law. Why the sudden change? It surely could not be the reason that the Honourable Minister has just given us, that there are certain things that require further study. All right, if there are, let the Committee be reconvened and let them give their further study to those particular points that are raised in this resolution, but why do away with the bill altogether? There is no reason given by the Minister why this bill should not go through the stages that all bills go through. It's printed; it's before the House; members have had considerable time to study it. We are ready to consider it, take it through Law Amendments, and if there's anything that the government feels that's been included in this bill that shouldn't be there, they could take it out, but not throw the bill overboard; and, as my Honourable Leader has suggested, it may be a year, it may be two years before we come back to this particular bill of which the subject matter is important to every citizen of this province. I agree with my Leader entirely that if you want to reconstitute the Committee and let them go and further study on those four points that are raised, well and good, but let us go ahead with Bill No. 5 as it has been printed.

MR. J. M. FROESE (Rhineland): Mr. Chairman, I too would like to have a little further clarification under this resolution, and I am particularly referring to Item 3 which says: "To further consider and finalize any other matters outstanding on the Committee's terms of reference." I wonder if the Minister could clarify this point as to what is left out, what hasn't been acted on, or are they referring to the recommendations that are contained in this report which haven't apparently been finalized, such as the Driver Education Program, the twice-annual inspections and other matters listed on this report. You'll notice that the same recommendation occurs in this report under the heading of Item (c) under 10. So I would first like to hear from the Minister just what is intended under this item.

Then I would also like to go on record as supporting what the Honourable Member for Ethelbert Plains has just said. I feel that this bill should be referred to the Law Amendments Committee where more members could participate and consider the legislation, and then if it was found essential, to refer it back, that it be referred back with recommendations from that committee. I think this would have more weight and as a result would have received better consideration. And certainly, not being a member of this committee that is being set up, if it was referred to Law Amendments I would have an opportunity to raise points that have interest to me especially.

MR. SAUL CHERNIACK Q.C. (St. John's): Mr. Chairman, we have come here to transact the business before us, which includes the long overdue passing of a revised and consolidated Highway Traffic Act. It seems to me we ought to prepare to do it and in the normal course this would be before us. Now some little while ago, some few days ago, the Honourable the Leader of the Opposition asked for some sort of memorandum to indicate the changes, and it seems to me that if we had that before us, along with the bill itself, we could apply ourselves

(MR. CHERNIACK cont'd)..... to it and do some work on it. It seems to me we could make a great deal of progress in that way. It would have been preferable, I suppose, if the Committee had met in sufficient time and drawn its conclusions early enough so that they could have themselves reviewed this bill and recommended it before the Session started. But failing that, then surely we are here to get to work on it and we should be prepared to do it. Now I am assuming that this is the term a concordance that was requested, as something that could be produced, a summary showing the sections of the old Act, showing the sections of the new Act and indicating where the changes are. It's a job, of course, but we should be prepared to do it and to do it now rather than risk the possibility of waiting another year. If the changes recommended by the Committee are important - and I believe that they are - then they should be dealt with this year and not next year. If there is a law that we have on the books now which is wrong or which needs improving, it should be done now, not next year; and therefore I would urge - and we feel in our group - that the bill be dealt with in an intelligent manner with the detailed and intense attention to it that it requires, but it should be dealt with; and it should therefore be an assurance that it will be dealt with this Session. Whether it be dealt with in Law Amendments as was suggested, or be it with a smaller committee, is to me less important than the importance that it be done. And I would urge that we have some procedure outlined whereby we can deal with the bill this Session and get it on the statute books of the province.

MR. STEINKOPF: Mr. Chairman, I am at a loss to understand why the presumption is so heavy that it is not the government's intention to see that this bill goes through the normal readings and is passed at this Session, because everything that has been done and everything that has been said has pointed to that conclusion. And any statements that I have made previously, either in connection with the report of the committee or in introducing this bill, have been to the effect that the government is so interested, and I have as much as said that the government will ensure the passing of this bill in its present form or as it is amended by the committee that it is being referred to. And as I believe I explained previously, it was thought at a very early stage - and this was last September or October - that the bill would have a more thorough going-over and a more intelligent approach if it was basically in the hands of the people who had much to do with its formation, and it was for this reason and the reason of speed that the reference is back to the Safety Committee - not that the Law Amendments Committee couldn't handle the job as well, because the same people are on the Law Amendments Committee as are on the Safety Committee, but this being such a complete revision of the Highway Traffic Act and being a document of considerable importance and weight, it was thought that the same opportunity would be afforded all the members of the House to come before the Safety Committee and to present any ideas that they had at that time, and when the Committee approved it - that is, approved the bill with its amendments - then it would of course come back to the House in such form that it would again be easy for the members to take a look at the bill before it even left the committee stage.

So let me assure everyone that it was only with the very same interests at heart as those that have spoken that this procedure was followed. Now it may be wrong; it may be that the Law Amendments Committee won't be so busy that it would have time to go into this as thoroughly as we'd like to have it; but that is something that we couldn't tell when we set it up and we hoped that -- and not only the members of the Committee but all of those in the Department and others who have worked so hard on it would in fact be heartbroken if the bill didn't receive final approval at this Session. So let me assure all the members they have nothing to fear about it because their interests and ours are exactly the same.

The other matter that was brought up by the Honourable the Leader for the Social Credit Party - that is, an explanation of the Number 3 reference here. There are a number of details outstanding in the report of the Safety Committee - it was a rather general one - but they are so intermeshed with the bill itself that this will give us an opportunity at this Session to finalize some of the technical information that wasn't available in time for the Committee to have in reporting on the bill and in printing the bill. Every effort, every kind of a short cut that we could take was taken in order to have the bill before the House at this Session, and also as early in the Session as possible, and we have tried right from almost the first day of this Session to get the report before you, to have this committee set up and to have the bill printed and ready for the House to go through. With regard to the resume that was referred to, this is ready; it is, I think, a good resume; it was a casualty of the storm on Friday - I thought it would be ready for today or even ready for Friday for distribution, but it's only a matter of hours away before it will be handed to all members of the House and also we are going over it

(MR. STEINKOPF cont'd).....again to see if there's some of the points we've left out, to see if we can give the House just as much information on the bill as possible. But let me assure all members that it's our interest to get the bill through this Session.

MR. CAMPBELL: Mr. Chairman, taking the assurance of the Honourable the Minister that it is the Government's intention to see that the bill is finally dealt with at this Session, I would suggest that he remove all doubt by not giving this Special Committee the opportunity to sit after prorogation as well, and just give it the authority to sit while the House is in Session, which of course it needs, and then make sure that it is dealt with in time to come back into the House, and it would seem to me that that would meet the various points of view better than I don't want to be technical about the present resolution, Mr. Chairman, but I think if it's carefully read, you could draw very properly the inference that we would be delegating to this Special Committee the decision that only the House should make, and that is whether the bill be proceeded with at this Session or not, because it appears to me that if this resolution passed in its present terms, we would be handing it over to this committee which could decide, without coming back to this House at all, that it wants still further representations or to go still further into the considerations that it already has before it, and decide not to report back at all during this Session. And I think that the resolution should certainly be amended to make sure that that doesn't happen. But the better method, in my opinion, of handling it, would be to simply make it plain in the resolution that this committee has power to sit while the House is in Session, and then it will be assured that its report must come back to the House to be dealt with here.

MR. STEINKOPF: Mr. Chairman, I would have no objection of having that kind of amendment made but I think it is so unnecessary, because our interest is to have the bill passed before the Session is over, and if it's an impossibility, why the same thing is going to happen whether we amend the resolution or not. It would also be possible at a later date, I would think, to either bring in another resolution or amend it if it appeared that we weren't going to be able to get the bill through its second reading and the committee stage - in the Safety Committee - and if it were the wish of the House to have it then taken out of the hands of the Safety Committee and put into the Law Amendments Committee, I don't know enough about the rules but I would think that another resolution could supersede this one and there wouldn't be any problem in getting it back to the Law Amendments Committee at that time, but in the interests of the resolution, the complete resolution - because safety isn't something that just stops at the end of the Session; it's a continuing thing - the operation of this committee after the Session in other matters of safety would be, I think, an important and very valuable kind of an asset to have for this House, and I would like to see the committee continue after the House on matters that are not directly related to the passing of the bill.

MR. HRYHORCZUK: Mr. Chairman, I don't doubt the good intentions of the Minister at all, but I do doubt his judgment. We were told at the beginning of the Session there will be approximately 120 bills coming before the House this Session. We haven't had a single Law Amendments Committee meeting so far. The number of bills that are before us are not very many. Would it not be a lot wiser, at this stage, when the Law Amendments Committee has the time within which to deal with this particular bill, isn't it the wiser course to have it before the Law Amendments Committee before all the other bills come in and the pile of work will make it impossible for the Law Amendments Committee to give this bill the attention it deserves? And I don't think that the Honourable Minister has still answered the question. Even if we go through this bill (and he tells us he and his department and everybody else is very anxious to see that this is implemented) even if we go through this bill and implement it as is, or amend it, it will not be too late to bring in a second bill for any amendments that the proposed committee may bring in before the end of the Session. I think the Honourable Minister is overlooking the fact that if and when all these bills that we've been promised come before this House, then we certainly won't have the time to deal with this bill, which is a large one, as carefully as we should, and I think we'd be much further ahead by considering it while we have the time. We have no other committee meetings; our mornings are not taken up; we could spend the balance of the week every morning in Law Amendments on this bill. If it is that important, then it needs the attention, instead of waiting till we get clobbered with bills which will make it impossible for us to give those bills or this one the proper attention.

MR. CHAIRMAN: Resolution passed?

MR. MOLGAT: No, I'm sorry Mr. Chairman, I believe that we'd better have this matter absolutely clear, because if you go back over the history of this committee, Mr. Chairman,

(MR. MOLGAT cont'd).....it's one that has been after all in operation for a long time. Originally, back in 1963, my colleague the Member for Assiniboia, introduced a resolution in this House asking for the establishment of the Highway Safety Committee. When he was half-way through the reading of his resolution, the Attorney-General got up and announced that it was the intention of the government to do something about this and bring in some legislation. So the resolution was not, as I recall, proceeded with.

At the next Session of the House, that's at the Second Session of the 27th Legislature, on the 4th day of March, the committee was reconstituted. At the Third Session of the 27th Legislature, on the 17th day of August, the committee was once again reconstituted. At the Fourth Session of the 27th Legislature, on the 28th day of April, 1965, the committee was reconstituted for the third time. It has been operating now for a long period and I think the time has come when we must have it absolutely clear that action is going to be taken.

So Mr. Chairman, I would like to move - and I may not have this completely written out in the way it should be - I'd like to move that the resolution be amended as it appears on the Orders of the Day of Monday, March 7, 1966, as follows: By striking out all of the words "or next" in lines three and four on Page 2. Then, coming down to the third paragraph, that is assuming that the "And Whereas" is one paragraph, "Therefore Be It Resolved" is the second one, and the third one "And that the Special Committee" - in the fourth line of that paragraph the words "and in recess, after prorogation" be deleted; and in the fourth paragraph, in the fifth line thereof, the words "in recess after prorogation" be deleted. This would leave the situation then simply that the Committee will report at this present Session.

MR. CHAIRMAN: without a message from His Honour.

