

THE LEGISLATIVE ASSEMBLY OF MANITOBA  
2:30 o'clock, Friday, May 3, 1968

MR. SPEAKER: I wonder if I may take a moment and direct the attention of the honourable members to the gallery where we have 35 students of Grade 11 standing from the Arborg Collegiate. These students are under the direction of Mr. Butler and Mr. Dewar. This school is located in the constituency of the Honourable the Minister of Education.

We also have with us today, who I'm delighted to acknowledge, 40 students of Grade 8 standing of the Holy Family School located in the United States of America. On behalf of all the honourable members of the Legislative Assembly, I welcome you all here today.

The Honourable the Attorney-General.

MR. LYON: Mr. Speaker, just on a point of order having to do with the afternoon's proceedings, I wondered if the suggestion might find any merit that along about 4:30 or thereabouts, if the House saw fit, if they wished to move at that time to second readings of private bills on Page 15 to advance them, there would be no objection on this side of the House. It's entirely up to the honourable members.

MR. MOLGAT: Mr. Speaker, I have not had a chance to discuss this with my colleagues. In general principles I don't think I would have any objections to it. I would like to point out though to the government that they have not been equally prepared to move ahead on their own bills and I would strongly recommend that practice to them, but I think maybe we would be agreeable. I'll check with my colleagues and will give a report to the Minister.

MR. PAULLEY: Mr. Speaker, I haven't any objection that I can see of as far as my colleagues are concerned. The only question I do raise is whether we should defer it until 4:00 o'clock or the suggested hour of the House Leader. I would prefer, if it's possible, to go ahead with the private members' bills now and then go back into resolutions, and by doing that, Mr. Speaker, I suggest that we would clear them up and then we could go through private members' resolutions until the closing hour of 5:30. I make this suggestion as an alternative.

MR. LYON: Mr. Speaker, on the same point, my only point in suggesting the later time was that some of the members might not have been prepared to proceed immediately, and if we gave them an hour or two perhaps they would be in better shape. We don't expect we would get them all done in any case, but we could start. It was purely out of consideration for some of the members. I know that one of the members for instance, who has a couple of private bills on, isn't in his place at the present time but he certainly will be shortly and it's a question of giving him notice. But it's entirely in the hands of the House, whatever seems to be reasonable. It's just a suggestion on our part.

MR. MOLGAT: We will be prepared to proceed now, Mr. Speaker.

MR. SPEAKER: In accordance with the Order Paper?

MR. PAULLEY: No, the suggestion I believe, Mr. Speaker, is we proceed now with the bills, with private members bills. And may I suggest that the Honourable the House Leader I think was referring to the Honourable Member for Winnipeg Centre who is now arriving and possibly he's prepared. So maybe it would be just as well to go ahead with private bills now, complete them as quickly as possible so that we can get into private members' resolutions.

MR. LYON: I think in that case, Mr. Speaker, the first one that any member on this side of the House has who would be ready to proceed at the present time is the Honourable the Member from St. James, Bill No. 71, Page 15.

MR. SPEAKER: I'm still waiting for unanimity of thought as to which way the House is to go. Is it to be the Honourable Member for St. James?

MR. MOLGAT: Mr. Speaker, we are prepared to proceed now on private bills at this moment.

MR. PAULLEY: I would suggest, in agreement with that procedure, that we start with Bill No. 43 with the Honourable Member for Winnipeg Centre, the order that they now appear on the Order Paper.

MR. COWAN presented Bill No. 43, an Act to incorporate Lutheran Council in Canada, for second reading.

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

MR. COWAN presented Bill No. 44, an Act to incorporate Luther Home, for second reading.

MR. SPEAKER presented the motion.

MR. COWAN: Mr. Speaker, this is a Bill to incorporate an organization being sponsored by the Lutheran Churches in this area for the purpose of constructing a personal care home in West Kildonan. They have already got the land and they have proceeded quite a piece with their plans. The Provincial Government, I understand, intends to support the organization with grants and that is the purpose of this Bill.