MR. MOLGAT: Mr. Chairman, this doesn't affect the message from His Honour in the least because I'm not involving here the expenditure of any money. The House is sitting I'm simply asking that the Committee do a certain thing during the course of this House, so there's no effect whatever insofar as expenditure. In fact, if anything, it would be very much the reverse. This doesn't prevent -- if the Committee doesn't get its work done insofar as the other items (I'm not speaking now of the bill, but insofar as the other items), if the committee doesn't get its work done by the end of the Session and it was felt that it should be reconstituted, then we would be prepared to look at that, but this would put them in the position that they must get to work now and report certainly back on the bill. But there's no expenditure involved.

MR. EVANS: Commenting on the order, on the point of order, Mr. Chairman, it does seem to me that with respect to the expenditure of money, no motion from the Opposition can be entertained to increase the amount of money, but I have heard motions from the Opposition and perhaps taken part in them myself, to, if anything, decrease the amount of money to be spent - I've heard motions to reduce Ministers' salaries to \$1.00 and so forth - so it would seem to me that the point at issue is that if it calls for an increase of money it cannot be entertained, but if it does not call for the increase of money or if indeed it seems to have the effect of reducing the amount of money, it could well be entertained by the committee.

MR. MOLGAT: I have something now scribbled out. It's in long-hand, but if you want it

MR. CHAIRMAN: Beauchesne, 4th Edition, 1953, at Page 216 it reads in part: "The procedure in Committee on those resolutions follows in principle the procedure of the Committee of Supply, and amendments are out of order if they are proposed with a view to substituting an alternative scheme to that proposed with the royal recommendation."

MR. MOLGAT: Well, I haven't found exactly the portion you are reading but I don't think this could be interpreted as an alternative scheme. This is the same -- I'm asking the House, the Committee to do the same thing. It's just a question of when; strictly a question of timing. I'm not suggesting different functions for the committee; exactly the same functions, only that they should perform those functions now.

MR. LAURENT DESJARDINS (St. Boniface): this is the Minister who said just a while ago that he had no objection to such an amendment. He gave us his opinion. If he's ready to -- I think it's pretty well agreed by all the members of this House that this might be a good idea. The Minister a few minutes ago said that he'd have no objection to such an amendment. That might solve everything.

MR. EVANS: don't really think that I can assume any of the responsibilities of the Chairman who must interpret the rules. I just made a comment on the constitutional point of the application of the rules. I think it has little bearing whether I agree or whether this side agrees with the proposed action or not. I am sure the Chairman will have to make his decision on how the rules apply.

MR. DESJARDINS: Mr. Chairman, I am sorry that I was misunderstood. I was referring to the Minister who is introducing the resolution, and I think that if he himself told the Chairman that he's willing to change it himself, I think we'd agree -- apparently we're all after the same thing and I think it would hasten the work of the committee.

MR. STEINKOPF: Mr. Chairman, I think that maybe the Honourable Member for St. Boniface is taking a little bit of what I said out of context. I said I had no objection to doing everything we can to getting this bill through at this Session; as a matter of fact that is our intention. But I don't think I specifically said that we had no objection to having this resolution amended. They are two, I think, entirely different things. This to me, as again one inexperienced in this, is another example of why or what prompted me to have it referred to a committee who was really interested vitally in seeing that the bill was passed. We can now get involved here in a very minor technical dispute as to whether or not the bill can be amended, can be amended at that time, and we are losing very valuable time in getting the committee set up and getting to work, if we had the committee, tomorrow morning if need be, and having the same people who would be working on Law Amendments working on the bill, and we have, as positive as I can do it, given the House our assurance in no uncertain terms that it is our intention to get this bill through this Session. And that's the one and only intent that we have.

The bill, unlike many others, is a very complicated bill. It is loaded with figures and facts, and almost every section refers to another section. It was a major drafting chore that was undertaken to get the bill here in time for this Session, and as I mentioned before, the first year that we were working on it we were unfortunate in that we lost our senior draftsman in the person of Mr. Murray Fisher, and then just at the time we were ready to bring it into the House last year, why we had to practically start over again because, as anyone knows, two draftsmen can't work on the same bill, so they had to start all over again.

The Honourable Leader of the Opposition keeps on making much of the fact that this committee has been in operation two years, which is really nothing in the life-time of a bill that is as important as this. The number of years that it **has** taken to revise this whole bill is a lot more than two years and gives you an indication of why it wasn't done before. Not many people would have had the nerve to tackle a job the size of this one and get it before us. And the committee did do a good job; it worked hard, and it couldn't have done it any faster than it did now. We couldn't have brought it in before this Session, and I would like to, just for the record, make sure that the people who worked on the bill and the committee members themselves from all parties, get due credit for having done a good job on getting the bill, rather than being told they were sitting on their hands for two years and doing nothing and this just happened all by itself.

MR. DESJARDINS: Mr. Chairman, the Minister talks about what has been done and we agree with him. He said it was a lot of hard work to bring the bill to where it is now and this is not a report of the committee, it is a bill, and there's a reason for that. We've already had introduction of second reading, and yes, we agree with him that this was a lot of work, but now it's here and we say "let's start." He says a couple of years doesn't mean a thing. I think we have to start; we can say that -- two years from now we can say the same thing. I think that we were pretty well assured that we would have an election. The First Minister said a few months ago, answering the Leader of the NDP Party, that definitely we would have an election. Well then, what is this? Is this just another example of the government pushing off the responsibility once more? I would say if we've gone this far, and if there's that much work done, I would say let's start and let's do something now. The suggestions that came from this side of the House certainly were reasonable. We're ready to discuss some of the points that we're not finished with; we just say, you have the bill - we were told this, and again by the Minister who just spoke. If it took an awful lot of work, well let's start. Let's not wait until we lose somebody else and we have to start all over again. We have this in front of us. We have the committee. This same committee might not be able to meet; we might have some changes after this election. So I would say we should start with this. We have the bill in front of us; we have time; it's suggested we could go to Law Amendments Committee tomorrow morning. We're ready. Let's start this and we'll see what we can do, but at least we'd make a start.

MR. CHAIRMAN: . . . followed by the House that the amendment is out of order. I will just read that quotation from Beauchesne again: "The procedure in Committee" (4th edition of Beauchesne, Parliamentary Rules and Forms, Page 216 in paragraph 4) "The procedure in Committee on those resolutions follow in principle the procedure of the Committee

(MR. CHAIRMAN cont'd).....of Supply, and amendments are out of order if they are proposed with a view to substituting an alternative scheme to that proposed with the Royal recommendation." Well, it's proposed here to substitute an alternative scheme which requires that the Committee report at this Session and it doesn't give it power to continue if it has to. We have had the Minister's undertaking that he wants to have it report at this Session with regard to the bill but you have proposed an alternative that it must report at this Session.

MR. MOLGAT: Mr. Chairman, if I may, in the same citation which you read, it says, "Amendments will only be in order if they fall within the terms of the resolution." Now surely an amendment that says exactly the same as the resolution but only changes the timing is not one that is against the terms of the resolution. I'm not objecting to the resolution. I'm accepting the terms of the resolution; it's simply a question of timing. Now does this not fall properly within the ambit of the resolution?

MR. CHAIRMAN: I'm of the opinion that it's an alternative that has been proposed, and the alternative is that the Committee be required to report now instead of being able to continue report at this session.

MR. CAMPBELL: Mr. Chairman, may I direct your attention to the other two words, "alternative scheme." Now surely the real reason that we have a matter of this kind come in by message at all, is just because of the small expense that would be contained in paying the expenses of members who come to the Committee. That's the real reason that this has to come in by message. Otherwise it wouldn't be introduced by message at all. Just because of the rules that we have in that regard, it has to have the message, and so we're in Committee and the scheme -- surely the scheme, Mr. Chairman, to the extent that we look at those words, the scheme is to have this Special Committee discuss this bill again. Surely that's the scheme. The timing - the timing, I would suggest to you, is a very minor part. This is not an alternative scheme because it still sends the bill for consideration by exactly the same people that are suggested here. This matter of rules is always a complicating factor in this House and I think we should be very careful, Mr. Chairman, to not get our committee cluttered up with rules that are so purely technical, and I suggest to you that this one would be just too technical an interpretation for the House to adopt. I was at a committee sitting on the rules and we didn't, of course, discuss this part of it but I think we should if this is going to be your ruling.

MR. EVANS: Mr. Chairman, would you inform the Committee whether you have made your ruling. You have made your ruling?

MR. CHAIRMAN: Yes, I have made my ruling.

MR. EVANS: Then the matter is no longer debatable.

MR. CHAIRMAN: That's correct. Resolution

MR. MOLGAT: Mr. Chairman, I must appeal your ruling.

MR. CHAIRMAN: All those in favor of my ruling? Contrary? The Chairman's ruling is upheld. Resolution passed.

MR. MOLGAT: Mr. Chairman, oh I'm sorry, the resolution isn't passed yet. In that case, Mr. Chairman, I'd like to move, seconded by the Honourable Member for Ethelbert Plains, that the resolution be amended by striking out Clause 4 of the preamble and the instructions.

Mr. Chairman, before you rule that I'm unable to speak again I'd like to point out that this is not an alternative scheme. It simply deletes from the instructions to the Committee one particular phase, so there's no alternative scheme proposed; I'm simply deleting something. Now surely we -- take for example what we do in the House or in Committee normally. It's considered quite in order to move that the salary of a Minister be reduced to a dollar, that certain expenditures not be proceeded with, that certain things not be done. I'm not at this stage proposing any alternative, if I'm unable to do that. I'll do that when I discuss Bill No. 5. For the time being then I would say that this is not an alternative scheme, it is simply a very direct proposal.

I would like to point out as well that in the instructions given to the Committee, if you look at Paragraph 3, that is the one that follows directly the THEREFORE BE IT RESOLVED - "and that the Special Committee consisting of" so and so "shall have power to sit during the present Session and in recess, after prorogation, and to report to this House on the matters referred to them at the next session of the Legislature." In other words, in our instructions to this Committee, as this resolution now reads, we are specifically telling this Committee to report at the next Session. There's no provision as I see it here -- sure there is in the preamble. The preamble talks "report at the present or next Session," but the operative part of the resolution, the THEREFORE BE IT RESOLVED, doesn't include a "report at this

(MR. MOLGAT cont'd). Session" at all. It simply talks about reporting at the next Session. So I submit, Mr. Chairman, that the government should take this resolution back in any case for re-drafting, at the very least that this portion, insofar as the Highway Traffic Act, be deleted from the instructions to this Committee and it be dealt with directly in that case by the Law Amendments Committee.

MR. CHAIRMAN: My ruling is the same on this proposal as in the previous one. It gives an alternative that in effect it goes to Law Amendments Committee instead of to the Special Committee.

All those in favor of upholding the Chairman's ruling? Contrary? In my opinion, the Chairman's ruling has been upheld.

MR. MOLGAT: Mr. Chairman, is it proper in a case like this for the appeal to go to the Speaker?

MR. CHAIRMAN: Yes.

MR. MOLGAT: I should like to do so. I would like to appeal this ruling to Madam Speaker.

MR. CHAIRMAN: Call in the Speaker.

IN SESSION

MR. CHAIRMAN: Madam Speaker, with respect to the proposed resolution of the Honourable Minister of Public Utilities dealing with the reconstitution of the Special Committee on Highway Safety, the Honourable Leader of the Opposition moved the proposed amendment, "That the Resolution be amended by striking out Clause 4 of the preamble in the instructions," which I have ruled out of order.

MR. CAMPBELL: Madam Speaker, on a point of order and before you rule, I would suggest that this is an occasion where you have the opportunity to exercise your prerogative of taking a matter under advisement, and I would think that inasmuch as rulings of Madam Speaker become precedents in the House that it might be a good occasion for you to take this case under advisement.

MADAM SPEAKER: May I inform the House that this is not my ruling. This is the ruling of the House and I shall put the question, shall the ruling of the Chairman be confirmed?

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

YEAS: Messrs: Baizley, Beard, Carroll, Cowan, Evans, Groves, Hamilton, Harrison, Hutton, Jeannotte, Johnson, Klym, Lyon, McDonald, McKellar, Martin, Moeller, Seaborn, Sherman, Stanes, Steinkopf, Watt, Weir, Witney and Mrs. Morrison.

NAYS: Messrs: Campbell, Cherniack, Desjardins, Froese, Harris, Hryhorczuk, Johnston, Molgat, Patrick, Peters, Shoemaker, Smerchanski, Tanchak, Vielfaure, Wright.

MR. CLERK: Yeas, 25; Nays, 15.

MADAM SPEAKER: I declare the motion carried.

MR. JOHN P. TANCHAK (Emerson): May I ask a question, Madam Speaker? I wonder if we were in order. I didn't hear the division bell.

HON. STERLING R. LYON, Q.C. (Minister of Mines and Natural Resources)(Fort Garry): . . . speaking to that point of order, I have just been looking at the rules in that connection and I think we were perhaps technically out of order in having a recorded vote without the division bells having been called, but if you were refer to Rule 10, Subsection 4, it reads: "Upon a division, the yeas and nays shall not be entered upon the Votes and Proceedings unless demanded by three members." Of course that demand was not made so I think that the present situation is one where the yeas and nays merely are not entered upon the Votes and Proceedings and it's taken as a straight voice vote.

MR. CAMPBELL: Madam Speaker, may I point out to my honourable friend the Minister of Mines and Natural Resources that the rules from which he was reading are not the rules of the House now.

MR. LYON: I believe that was one that was unchanged.

MR. CAMPBELL: I'm afraid it was.

MR. MOLGAT: Madam Speaker, on the point of order, I am not interested in the technicality of the matter. What I really wanted in this matter was a ruling from yourself as to whether or not the interpretation of this was as was interpreted by the Chairman. Apparently that isn't the way it worked out. This is the point in which I am concerned.

MR. FROESE: Madam Speaker, on a point of order, if the preceding vote was out of order, is it not up to you to call another vote?

MADAM SPEAKER: Order, please. I'd like to speak to the Clerk. Would the Honourable Member from Winnipeg Centre please take the Chair.

COMMITTEE OF THE WHOLE HOUSE

MR. CHAIRMAN: Resolution passed.

MR. MOLGAT: Mr. Chairman, no, I haven't had an explanation from the Minister as to exactly what is the situation. As this stands now, as I read it, this Committee is instructed not to report at this Session but at the next Session?

MR. STEINKOPF: Mr. Chairman, I understand that that is the standard wording and there is no intention of doing anything else but reporting at this Session, and there is nothing that you can read into that that prohibits the Committee from reporting at this Session. That is the way I read it and the way I understand it, and I may be pretty dense but I know what we intend and it's just this kind of playing around with rules and regulations -- and don't misunderstand that statement because I have as deep-rooted a feeling for the democratic system of government as anybody in this House, but I think that sometimes when one questions the veracity of the very point that's being made - and that is that we both intend to have this thing done at this Session - there it is; let's get on with the business of getting it done or even knowing what the will of the majority of the House is, without having to go through all of this thing. These two points to me are paramount and I can't see anything in that resolution that will prevent the Committee from making a complete report after the second reading of the bill when it's referred to it, and bring it back so that the bill can be acted upon at this Session. That is the intent. That can be read into the resolution, and I for one can't see any need for any amendment or delaying the matter any longer than what we have so far.

MR. MOLGAT: Mr. Chairman, I am very interested in the comments of the Honourable Minister. He says we should simply take the face value of the statements made by my honourable friend. Let me tell him something. In this very House, in the summer of 1964, there was a bill before this House. I asked the First Minister if the bill would be debated. His answer was "yes". The final day of the Session, the First Minister walked out of this House, went to get His Honour the Lieutenant-Governor to dissolve the House, or prorogue the House. I asked the Leader of the House at that time, "Is it the intention of the government to debate this bill?" My honourable friend said to me then, "Well you'll have to discuss it with the First Minister. He'll be back shortly." They never had any intention whatever of discussing it. Never. What I am telling you is that there was an instance in this very House, an instance in this very House 18 months ago, when the government specifically told us, "Yes, we'll discuss the bill," then they turned around and did the very opposite. What I am saying to them now: put it down in there, then the House will know where we go. Don't let them come and tell me now that we should take them at face value. Why couldn't we take it 18 months ago when the First Minister told us, "Yes, we'll discuss it," then turns around and doesn't?

MR. HYRHORCZUK: What assurance can the Honourable Minister give us that more members in here are in favour of having it brought before this Session than bringing it forward in next Session? He has given us assurance; we haven't heard the majority of the members speak here today. We do not know whether they are ready to bring it back or not. You are only asked a very specific thing and it should be in the resolution, not by word of mouth. The resolution clearly states that this committee is not to report to the present Session but to the next Session. And no matter how you interpret the resolution, you cannot say that that committee is to report back to this Session.

Then there is another thing, Mr. Chairman. After close to two years of study, is the Honourable Minister being serious in trying to tell us that the remainder of the matters to be studied by the committee can be done within a few weeks? Is he seriously trying to convince this House that it can be physically done? I cannot see the point. I cannot see the Minister's point at all. All we are asking is, let us consider the bill as it is; put it through the usual procedure; let the committee do its studying. If there is any other recommendations to bring in before this House rises, it can bring them in. We can bring in another bill - it is just as simple as that. But for some unknown reason the Minister will not agree to that. Why not? That is the sane and reasonable and sensible manner of approaching the whole subject.

MR. STEINKOPF: Maybe I should get somebody to explain it for the Honourable Member because my explanation I thought was factual, to the point, and then I sat down. It is for exactly the same reasons that he is putting forth that we have referred it to the Safety Committee: (a) because the members of the Safety Committee are conversant or, let us say, more informed

(MR. STEINKOPF cont'd).....on the aspects of this bill or the sections of the bill, the technical parts of the bill, than are the members of the House generally. And if that committee were to be the directing force in going through this bill, it would (a) get a better and I think more technical approach on it and also it would be expedited. It then, at the same time, affords all of the members of the House to come before that committee either to listen in or to put in any of the recommendations that they would like to. It is a committee that everyone will be heard in. It is unfortunate that we were as fast as we were, that we got the bill into the House before the other 120 that were referred to are here, but that just happens to be an accident. But if this bill had landed in the middle of all these other bills, it might just have been left to the end because it is such a big and a technical bill, and it wouldn't have seen the light of day until after the Session, or was too late to get it through this Session. I for one, can't understand why you won't accept that because it was recommended by the committee itself - and there were all members of the House on that committee - unanimously recommended that in order to get the bill through as fast as we could, that we refer it back to the same committee; and we've cleared it through those who know a little bit about the rules to see if this were possible; and we found out that it could be done. And when that was ascertained, we followed that course and I still think it's the right one. I think all the rest of the talk is incidental. The importance of it is that we stick and comply with the rules and we come up with a bill that everyone gets a chance to get their opinion before the committee, before the House, and that we get the bill passed and at this Session. Now I just suggested the opposite on the other things. I said safety was something that was a continuing matter, that we might not be able to get the other matters through during this Session and that we'd like to have time after the Session. If that happens -- sure, it's not nice to do all that work and then find an election called and that all your work is thrown out the window and you have to do it all over again. We take the same risk as you people do, but you just can't stop everything until somebody makes up their mind that there is going to be an election on such and such a date. I think even the information that we do obtain during that time is so vital that it will be able to be used maybe not as formally as it otherwise would at the next Session of the House whether there is an election in the interval or not.

MR. HRYHORCZUK: Mr. Chairman, I must be a little denser than usual. If I understood the Honourable Minister correctly, here is what he just told us: It is unfortunate that this bill was brought before the House at this time. Then he goes on to say: Had it been brought in later when the rest of these 120 bills were in, it would probably never see the light of day. Well aren't we just exactly putting ourselves in that position by delaying the reference of this bill to the Law Amendments Committee and letting the committee study it? We are delaying it where it will come at such time as the other 120 will be before us.

MR. STEINKOPF: May I ask the Honourable Member a question?

MR. HRYHORCZUK: Yes.

MR. STEINKOPF: Is it your understanding that after it goes from the Safety Committee it goes back to the Law Amendments?

MR. HRYHORCZUK: Well, how does the Honourable Minister intend this House to go through this bill? Without it being referred to the Law Amendments at all?

MR. STEINKOPF: That is the point then that I think that I am wrong on. It was my understanding that if it is referred to the Safety Committee, it takes the place of the Law Amendments Committee, the same as it would if you referred it to the Public Utilities Committee - a bill to that. Once that committee goes through the bill, it comes back into the committee and is referred on that way. And this is the point that I thought I had cleared with the powers-to-be before we made this suggestion.

MR. HRYHORCZUK: Well I don't know what powers-to-be you discussed it with but you certainly didn't raise that point in this House at any time that I was present.

Well, Mr. Chairman, the usual procedure of this House is to have second reading of a bill and refer it to the Law Amendments Committee. I think -- (Interjection) -- yes, there are, but we are forewarned of them. We weren't in this instance. We were told, we were simply told that this matter is being referred back to the Committee for further study, and the resolution reads that they are to report back at the next Session.

MR. STEINKOPF: The resolution says that the revision of the Highway Traffic Act be referred to the Committee as reconstituted following second reading of that Act at the present Session. This is the procedure that we used for the Companies Act, you will recall, which was also a . . . Act. It wasn't referred to a special committee there; it was referred to the

(MR. STEINKOPF cont'd) . . . Committee on Statutory Orders and Regulations; and, I'll admit, with the intent at that time that it not be pushed through the House at that Session, it be studied by that committee in recess so that everyone could hear about it. But this is not the intent for this bill. It is just the opposite. We would like this to go to the Safety Committee so that they can spend all of their time on it, then it comes right from that committee back into the House without the need of it going to Law Amendments, and then to be passed at this Session. Now if that is wrong, when then, of course, I can see where you have a very valid argument and I would concur, but this is the point then we should get clarified right now.

MR. DESJARDINS: Mr. Chairman, what seems to be very clear now, the resolution said that the Committee shall have the power to report to this House on the matters referred to them at the next Session of the Legislature, but we find out it means exactly the opposite, that it means that it should come in this year. Because it doesn't say anything "at this Session." This is very clear, and you read it: "The Committee shall have the power to report to this House on the matters referred to them at the next session of the Legislature." And the Minister tells us well, this is just the usual wording and we're supposed to say, well, this is it; it says only at the next Session but it means this Session. I don't know how anybody can ask the Members of this House to believe that something means exactly the opposite of what it says. This is going a little too far. Once in awhile we have doubts, but now we're told to just believe this - it means exactly the opposite of what it says.