MR. BEN HANUSCHAK (Burrows): Mr. Speaker, we are not opposed to the passage of this Bill, in fact we are quite happy to support it, but I do believe that the introduction of a Bill such as this before this House does call for a comment or two on the matter of personal care and housing for the aged in general. I think it is regrettable, Mr. Speaker, that this government has not seen fit on its own initiative to make adequate provision for our senior citizens, be it merely housing as such or be it housing together with whatever services people within that age category and according to their state of health may require.

I well realize, Mr. Speaker, that many organizations - religious organizations, charitable organizations, service clubs and such - do wish to involve themselves in projects whereby they can give expression to their charitable instincts, but the situation as it presently stands in Manitoba is more severe than that because all of us well know that the vast majority of facilities such as the one that this organization wishes to establish have come into being upon the initiative of groups outside the government, and this, Mr. Speaker is regrettable. When we talk about a concern for aged, concern for the sick and yet ...

MR. SPEAKER: I wonder if the honourable gentleman would agree with me that he will have ample opportunity to discuss the matter that appears to be in his mind under health and possibly welfare estimates. I'm sure that probably that would be the place for him to ...

MR. HANUSCHAK: I simply wish to state, Mr. Speaker, as I indicated before, we are in support of this Bill, but there is a principle involved here that the government ought to be reminded of because apparently it does forget it from time to time, and if the government were to accept that principle and act upon it, we would find that organizations such as this one would not have to involve themselves to the same extent in making provision for facilities such as this Bill calls for.

MR. SPEAKER: Are you ready for the question?

MR. DOUGLAS CAMPBELL (Lakeside): Before the motion is put, I would like to ask the sponsor of the Bill if the personal care that he mentions in connection with the Home that is to be established here is personal care that includes nursing service or bed care, or is it rather what we term as senior citizens' housing?

MR. COWAN: Mr. Speaker, this is what we generally term as a nursing home.

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

MR. SPEAKER: Bill No. 46. The Honourable Member for Churchill.

MR. ROBERT STEEN (St. Matthews), in the absence of the Honourable Member for Churchill, presented Bill No. 46, an Act to incorporate the Thompson Golf Club, for second reading.

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

MR. SPEAKER: Bill No. 64. The Honourable Member for Pembina.

MRS. CAROLYNE MORRISON (Pembina): Mr. Speaker, I would ask the indulgence of the House to let this matter stand.

MR. SPEAKER: Bill No. 70. The Honourable Member for Winnipeg Centre.

MR. COWAN presented Bill No. 70, an Act to amend An Act respecting "The Manitoba Registered Music Teachers' Association", for second reading.

MR. SPEAKER presented the motion.

MR. COWAN: Mr. Speaker, this is a Bill dealing with an association which is not a closed shop association. Anyone can teach music if they wish to try and teach it and they can find pupils. This refers to an association of music teachers and they propose to broaden the conditions under which one can become a member of their association. Formerly, you had to have a diploma or certificate or a degree and now you won't have to have a diploma or certificate or degree. You will be eligible for membership if you have been teaching music for ten years and have at least one student who has been prepared for examinations which have resulted in that student obtaining a degree or diploma of the character referred to in the Bill.

The Bill also provides that when a person names himself or herself as being a member of the Manitoba Registered Music Teachers' Association, he or she shall state at the end in what classification they are registered as teachers. At present, a person can just say they are

(MR. COWAN cont'd) . . . . members of the Manitoba Registered Music Teachers' Association and no one can tell whether or not they are qualified in piano or singing or some different instrument than piano.

The others are very minor amendments. For instance, they strike out the word "certificate" because there is no such thing as a certificate, it's just a diploma or degree, and this makes the persons eligible for membership wider than it was previously.

MR. SPEAKER: Are you ready for the question? The Honourable Member for Seven Oaks.

MR. CHERNIACK: I wonder if I might ask a question before the member . . .

MR. SPEAKER: The Honourable Member for Seven Oaks has the floor. He caught my eye.