MR. S. PETERS (Elmwood): Mr. Chairman, I sat on this Committee and it was my understanding that when we said that we would refer it back to the Special Select Committee on Highway Safety that we would deal with it at this Session. Now, if anybody is objecting to it coming to the Highway Safety Committee I can understand that, but one thing that does bother me is the exact words that it says here, "and to report to this House on the matters referred to them at the next session of the Legislature." Now my understanding was, Mr. Chairman, that we were to go through this bill when we got it when it was printed, go through second reading and report back to the Committee of the Whole to go through the bill. This is what I want, and as a member of this Committee I am prepared to sit Wednesday nights and Friday nights when we're off to make sure that it goes through this Session, and I want that assurance and if we can get that assurance I think this is the whole problem.

MR. FROESE: Mr. Chairman, speaking on a point of order, in referring to Rule 48, does the appointment of a committee of this type have to have unanimous consent?

MR. CHAIRMAN: Resolution-passed.

MR. CHERNIACK: Mr. Chairman, I just want to amplify on this. I think it's clear that all members of the House are anxious and willing to proceed with this bill this Session, and I for one believe fully that the Minister of Public Utilities intends it that way. But I want to suggest to him that the resolution we're dealing with is designed as if it were a different import, and for that reason, since we must vote on the resolution and not on what has been said, I would suggest that the resolution should be changed so that we all agree that it says what we mean. We can't possibly agree that it's going to be reported by the Committee at this Session when the wording is clear that it shall report at the next Session. Now as I recall when we dealt with The Companies Act and some of the other Acts, it was understood all along that they would not be dealt with at that Session but that they would be referred back to committee to be studied and brought back. And as I recall it when it came back at the following Session, it went through the normal course and through Law Amendments, and Law Amendments dealt with it. And this is major legislation; I don't see anything wrong with Law Amendments dealing with it. I think it's right that it should.

I also think that it would be advantageous to Law Amendments Committee and to this House if this Special Committee spent extra time very soon reviewing the Act and making sure that it carries out the intent and report of the Committee. This is fine. But the way the resolution now reads is contrary to what we are told are the intentions of the government. I don't question that what we were told is the intention of the Minister, but he must realize that we can't possibly vote on a resolution which says the contrary, and although you've ruled it out of order and I'm not debating your decision, I am suggesting that it would be fair to all of us to ask us to vote for what we believe is the intention. What I for one now believe is the intention that this committee shall not sit in between sessions and shall not take this report through until the next Session. I believe it is the intention of the government, from what I've heard, that it is the intention that this bill be dealt with at this Session and brought back to this Session. So it seems to me that it would be advantageous to withdraw the reference to a report of the next Session.

(MR. CHERNIACK cont'd)...

Now, if we find later, before this Session ends, that the matter, say, of studded tires cannot be dealt with at this Session in this Act, I've already noticed that the proposed bill leaves it completely ambivalent on the question of studded tires. It says that the Lieutenant-Governor-in-Council shall have the power to regulate on studded tires, which means yes to no, so that it leaves that open. If it is felt before this Session ends that it would be advisable to have this Committee continue in between Sessions to study specific matters, such as itemized in 1, 2 and even 3, to pick up any loose ends, then that, I think, would be the time to bring a resolution for the appointment of a special committee to sit after the Session.

But surely this is not the time, because this gives us the impression that the intention as expressed is not to be carried out, because I read the resolution clearly. It says, "and the Special Committee consisting of" so and so ... "shall have power to sit during the present Session and in recess, after prorogation," and the important words are, "and to report to this House on the matters referred to them at the next Session of the Legislature." I, for one, having complete confidence in what the Honourable Minister has said about his intentions, I for one cannot vote for this resolution in the wording that it now appears because it contradicts - at least I think it contradicts - what he has said and I would appeal to the government that since we all have the same intention, and that is to deal with it at this Session, that it should be decided to withdraw those words so that there's no doubt left in our minds.

MR. LYON: If I could, perhaps, -- I hope clarify something that appears to be clear to me and perhaps unclear to other Members of the House. This section, which has just been quoted by the Honourable Member from St. John's, is the general enabling section that is given to committees, standing committees as well as special committees of the House, to permit them to sit during recess and after prorogation, if the committee finds that to be necessary, but the important words in that section, if my honourable friends will look at that section again, are these, that the Special Committee consisting of the Honourable Messrs. so and so, and so and so, "shall have power to sit during the present Session." It doesn't say that they shall. "Shall have power to sit during the present Session and in recess after prorogation and shall have power again to report to this House on the matters referred to them at the next Session of the Legislature." It's enabling... (Interjection)... Yes, and there's nothing that precludes them from reporting at this Session at all. This is the general enabling section that's put in all of these committee things where as the Minister has explained, he may wish to report, as he apparently does, report back to the House on the second reading, or following the second reading of The Highway Traffic Act. As I understand them to say, there are other matters that may require the committee to sit beyond that, not The Highway Traffic Act, and I think in probably a well-founded desire on his part to obviate the necessity of two resolutions on the matter, he's put this in as a general enabling section which will give the power to the Committee to sit beyond this session if necessary, as he says, for other matters. But he has also given the House the assurance that it's his intention and thereby the intention of the government to have the second reading, or to have The Highway Traffic Act after second reading referred to this committee, then this committee has all the power in the world to report back to the House at this Session of the House and to proceed on with the third reading of the bill.

Now, I'm going to adopt the words of the Honourable Member from Ethelbert. I may be particularly dense but that seems quite clear, that there's nothing here to preclude the committee from considering The Highway Traffic Act, reporting back at this Session, carrying on then with the third reading in the committee stage of that bill and having the bill passed at this Session. At the same time there may be other matters that the committee may wish to consider and to sit in recess after prorogation, not related directly to the bill that is before the House. And in that case the committee then still has the same general enabling power to do that. So I don't see really what we're arguing about; I think we're all on base. The Minister has said that it is the intention to have this bill reported back out of the committee at this Session of the Legislature, and if that is the case I don't see what the argument is.

MR. CHERNIACK: May I ask the Honourable Minister, it seems to me that at this stage this bill is in the possession of the House and we are dealing with it. If in the normal course we gave it second reading it would have to go to Law Amendments; no doubt about that. I believe, too, that from Law Amendments it would have to come back to the House, and if that were the case then we would know the procedure. Of course the House could be prorogued at anytime. It could be done in the next half-hour; I appreciate that. On the other hand, if this resolution

(MR. CHERNIACK cont'd)... passes, then it seems to me that the bill leaves the House completely and enters into the orbit of a small committee. Is there any way that the Honourable Minister can indicate that this committee would be compelled to bring it back to the House or - well I don't know that there is. I believe that the Honourable Minister would not change his mind, but I want to know whether the majority of this Committee would have the right to sit on the bill and prevent it coming back to the House. My impression is that there is nothing to prevent that committee from continuing its studies and not come back to the House at any time and no one could point a finger at the committee and say, "You did wrong." It would be terribly embarrassing for the Minister if that would happen. But we're dealing here with legislation of the Province of Manitoba, and I am not sure that the procedure ought to be designed to put all the weight on the assurance of the Minister when, as I read it, this bill would give the power to a committee which would, by its very terms of reference, have every right in the world not to bring the report back to this House at this Session.

Now I believe that that is the case, and as we talked about the democratic process, I must realize - I just paused a moment to read that there are nine members of the committee - it seems to me that there are five people in that committee who could prevent this bill from coming back to the House. I don't think that anybody less than a majority of the Law Amendments Committee could hold up this bill if it stays in its normal routine, and I think that passing this resolution puts an unfair and heavy load on the Minister involved, and I think that it puts a heavy load on the rest of the Members of the House who would have to assume that what the Minister says is binding on the committee. Well, we all know it isn't. Therefore, I would like the Honourable Minister of Mines and Resources to clarify for me whether I'm correct or wrong in my interpretation of this situation. Is there anything to prevent the five members of the Special Committee from keeping this bill from the House at this Session and bringing back its report at the next Session?

MR. HRYHORCZUK: Mr. Chairman, if I may, just to follow up before you answer. I'm of the opinion that there's nobody can force this committee to make a report at this Session. I think it's up to the committee to make a report at this Session. I think it's up to the committee whether it has anything to report. Furthermore, if they have not concluded their studies by the end of this Session, they'll have nothing to report, and there's just a possibility - a hundred and one different things can happen to this committee between now and the end of the Session and it wouldn't be able to report. But I would suggest to the Honourable Minister, Mr. Chairman, that he take it upon himself to give this House the assurance that if the committee does not bring its report and this bill back to the House in time for the House to consider it, that he will then take the bill out of the hands of the committee and bring it to this House and we'll go through it with the usual procedure.

MR. LYON: Dealing first with my honourable friend from St. John's, the point he is attempting to make is, what control does the House have over a bill once it has been referred to any committee, whether it be a standing or a select committee of the House and as my honourable friend will appreciate on reflection, every bill that is referred from this House, say for instance to the Law Amendments Committee, the House has no control as to what will happen to that bill in Law Amendments Committee. The bill may well be voted out in Law Amendments Committee. It doesn't happen too often but it has happened occasionally, so to that extent you can't put an onus on a committee to say that they must report back a certain bill because the bill might be voted against in the particular committee.

Now, getting down to the particular situation applying with respect to the Highway Traffic Act, any majority, any group - any majority group of that committee could conceivably and technically refuse to report the bill back to the House and they would have to make a report to that effect to the House.

MR. CHERNIACK: . . . appointed to bring back the report at the next session, would it have to bring a report saying it's not bringing in the bill.

MR. LYON: I would think this, from my experience of committees, Mr. Chairman, that every time a committee meets and any business transpires, then immediately in the afternoon following the meeting of that committee, the Clerk of the House, or the Deputy Clerk, prepares a report of that committee, which will be the first, second, third or fourth report of the particular committee, outlining the business that was transacted in the committee at that particular meeting of the committee, and reporting actually what took place, and I would presume that when this committee is constituted, this bill is referred to it in place of the Standing Committee on Law Amendments, in line with the indication given by the Minister the bill would then be

(MR. LYON cont'd)... considered by the Committee, and I presume it will take more than one meeting as I am sure it shall, the First Report of that committee would come back presumably and would say that the Committee gave consideration to the first 50 sections of the Highway Traffic Act and adjourned again at the call of the Chairman and so on; and you would get a continuous progress report.

Now, if by some conceivable stretch of the imagination, that committee saw fit not to report back - and that's always within their power, that's true; it's always within their power - that fact would have to be reported to this House and this House would then have something to say as to whether or not it agreed with what that committee was doing with the particular bill. That is all I stress. Extremely hypothetic, because as I understood the Minister to say, in the original committee - the attempt is now being made to revive that original committee - it was agreed apparently on all sides by the members of the Committee that the Minister would proceed to bring in the bill, and again at that committee's suggestion the bill would then be referred back to that committee who has up to the present time been seized of all of these matters and details. When the bill is before them, they take the place of the Law Amendments Committee. They proceed to go through it section by section, vote on these sections, then make a report back to the House, as he indicates, at this session of the Legislature on that matter. Now if there are other matters which will come before the committee after the Highway Traffic Act has been dealt with, the Committee then still has the general enabling power which was given by this section to sit after prorogation, during recess, to hear any other matter. Now I think that's as far as the Minister, or as far as the Government can go. This is a pretty routine procedure, and having the assurance, which you don't always have, of a Minister that it is the desire of the Government to get the bill through committee and report it back at this Session of the Legislature, it seems to me that the enabling section that reference has been made to really doesn't prohibit that action from taking place at all. It does not preclude the committee from reporting back at this session with respect to the Highway Traffic Act and then carrying on with its other matters if it wishes. It may not even be necessary for this Committee to sit after prorogation during recess, in which case the enabling section becomes a dead letter and no action needs to be taken on it, but that's the way I read it, and I see nothing in the section at all to preclude the bill being reported back to this Session as the Minister has indicated he would like to see done.

MR. FROESE: I would like to take issue with the Minister on this one point. This is a Special Committee. This is not a Standing Committee of the House. Standing committees are dissolved when the House prorogues while this committee will continue. When he says that committees, after having had the meetings they report to the House, I think this only applies to standing committees this does not apply to special committees. Because I think in other years we have had meetings of the Denturists Committee and they have made no interim report during the session.

MR. LYON: Every committee, Mr. Chairman, subject to correction by the Chair of course, but every committee in my experience has to report to the House. The House gives vitality to the committee and the committee cannot continue to sit forever without reporting. They must report progress from time to time to indicate to the main arena which gave them vitality what they're actually doing. This is standard procedure.

MR. CHAIRMAN: ----- passed.

MR. NELSON SHOEMAKER (Gladstone): Mr. Chairman, it would be helpful, I think, if you would move an amendment for us that would be acceptable. Up to now we have put two. My guess is, my guess is that regardless of any amendment that we will move that it will be ruled out of order. I'm satisfied on that one. Now Mr. Chairman, I'm also completely satisfied that there must be some provisions in this bill that my honourable friends opposite see as very very controversial and they would like to delay it until after the election. This is my guess. Well this is my guess and if anybody wants to bet, there's nothing wrong with betting prior to the election date being set, and I didn't know that this bill was not going to be referred to Law Amendments Committee, and certainly 19 or 20 members on this side of the House are not all dumb. I don't mind being called dumb, but when about 19 people on this side of the House get up and say, "We did not know that it was the intention of the government to refer it to a Select Committee rather than Law Amendments, and we didn't know. And why didn't my honourable friend raise this point at 2:30 instead of 4:00 o'clock? We could have saved an hour and a half of debate. It seemed to be a second thought with my honourable friend and I don't know whether it was deliberate or not; but, Mr. Chairman, certainly this is one of the more important bills

(MR. SHOEMAKER cont'd) that will be brought forward at this session, I believe, and isn't there some advantage in having it go into law amendments? I'm not certain of the exact number of members on law amendments but I think that there are about 40 or 45 members on law amendments. Well why shouldn't it go to law amendments, rather than to nine people who by this date I suppose has nearly every provision in the Bill memorized - they've been sitting for two years. They know what's in it.

Now what is wrong, what is wrong with it going to law amendments? I'd like some real good reason why this one should not go to law amendments. I know my honourable friend has said, well there's nothing to stop us from attending the future meetings of this select committee -- and I suppose if they want to journey off to Toronto or some place, there's nothing wrong with us going along with them then, paying our expenses, but I for one have no intention of tagging along there -- but, but, when the Bill -- and I suppose that's where it will go, because we're probably just wasting our time here -- but when this Bill does go to the select committee, or the special committee, I understood my honourable friend to say that we could all go and attend and listen in. But we couldn't vote. Now you have nine people on the special committee, one of which is in the hospital and I don't suppose will be attending, so that would be eight. (Interjection) He's out; I'm glad to hear that he has recovered and I hope that he will be back with us again shortly. But even then, even with a full complement you have nine compared to what - 40-some in law amendments - and surely 40 heads are better than nine. Even if they are only cabbage heads they'll make a lot more sauerkraut. I can't see the point at all. If my honourable friend could assure us that, as the Honourable Member for Elmwood has said, that they will sit on Wednesday nights, he says he's quite prepared to sit Wednesday nights, mornings and every other time to hasten it along and get it back into the House. Now if my honourable friend would get up and say that's exactly what we intend to do and it will be back in here a week today, then we know where we stand but my guess is that it will not be passed before the next election. That's my guess and prediction.

MR. EVANS: Mr. Chairman, can't I make a plea for getting along with the business of the House. The Government has stated its intention; there is nothing in the resolution that's before us now that will prevent that intention being carried out. Let's get ahead with the business.

MR. CHAIRMAN: Resolution -- passed. Committee rise. Call in the Speaker.

Madam Speaker, the Committee of the Whole has adopted a certain resolution, directed me to report the same and asks leave to sit again.

IN SESSION

MR. COWAN: Madam Speaker, I move, seconded by the Honourable Member for Turtle Mountain, that the report of the Committee be received.

MADAM SPEAKER presented the motion and after a voice vote declared the motion carried.

MR. FROESE: Madam Speaker, on a point of order, I would like to have this recorded as on division.

MADAM SPEAKER: Has the honourable member three members to support him?

MR. FROESE: On a point of order, I don't think that is required.

MR. EVANS: If I may make the comment, it is required that three members

MADAM SPEAKER: The Honourable the Provincial Secretary.

MR. STEINKOPF presented the resolution on the reappointment and re-constitution of the Special Committee on Highway Safety and Highway Administration and Control. (See Pages 691-692).

MADAM SPEAKER presented the motion.

MR. EVANS: second reading is dispensed with.

MADAM SPEAKER put the question and after a voice vote declared the motion carried.

MR. EVANS: Madam Speaker, before proceeding with the Orders, it might be appropriate if the government made certain statements with respect to the recent storm.

Before the orders of the Day, I would like to make a brief statement concerning the recent severe storm which we have experienced. This will be followed by a report from the Honourable the Provincial Secretary with respect to Emergency Measures Organizations and one by the Honourable the Minister of Agriculture and Conservation respecting matters of his concern.

At the outset, I want to pay a deeply-felt tribute to the people of Manitoba. The storm just ended vies with one in March of 1953 as the severest ever recorded in Manitoba. It was centred in an area southeast of a line stretching from Bissett to Gimli and down to Portage, or at least between Portage and McGregor. It dumped up to 14 inches of snow driven by a wind that reach 70 miles an hour. In 1935, 15 inches of snow fell in a 24-hour period, accompanied by a 60-mile an hour wind. The snow started with gale winds very early on Friday and started to taper off by 6:00 p.m. that evening, although one couldn't have considered it over before midnight.

There were freak side effects: electrical storms were reported from Gretna and Starbuck the previous night. You can see that there has been nothing quite like this ever before in our history, with one exception, and yet there was no panic and no major trouble to speak of. The experienced people of Manitoba applied good common sense to this almost unprecedented storm by improvising, by rallying in community efforts, and by just plain good neighborliness, they kept the adverse effects of the storm and physical distress to a minimum.

The death toll directly or indirectly attributable to the storm in Manitoba at present is set at three. Two were apparently victims of heart attacks, while the third man was found dead of apparently natural causes. Madam Speaker, I think that we in Manitoba can be thankful that there were no major disasters. One need only think of the disastrous effects of a fire storm, of the failure of power or of utilities, or of the loss or strandings of large numbers of people. These we thankfully avoided.

There were no major interruptions in electrical service to Manitoba by a storm apart from a small section in the Altona area where 30 people were without power for 15 hours, and where the hospital was also briefly affected. Manitoba Hydro crews performed a number of rescue missions and took three expectant mothers to hospital by Hydro bombardier.

The Telephone System came through the emergency without any lessening of essential services despite staff shortages. There were some jammed circuits in Winnipeg and this, because at the height of the storm, it's estimated that at least double the usual number of calls were placed. Winnipeggers normally make and receive about 1,700,000 calls a day. Public response to radio appeals to keep telephone lines clear for emergency calls was excellent. Telephone System bombardiers, like those from their sister power utility, performed emergency services in Winnipeg and rural points.

Throughout the storm the people of Manitoba were guided and informed by our news services - press, radio, T. V. and wire services - and their assistance in this area was invaluable. It showed, I think, our news services at their very best and made the job of those directing the emergency and recovery operations that much easier. It proved once again the distinct advantage of keeping people well informed.

Here in the building, Madam Speaker, we also had our problems during the storm. Indeed on Friday morning, after I was in touch with the Leader of the Opposition and the Leader of the NDP and an agreement was reached to adjourn, we almost faced a constitutional crisis. You, Madam Speaker, like most members, were unable to turn up. The Deputy Speaker came on foot through the storm. Had he been unable to do so, it would have been impossible, for want of a quorum, to elect another Deputy Speaker to adjourn the House, and I think some future rules committee could well consider this matter and see if some provision should not be made.

I don't suppose it comes as any surprise to the House that the Clerk of the House and his staff were here and that the Orders of the Day, as usual, were duly placed on my desk. I do feel that even if the Legislature burned down, we would still see, immaculately gowned and imperturbable, the Clerk sitting in the ruins of his desk at the ashes of his chair, and conducting his duties in his accustomed way. Throughout the rest of the Civil Service, there was sufficient staff to keep each department in touch and operative.

Madam Speaker, if I may, I would like to report briefly from those departments with a special direct interest in the storm.

The Highways Department was able to have all provincial trunk highways open by 4:00 o'clock on Sunday. Members will appreciate that there are about 5,000 miles of highway affected by the storm, particularly provincial roads. It is not possible at this time to estimate when our full system will be back to normal operations. During the Friday storm when conditions were at their worst, provincial snowplows were able to escort 10 maternity cases, both inside and outside the metro area, to hospital, and 10 other emergency cases outside the Metro area were also taken to hospital. Motor graders and highway department trucks rescued a number of people from stranded cars and buses on highways 75, 6, 7, 14, 59 and 23. There were a number of other effective undertakings and I will refrain from mentioning them because of time.

The Department of Agriculture reports the encouraging news that there were no live-stock losses of consequence as a result of the storm.

The Department of Education, by some very alert work, early Friday morning was able to assess the expected consequences of the storm and were able to order the closing of the schools in the affected area by 7:45 a. m. This of course was because the safety of our children was threatened. Safety factors also necessitated ordering the schools in the Metro area to remain closed today, while school divisions outside the Metropolitan area were given discretionary powers based on local conditions with respect to school closing. A further announcement concerning schools in the Metropolitan area, and in other places where divisional schools are closed, will be made later today or as soon as we can reasonably assess the progress of snow-clearing operations.

There were no major disruptions in hospital services in any of the 40 rural hospitals and nine Greater Winnipeg hospitals affected by the storm. All problems were handled locally and successfully. A temporary shortage of oxygen at The Children's Hospital was overcome with supplies from the nearby General Hospital. Some doctors travelled between office, home and hospital in motorized toboggans or bombardiers.

That, Madam Speaker, completes my portion of the brief round-up on circumstances surrounding the storm. I would be remiss if I did not re-emphasize my gratitude to those responsible for the emergency and the recovery work; to all those who kept our utilities, hospitals and other essential services functioning; and to Manitobans everywhere who rallied, as we would expect, to the aid of their friends and neighbours and by so doing they helped to mitigate the effects of this, one of the two great storms of recorded history.

There's a further matter that has arisen. The government is aware that requests may be forthcoming for legislation to allow snowblowers to clear back lanes by blowing snow on private property. Government officials and lawyers are looking into this question and we will be able to report reasonably soon what may be required in this connection.

I think one part of the report which will be given by the Honourable the Provincial Secretary may not include reference to his own very vigorous and alert and active leadership throughout the emergency and by the conduct of the Emergency Measures Organization. I was in touch with him constantly through the day and I would like to tell the House that he performed a remarkable bit of leadership in conducting these operations on behalf of the people of Manitoba. So I would ask now that the House allow the Honourable the Provincial Secretary to make his statement, to be followed by the Honourable the Minister of Agriculture.

MR. STEINKOPF: Madam Speaker, I don't intend to be very lengthy, but contrary to what the Honourable Minister of Industry and Commerce just said, I do intend to say a few words about the work of the Emergency Measures Organization during the recent storm. The value of the organization has again been exhibited. This is the fourth time within a few months that it received a major test and, as in the other three, it came through with flying colours.

Long before the signal was given for the Emergency Measures Organization to go into operation, the people of EMO all over the province were alerted and were ready for the call. Army routine, which is an integral part of the Emergency Measures Organization, was laid on, and it is now so well worked out that all it requires is a telephone call from the Minister in charge of Emergency Measures Organization to the Officer Commanding the area to get the co-operation of the Army in all of its many facets, that is insofar as material and manpower is concerned; and I believe that the Organization has proven again that, dollar for dollar, it provides our citizens with the insurance, the material, the know-how, the organization and the voluntary manpower that is so vital, and that the costs are only a small fraction of what they would be if it were not for its existence.

(MR. STEINKOPF, cont'd)

The co-operation of the public and the various organizations cannot be minimized of course. Without that there would not be the same happy story to tell about EMO, but there was the co-operation. Not enough can be said about the news media, particularly the radio and television stations. The disc jockeys on the radio I think did an exceptionally fine job in not only keeping the public well informed, but in a manner that led them to feel secure and not to panic in any way whatsoever. The instructions that were given out by the news media were usually clear, and in the manner that they may have seemed to be small, but all of them together made up for a rather successful operation: Such things as leaving lights on in homes, particularly on highways in case anyone did find trudging through the snowdrifts too much, they could go into the homes. We found on checking that practically every light in the Metropolitan area, not only on the major highways but everywhere else, was kept on until well past midnight. The request that cars be not brought down in the area or left or be parked; the request for pharmacies to remain open; the co-operation of small grocery stores who not only worked on shifts but the owners stayed right in the stores and slept there; the work of the major department stores in the City of Winnipeg in looking after pretty near everyone who walked by that day could be treated as a customer. They fed the people, they housed them, they kept them there overnight and made them comfortable, and then early Saturday morning saw that they were transported home under very safe conditions.

There was a great deal of assistance in having the routes cleared from the fire stations to the main arteries. The job of digging out fire hydrants was begun rather early. There still is a major job to be done in this field but most of them were marked by the people who lived near them. The transportation to hospitals and particularly the use of skidoos and auto-boggans, although we have had many debates in this Chamber about the legality of their very existence and whether they be permitted to use our highways or not, this time they proved their worth and were really a great asset. There was a group of thirteen operators - voluntary operators - who not only had their machines strategically located all through the Metropolitan area but also equipped them with ham radios. A radio receiving station and sending station was set up at Emergency Headquarters and they were in constant contact with the headquarters and they served a very very useful purpose.

The co-operation of one neighbour with another was something that was a joy to behold. In a few cases where the heating apparatuses broke down or the fuel ran out, the house was just closed up and the people bedded in with neighbours. There could be no end of individual stories and I don't propose to go into them - the records will probably never be complete on that score - but there was just no end of individual heroic effort. If there is anyone who doubts that there were some that were heroic, all they had to do was to stand out in an area where the wind was blowing down sometimes around 60 miles an hour, about 10 or 11 o'clock on Friday night, and drifts that would cover an automobile two or three times and men going in with a shovel to rescue the people that were in the car. I saw a couple of cases myself right in the Metro area.

The public could have been informed at 2:00 or 3:00 o'clock on Friday afternoon that there was a state of emergency; it was a disaster of major proportion, that the whole area in the Red River Valley particularly could have been really seriously affected, particularly if the snow had continued a little while longer, but we decided not to declare a state of emergency until we were absolutely certain. It was very fortunate for all of us that around 3:00 or 3:30 the snow stopped and one could detect in the atmosphere a sort of a sense that the worst was over. Then as it became dusk and one could see the moon through the clouds, we were pretty sure that we weren't going to have any snow, at least that night. That's the way it worked out and it was never necessary to declare the state of emergency, although everyone acted as if there was one.

It seems ironic that just the night before I took home my mail and included was a letter from the Minister of Industry, the Honourable C. M. Drury who is the Minister in charge in Ottawa for Emergency Measures Organization, and I'd just like to read a couple of the paragraphs from this letter which I believe have very much to do with this situation at hand. The Minister proposes that a new division for Emergency Measures Organization be created, and he says in part: "My purpose in writing to you at this time is to report that the Federal Cabinet agreed on February 1, 1966, to extend the responsibilities of the Minister of Industry, through Canada EMO, to provide and co-ordinate the initial response of the Federal Government to any peace-time disaster in which it is either directly involved or called upon to extend assistance to provinces and municipalities. The Cabinet ruling was made on the recommendation

(MR. STEINKOPF, cont'd) . . . of the inter-departmental committee on the effects of power failure, which studied the impact of the failure which blacked out large areas of Ontario and eight states in the United States of America on November 9, 1965."

It was interesting to receive this letter just as I say the day before our really next civilian test for EMO but it would appear logical that the peace-time operations for EMO would be for disasters that occur such as these and other ones that we have experienced in Manitoba and in other parts of Canada during the last few years. Our organization of EMO has benefitted from the disasters, if there is such a thing as benefitting from disasters, but it has learned how it can use its organization efficiently and effectively and how to co-ordinate the various public bodies such as utilities, radio stations, newspapers, television stations, but probably more important than anything, how to co-operate with the civil authorities in charge of fire, police and the federal authorities in connection with the complete operation as it is affected by the Army. And in these series of lessons, I think EMO has learned and that we have learned that EMO is not here only for a war-time emergency. I think if a war-time emergency ever did occur, the experience that EMO has had in these last few disasters are the type that would benefit the citizens of Manitoba.

We've heard EMO criticized more often than it has been praised, and always sort of rather in a sarcastic way, that if an atomic bomb landed on the corner of Portage and Main, what good would EMO be. I suggest that EMO would be a lot of use and that hundreds of thousands of Manitobans would be saved and sufficient property and material would be left in a condition that the Emergency Measures Organization would be in the position to help the rebuilding of the province. I just want to repeat what I have always felt since I have had the honour of being the Minister-in-charge of this, that the organization has a role to play in the safety of the Province of Manitoba and that what has happened these last few days has been a good example of how it can and how it did work.

HON. GEORGE HUTTON (Minister of Agriculture and Conservation) (Rockwood-Iberville): Madam Speaker, a couple of weeks ago I reported to the Legislature the findings of the Flood Forecasting Committee. As soon as the extent of the snowfall became apparent, the telephone at home - although I couldn't get out, the telephone at home started to ring and I began to get enquiries as to what this snowfall represented in terms of being a contributing factor to any flooding that might occur this coming spring. The Flood Forecasting Committee is going to sit on Thursday of this week and consider the information and what this additional snowfall means for the people of Manitoba in terms of a flood threat.

In the meantime, however, I requested the Water Control and Conservation Branch to examine the information and to give me some estimate of what the snowfall represented in the terms of additional flows that we can expect. They didn't have complete data, but on the basis of reports from Fargo, Grand Forks - Fargo where they experienced 17 inches of snow, Grand Forks where they experienced 27 inches of snow, Winnipeg where we had 14 inches, Portage la Prairie where 6 inches of snow fell - on the basis of this information, their tentative estimate, subject to the examination by the Flood Forecasting Committee, is that if we experience average conditions from now on, it will add another 3-1/2 feet to the expected peak flows on the Red. River. The early report estimated a peak flow of 23 feet about city datum. Another 3-1/2 feet brings the estimate of flows to 26-1/2 feet, which is level with the top of most of the primary dikes in the Greater Winnipeg area.

I reported this information to my Cabinet colleagues this morning, and of course it goes without saying that we are immediately giving consideration to whatever precautionary measures should be taken at this time. I have instructed the members of the Department of Agriculture to give immediate consideration to the measures that will be required in the areas between Winnipeg and Emerson, because we had some experience with flooding there last spring and certainly we gained a lot of experience in 1950 with what difficulties can be experienced in a flood of this kind.

It would appear that if we had extremely favourable weather, or more favourable than average weather, that the effects of a peak flow on the Greater Winnipeg area could be confined by the existing dikes. However, even with favourable weather, our chances in counteracting a flood between the area of Winnipeg and Emerson are much less encouraging because there is no dike there to protect this area, so this is the reason why we are immediately giving consideration to the steps that the government will consider in taking to counteract this kind of forecast.

HON. GEORGE JOHNSON (Minister of Education) (Gimli): Before the Orders of the Day

(MR. JOHNSON, cont'd) . . . and further to the statement by the Leader of the House today, I would like to report that during the afternoon the department have been in touch with all those school divisions now closed, and I would like to announce that most schools in Metropolitan Winnipeg and throughout Manitoba will be in full operation tomorrow morning, Tuesday, March 8th.

The following Metro divisions will have their schools open: Winnipeg, except for the Ellen Douglas School which will be closed Tuesday and Wednesday; Assiniboine North is open including Springfield Park, Headingley and St. Charles School Districts; Assiniboine South - St. Boniface, Fort Garry, St. Vital, St. James, Norwood, River East, including East Kildonan and North Kildonan districts, Seven Oaks.

All rural schools in Hanover Division are expected to be open except Ridgewood and Seeton. Schools in Seine River Division and Red River Division closed today, will re-open tomorrow except for St. Hyacinthe, LaBroquiere and Riel which are doubtful.

In Transcona-Springfield Division, Springfield Collegiate and South Springfield, North Springfield, Hazelridge, Queen's Valley, Oak Crossing, and Oakbank elementary schools may be open, but parents should listen for later news from Divisional Boards or local boards. Craig Siding North and Beatrice will be closed. All other collegiates and elementary schools in the Transcona-Springfield Division will be open.

The Manitoba Institute of Technology, The Basic Training Course at 442 William Avenue and the School for the Deaf will re-open tomorrow.

This release, Madam Speaker, will be made now that it has been made available to the House.

MR. MOLGAT: I would like to address a question to the Minister of Agriculture, but before doing so I would like to thank the Ministers for the statements they have given us today on the situation.

Could the Minister indicate approximately what is the water value, that is in relationship to inches of rain, in the snow that came down here and in the Northern United States - I think he knows what I mean.

MR. HUTTON: Ten inches of snow equals about an inch of rain.

MR. MOLGAT: So the fall here in Manitoba is a little over an inch, an inch and a quarter roughly - correct?

MR. HUTTON: To be exact, in the Winnipeg area it would be equal to 1.4 inches of rain; at Grand Forks, 2.7; and at Fargo, 1.7.

MR. MOLGAT: Madam Speaker, a subsequent question to the Minister of Agriculture. What is the situation in the Assiniboine Valley? This storm extended, I gather, roughly to Portage la Prairie. What is the situation on the upper Assiniboine? Is there a heavy snowfall there or not?

MR. HUTTON: My information is that there was only light snowfall in the area west of Portage la Prairie, and according to the last forecast, flooding was not expected along the Assiniboine except in the case of ice jams.

MR. ARTHUR E. WRIGHT (Seven Oaks) Madam Speaker, I should like to thank the Ministers for their statements, and in particular I would like to thank the Minister of Education for the initiative that was shown by his department so early on Friday morning. It brought a lot of comfort to many people.

MR. MOLGAT: I would like to address a question to the Provincial Secretary -- oh, he's out. Maybe the Leader of the House can advise me. Further to my request last week regarding the Committee that will be held tomorrow on the Nelson River and my request that the Minister have either Court Reporters or some recording equipment so that we would have access to the questions and the answers later, will this be done?

MR. EVANS: I'm sorry, Madam Speaker, I frankly don't know. I'll try to get the information. There won't be another sitting of the House between now and then and if I can get the word to my honourable friend, I will.

MR. MOLGAT: Madam Speaker, I'd like to address a question to the Minister of Health. Could he indicate to the House when we might expect to get the report of the Committee on Denturists?

MR. WITNEY: Yes, Madam Speaker, the report is in the hands of the printers now and I have been expecting it practically daily, so I anticipate that any day now it will be there.

MR. NELSON SHOEMAKER (Gladstone): Madam Speaker, I wonder when we might expect to get some of the answers to the Orders for Return that are in at the moment. I put one or

(MR. SHOEMAKER, cont'd) . . . two in on the first day of the Session I think, one in respect to my highway signs and the cost of them. It shouldn't be too difficult to provide me with an answer for that and there are several others. When can we expect to have some of the answers in?

MR. JOHNSON: Madam Speaker, before the Orders of the Day, I would like to lay on the table of the House a Return for an Order of the House No. 4 on the motion of the Honourable Member for Radisson; and also an Order for Return No. 3 on the motion of the Honourable Member for Radisson. I notice the Honourable Member is snowbound today but I'm sure his colleagues will pass these Orders onto him.

MR. WALTER WEIR (Minnedosa): Madam Speaker, in reply to the Honourable Member for Gladstone's question about his Order for Return on highway signs - the cost, etc. - it will be along very shortly.

MR. EVANS: Madam Speaker, before the Orders of the Day, and in reply to the question of my honourable friend from Gladstone, I'd like to lay on the table of the House a Return to an Order of the House No. 9, dated February 15, 1966, on the motion of Mr. Shoemaker.

ORDERS OF THE DAY

MADAM SPEAKER: Order for Return standing in the name of the Honourable the Member for Portage la Prairie.

MR. GUTTORMSON: Madam Speaker, can we have this matter stand please.

MADAM SPEAKER: The adjourned debate on the second reading of Bill No. 7. The Honourable the Attorney-General.

MR. EVANS: In the absence of the Minister, may this be allowed to stand?

MADAM SPEAKER: The adjourned debate on the second reading of Bill No. 5. The Honourable the Leader of the Opposition.

MR. MOLGAT: Madam Speaker, I'm not prepared to speak on this today. The Minister had asked me the other day to allow this to stand. Does he wish it to stand any further or is he prepared to have it proceeded with. I'm not sure of the situation.

MR. EVANS: I'm not able to answer for him at this time, but I think it would be agreeable to allow it to stand.

MADAM SPEAKER: The adjourned debate on the second reading of Bill No. 44. The Honourable the Member for St. George.

MR. GUTTORMSON: Madam Speaker, when the Minister introduced this bill he only made reference to the point that he wanted to change the system of borrowing money for the Manitoba Telephone System. It appears to me that perhaps this wasn't the principal reason of introducing Bill 44 because I think from the explanatory notes: "No. 1. This increases the maximum number of members on the board from five to seven," is the real reason why this bill was introduced, and I think that it's unfortunate that when the Minister introduced the Bill he did not mention this point at all. To me, it's a callous method of providing a pension for some more people.

At the last session of the Legislature we had a bill introduced which was to provide a pension for the members of this Legislature. At that time it was subsequently proved that this bill was so designed to give a lucrative pension for Cabinet Ministers and nobody - well virtually nobody on the government side would miss getting part of the pension. This group here opposed the pension because it was obvious what the purpose of the pension bill was, and finally under pressure the government withdrew and the Bill died on the Order Paper.

Now we have another bill introduced to serve a similar purpose, but under the disguise of a Manitoba Telephone System Bill, a bill which would increase the membership and which will enable somebody which the government wishes to give a bonus to, of I think \$3,000 a year. The present membership is five and the Minister at no time has indicated why they must increase the membership to seven. It's pretty obvious to us and to most people, the real reason is it's a plum for somebody. It's no secret that certain members of the government side, there's pressure upon them not to run again. Some of them have admitted it, others have been quite silent on the subject, and this bill would enable the government to induce some members perhaps not to run again and they could give them a seat on the Board of the Manitoba Telephone System, which in my opinion is absolutely unnecessary.

Madam Speaker, under the situation in Manitoba where we are the highest taxed province in Canada, it seems grossly unfair that the government should implement legislation which would enable them to appoint - give friends of theirs plums of \$3,000 a year such as this Bill

(MR. GUTTORMSON, cont'd) will permit them. I think it's time that the government took cognizance of the fact that the people of Manitoba have no desire to see their money wasted in such a manner.

MR. LYON: Are you preaching for a call?

MR. GUTTORMSON: Well the Minister of Mines and Natural Resources asks if I'm preaching for a call. Well, Madam Speaker, the Minister was one of the guiding hands of the pension bill last year, and as everyone knows, if he lived a normal life span he stood to gain up to \$9,000 a year under this pension, so I can understand his annoyance that the bill didn't go through.

MR. LYON: If I have to listen to you much longer I won't have a normal life span.

MR. GUTTORMSON: Well that might be, but the way you are operating you won't have to. Madam Speaker, it's quite obvious the purpose of this bill. It's a devious way to give people another pension without coming out directly and saying so, and I urge the Minister to withdraw that section of the bill. You will recall very vividly a few years ago when they introduced an amendment to this bill which would allow members of this Legislature to sit on the board, and everyone knew at that time it was for disappointed members of the government side who had hoped to get in the Cabinet. So it's pretty obvious to me, and others, the real purpose of this bill and I would urge the Minister to withdraw it immediately.

MADAM SPEAKER: The Honourable Member for St. John's.

MR. CHERNIACK: Madam Speaker, I, too, was very interested when I noticed the increase in the membership of the board from five to seven and I'm sorry that the Honourable Minister did not clarify his reasons for same. I don't know whether the work load has increased to such an extent that there are more responsibilities that have to be shared by a greater number of people, and possibly this has to do with diversification of the work of the board. I hope that the Minister will inform us how often they meet, where they meet, so that we are satisfied that they are really needed to perform the task awarded to them.

I suppose that I could not overlook what has just been said by the Honourable Member from St. George because he seems to see something wrong about this; he seems to sense some reason behind this which has not to do with the administration of the board but rather with the handing out of what he calls "plums". He considers it a callous method. I can only say that I must pay a great deal of heed to what he says. I think that he can his party no doubt be fully familiar with this type of operation and are probably more capable of sensing what may be behind legislation of this kind.

I suppose it has been brought to his mind more readily in the last week or so when there were certain appointments made in Ottawa by a party that is very closely allied to the one to which he gives his allegiance, and therefore recognizing as I do his greater experience in this field and especially his realization of the motivation of some political parties, of which his party is one, to reward in some way the work of their membership, that this was done, so that I wonder rather that at this stage he becomes so righteous about it. I have not heard of any protestations made by his party at the various appointments that have been made by his party, and I am wondering whether it is worse to put a man into a job of a board of the Manitoba Telephone System than it is to put them in the Senate where their responsibilities are also outlined but seem to me to be no more important than these at the present time, so that I am in the fortunate position of saying a plague on both their houses.

But it's not just a joke and I'm not really thrilled by the jubilation that I heard expressed on the other side of the House when I made these comments about the Honourable Member from St. George, because they just like to see a turn of the barb into the direction on my right rather than at them. The fact that he senses this may well be an indication that it is there, because the government and its party are both known to have accepted this procedure of plums and have carried it forward, and I can't help but feel - and I think that this is germane to it - that just as people may be appointed to the Manitoba Telephone System Board or the Power Commission Board or to act as the Special Insurance Agent for the government in buying insurance on its vehicles -- and I recall the First Minister said when I asked what the qualifications were, he answered something along the lines that the qualifications are such that are acceptable to his judgment, and that seemed to be satisfactory to him.

So if it is what the Honourable Member for St. George says it is, he should be neither surprised, disgusted nor disturbed. If it is what he says it is, it is exactly in line with the policies adopted by his party. If it is what he says it is, then it is also consistent with what has been done by the government party so that -- I deplore it if it is so, and I am waiting to

(MR. CHERNIACK, cont'd) . . .hear if it is so, but I must say I have reached the stage in life where I wouldn't be surprised if it were indeed so.

MR. J. M. FROESE (Rhineland): Madam Speaker, I think I should voice my views as well as some of the other members who have already spoken. The second point of this bill is naturally to give the Manitoba Telephone System larger powers or powers to borrow more money for current purposes in larger amounts. The first one however is, as has already been pointed out, to increase or make allowances to increase the board from five to seven. We haven't, as already mentioned, heard from the Minister whether this is so essential, what the reason is for it, but as the Honourable Member for St. George has already pointed out, he has a certain fear that this is just one of active reward for certain people, and I'm not so sure whether this isn't the case. If that is the purpose of it, I think that we'd be better off to establish a senate such as the Province of Quebec has and reward some of our people in that way. Why should we use our Crown agencies for that purpose? In that case, we might need some more Crown agencies and it would probably be better to have a provincial senate.

I haven't checked as to the remuneration these people receive, but the Honourable Member for St. George already mentioned a figure of \$3,000 I think, so that if honourable members on the other side give their indication as resigning and not running in the forthcoming election, maybe this is already an intent here. I certainly would like to hear from the Minister an explanation to this whole thing, whether there is something sound and urgent behind it.

MR. STEVE PATRICK (Assiniboia): Madam Speaker, I beg to move, seconded by the Honourable Member for Gladstone, that the debate be adjourned.

MADAM SPEAKER presented the motion and after a voice vote declared the motion carried.

MR. EVANS: Madam Speaker, I move, seconded by the Honourable Minister of Agriculture, that Madam Speaker do now leave the Chair and the House resolve itself into a committee to consider of the supply to be granted to Her Majesty.

MADAM SPEAKER presented the motion and after a voice vote declared the motion carried, and the House resolved itself into a Committee of Supply with the Honourable Member for Winnipeg Centre in the Chair.

COMMITTEE OF SUPPLY

MR. CHAIRMAN: Resolution No. 9 (b).

MR. MOLGAT: That's Veterinary Services. I think I was questioning the Minister regarding the supply of veterinarians in the Province of Manitoba and I had an answer from him regarding Guelph and St. Hyacinthe. What is the situation exactly with the Brandon school - or I should say the Saskatoon school. Is there a quota there for Manitoba students to go to the Saskatoon school? Have we an assurance that a student from Manitoba who wants to take Veterinary Science can get into the Saskatoon College or is it strictly a University of Saskatoon operation and we're simply on an enter-as-you-can basis?

MR. HUTTON: Mr. Chairman, the only way that we could, I suppose in a sense, demand a share of the available space would be to contribute to the Veterinary College. However, to do so would establish quite a precedent because we have quite a number of Saskatchewan students, for instance, attending different faculties at the University of Manitoba, and I think it would -- Manitoba's position has been that it would establish not a very attractive precedent to charge or to pay special tuition fees on a per capita basis with Saskatoon.

I must say that the Dean of the Veterinary College has been quite understanding and he has indicated that in spite of the fact that Manitoba is not sharing in the cost, in the capital cost or even in the operating costs except through the student tuition, he has requested a representative be named to a sort of an advisory committee, who I would take it will consider the demand for tuition in Veterinary Science and indicate from time to time what the needs are in the respective provinces. Manitoba is not the only province which to some extent will be relying on the services at Saskatoon. Alberta and British Columbia also find themselves in this position. I think that the existence of the college itself will contribute very well to the availability of competent veterinary service in western Canada. This would apply to Manitoba as well. Undoubtedly, our students will have to compete with others from other provinces and I suppose that they will be selected on the basis of their academic qualifications for the most part.

MR. MOLGAT: Mr. Chairman, following on this matter of the school in Saskatoon, I understand that the complete capital cost is carried by Saskatchewan and therefore naturally

(MR. MOLGAT, cont'd) . . . they are free to do as they want. Is it not correct though that they made a request to Manitoba for the consideration of a quota system and some assistance from Manitoba so that there would be extra funds paid over and above the tuition fee for students going from Manitoba. If this is correct, what has the position been of Manitoba in that regard?

MR. HUTTON: Yes, Saskatchewan proposed that the governments of Alberta, British Columbia and Manitoba should share, on a proportional basis, the operational cost of educating young people in Veterinary Science. Manitoba's position has been, as I said, that this establishes a very undesirable - at least we feel this at the present time, and our decision was taken in consultation with the President of our University - that this proposal is rather undesirable at this time in the face of the fact that provinces have not discriminated against - or I should say, universities have not discriminated at all in offering penchants to students on the basis of where they come from. They have not discriminated in the sense that they ask a province to make some special contribution. Now to start this in respect to Veterinary Science seems to us at this time to be undesirable and we have declined to enter into that kind of an arrangement. It was offered to us and we have declined.

MR. MOLGAT: Mr. Chairman, the Minister says that provinces do not discriminate and I presume that this is so, and yet I know that in the case of this college, certain Manitoba students who have tried to enter have had difficulty in getting into the Saskatchewan school. In fact I know of one who received a letter from the University of Saskatchewan which said, "I should warn you that of those who qualify for the Veterinary Medicine Course, students from Saskatchewan will get first preference." I can certainly appreciate Saskatchewan's point, but if this is so, then shouldn't Manitoba be considering some other steps, because I think the Minister will agree that we are short of veterinarians. Wouldn't it be cheaper then for us, in the light of this, to make an arrangement with Saskatchewan for a certain quota than to proceed and build a school of our own, which is a very costly proposition?

Now isn't this a place where there can be, in the interest of both provinces, in fact the three prairie provinces, an arrangement whereby these expensive facilities, instead of being duplicated in all locations be built on a co-operative effort, on a quota basis as Saskatchewan suggests, but surely a method whereby we would get an assurance of having a reasonable number of students, because if Saskatchewan says, as they have told Manitoba students, that they will give first preference to Saskatchewan, then this could very well leave us out in the cold.

MR. HUTTON: Manitoba has not said "never." We have said at this time we are not prepared to entertain this proposal, but as I say, it opens up a whole can of worms, so to speak, in the sense that if this applies in Veterinary Science then certainly it must apply in other areas. We made a bit of a survey of Saskatchewan students attending the University of Manitoba, and if we're going to pay Saskatchewan for Manitoba students attending their School of Veterinary Medicine then they should maybe contribute to the cost that we're incurring with respect to their students, and if I remember correctly - the Minister of Education isn't in here right now - but I think they came to several hundred thousands of dollars. As I say, we haven't said "never will we look at it," but we think it is part of a much larger consideration. As I said, the President of our University was consulted on this along with other people and it seems to be the consensus of opinion that we shouldn't consider this in isolation, that it should be related. The First Minister is not here but I would think this is part of a larger consideration that could very well be looked at by the Premiers Economic Council - the Prairie Premiers Economic Council.

MR. MOLGAT: Mr. Chairman, what steps exactly are being taken now by Manitoba to ensure that we get enough vets? Let me put the question another way. Are we short of vets now? My impression is that we are. Is this correct? If it is correct, what steps are we taking to see to it that we get more?

MR. HUTTON: Well I think that there's no doubt that this College is going to be full. Now whether it's full of Manitoba boys or whether it's full of Saskatchewan boys, in the sense that it's supplying us with veterinarians, it's immaterial. The supply of veterinarians in Manitoba is related to the numbers of graduates from the Veterinary Schools in Canada. To my knowledge there was only one young man in Manitoba who applied to go to Saskatoon. He was looked after by the Department of Education and an arrangement was worked out. It was a sort of pro tempore arrangement, in the absence of any permanent arrangement, and as far as I know that young man was enrolled and he got assistance from the Department of Education in making his arrangements with the Veterinary College at Saskatoon. There may be some

(MR. HUTTON, cont'd) . . . correlation between the numbers of Manitoba men enrolled in Veterinary Science and the availability, but I think for the most part these are two separate considerations. I think the fact that we do have that many veterinarians being graduated annually, as will come out of the College at Saskatoon, will to a large extent offset the need in the field.

I think the other matter that the Leader of the Opposition has raised, the question of opportunity to our young people to get into Veterinary Science is another thing, and there may be legitimate reasons why we should try and make sure there are certain openings there for those young people in Manitoba who do want to attend Veterinary Science. But as I said earlier, as much as we want to make sure of the opportunity for them to study Veterinary Science, to do it in this way opens up a very much larger consideration, and that is how we are going to handle students from other areas, whether we are going to ask either the student himself, or the government from the jurisdiction where he comes from, to contribute a proportional amount of the cost of his education.

MR. HRYHORCZUK: Mr. Chairman, before we leave this item, a couple of years ago I believe we had a program in conjunction with the Federal Government to make the province a Bang's-free province. I believe that this program was discontinued. What I'd like to ask the Minister is, have we any parts of Manitoba designated as Bang's-free areas, and if so, where are they?

MR. HUTTON: If I'm not mistaken, the whole province is a Bang's-free area, subject to a test within three years. I think though when you say it's discontinued, I think that the honourable member is referring to the fact that the testing of the cattle throughout the province is complete, subject to a re-test. The big clean-up job has been done and what is left to be done is a re-test within a three-year period. In addition to this re-test -- of course some of the areas have had this three year re-test and I think the great bulk of the province is in this category. They are taking these ring tests in milk now and if anything shows up, any disease shows up, then they go back to that specific herd, but the big program for testing is over.

MR. HRYHORCZUK: Were all of the herds in Manitoba tested at that time? Were not certain sections of Manitoba left out of that complete test - the blood test?

MR. HUTTON: They've all been done now.

MR. HRYHORCZUK: The reason I ask is because down in our area we had some of our herds re-tested last fall. Over and above the fact that any animals that go in are tested, they're labelled for tests, and I was just wondering whether that applied to the whole province or was it only to certain areas, because all our herds in my area were re-tested this fall.

MR. HUTTON: Mr. Chairman, I just can't put my finger on the information here but I think the situation is substantially as I have described it, that the greater part of the province has been tested and re-tested. All of the province has been tested once. Some of the province will require the test which comes three years subsequent to having them declared free. You understand that in the first test, they keep on testing until they get a test that is free, then they have to come back three hence and make another test. Now there is some of the province that still has to have that second test three years after the initial test, but as of now the whole province is Bang's-free.

MR. CAMPBELL: Mr. Chairman, isn't the real safeguard in this connection not the test as much as the fact that there's a compulsory calf-hood vaccination carried on. Isn't that the real safeguard?

MR. HUTTON: I don't want to get into this discussion - it could go on for an hour. Actually the fact is that the federal veterinarians - the Health of Animals people - want to discontinue the calf-hood vaccination program, at least have it only on a voluntary basis, because once you've done the clean-up, just through the vaccinations, if they're not done exactly when they should be, they can represent a false lead and they may get a positive test on some animal and it's the result of the vaccination and not a result of contamination, if you like, of the animal. So that to some extent there's a controversy here, and especially our Health of Animals veterinarians say we think that now that the whole province has been tested, that you've got a Bang's free area, that we're carrying on a continual survey through our milk tests and through testing at the yards on a spot basis, that you ought to discontinue this calf-hood vaccination test. But I don't want to get into that. We'd be here all day.

MR. CAMPBELL: Mr. Chairman, I'm just as anxious to avoid the continued debate between my honourable friend and myself on this question as he is. I'm willing to leave it at a

(MR. CAMPBELL, cont'd) . . . draw if he is, but I'm still concerned over the fact that the federal veterinarians seem to suggest a discontinuance of the calf-hood vaccination, because even if the tests on milk will catch the dairy herd, the beef herds would still be vulnerable, and my honourable friend knows, I'm sure, that where this disease really creates havoc is in a perfectly clean herd and that's the danger that I'd be afraid we would face if they dropped the compulsory vaccination. That I think they could drop with advantage to everybody is the testing. If the Federal Government would have kept out of this and not engaged in those tests that they insisted on taking, and taking sometimes at tremendous inconvenience to the herd owner, I think it would have been a better program than it has been this way. However, my honourable friend is still providing for the calf-hood vaccination in the present estimates does he not?

MR. HUTTON: Yes. Mr. Chairman, I have to correct -- it's true the whole province has been tested, but my advisors tell me that the province cannot be considered Bang's-free - the whole province. Certain areas are certified for specific periods of time, but this checking and re-testing will be carried on at regular intervals. But let's say that we've gotten by the period where there's going to be heavy losses of cattle. They've tested all the herds in the province to the point where they have for once gotten a Bang's-free test of those herds.

MR. CAMPBELL: Mr. Chairman, is there some - what we might call research carried on with the animals that have been vaccinated to keep track of any of those herds - I realize you can't do this with all the herds - but if there's a case of where abortion shows up in later years, is there some check made on that to see if some of the animals that were vaccinated have proved by the fact of abortion that it has not held for a certain length of time? Is that research carried on - notice taken of that?

MR. HUTTON: I can't answer that question. All I can tell you is that there is pretty good controversy between the veterinarians themselves about how this thing should be handled, and for you and I who are laymen in this area, it can be a little confusing at times as to who is right.

MR. CAMPBELL: It's the other way around, Mr. Chairman, It's very simple to us, but to the experts it seems to be very complicated.

MR. FROESE: Mr. Chairman, talking of research, is there also research being done as to a cure for this rather than disposing of the animals? Is this presently being done? Is any research being carried out on this at all?

MR. HUTTON: I can't answer your question. There may be, but on the basis of all available information now, the only way to control this disease apparently is to eliminate the carrier.

MR. CHAIRMAN: It is now 5:30, I am leaving the chair until 8:00 o'clock.