MR. MILLER: I'll yield to the Member for St. John's.

MR. CHERNIACK: Thank you, Mr. Speaker. I just wanted to ask the mover whether it is clear then that there is no restriction on any person teaching or holding out to teach music but there is a restriction on that teacher advertising him or herself as being a member of the association. Is that the only restriction?

MR. COWAN: That's correct.

MR. MILLER: Mr. Speaker, the matter has been clarified, thank you.

MR. FROESE: My only question, Mr. Speaker, is the matter of having taught for ten years. How can he get into teaching and be recognized when you have to have ten years' experience before they are recognized?

MR. COWAN: The answer to that question is they can teach without having been a member of the association. This is not a closed shop association. It's not closed. Anyone can teach music in Manitoba whether they belong to this association or not, but if they want to belong to this association then they have to have certain qualifications.

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

MR. SPEAKER: Bill No. 71.

MR. DOUGLAS M. STANES (St. James) presented Bill No. 71, an Act to amend an Act to incorporate "The Women's Tribute Memorial Lodge Foundation", for second reading.

MR. SPEAKER presented the motion.

MR. SPEAKER: The Honourable Member for Wellington.

MR. PHILIP PETURSSON (Wellington): Just a brief question. At the bottom of Page 2 there is a rule against perpetuities and accumulations and there is now being set up a Tribute Foundation. Is this Tribute Foundation something very similar to what these perpetuities or accumulations have been, just with a group within the organization in charge of the tribute? Is this what it is?

MR. STANES: Mr. Speaker, to answer the question, the reason for this Bill is because since the building which we are familiar with, Deer Lodge Hospital, was built in 1930-31, the ladies who initiated this such as Miss Edith Rogers and others have passed on and consequently the Deer Lodge Legion who have been given the right to administer this building have been running it but they have no authority. Such things as the trust company is no longer in existence, but there is no change whatsoever in the original spirit of the original Bill than that which was intended by the ladies who wished to build this building as a tribute to the men of the 1914-18 war.

MR. T. P. HILLHOUSE, Q.C. (Selkirk): Mr. Speaker, with leave of the House, may I be allowed to ask the honourable mover of this motion a question? Could you explain to the House what the rule against perpetuities is?

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

MR. SPEAKER: The Honourable Member for Selkirk. Bill No. 76.

MR. HILLHOUSE presented Bill No. 76, as Act to amend The Psychiatric Nurses Association Act, for second reading.

MR. SPEAKER presented the motion.

MR. HILLHOUSE: It's too bad, Mr. Speaker, that I didn't have my file with me because I could have compared some of the changes that are being made with the original sections in the Act, but basically the first change is that the corporation formerly known as the Psychiatric Nurses Association of Manitoba is being changed to the Registered Psychiatric Nurses Association of Manitoba.

The definition of graduate Psychiatric Nurse has been changed, and certain sections have

(MR. HILLHOUSE cont'd) . . . . . been repealed due to a change being made in the qualifications of applications for admission to membership in the association.

There is also a change here which gives each district association the right to be represented on council by either the president or a vice president of a district association.

Now, the most basic changes are the ones that I can't compare with those contained in the original Act, and they deal with the provisions regarding the licensing of psychiatric nurses under the Act. What I would suggest, Mr. Speaker, is this, that when this Bill is referred to -- that it be passed on second reading, and when it comes up before the committee a representative of the association will be present and will be able to explain, I hope to the satisfaction of the committee, the reason for the changes in the qualifications for membership.

MR. MOLGAT: Mr. Speaker, I'm not rising to oppose the Act, I propose to support it to go to second reading, but I hope that we would have some explanation on second reading on some of the items here which appear to me to be establishing a closed shop, particularly for people from outside Manitoba, and I'm referring to, while I suppose it's difficult to go to sections, Page 3 where the council will have the right to assess the qualifications of any individual coming from outside Manitoba. And the council, as I go back to the original Act, is made up of the immediate Past President of the Association and five representatives from each district association; and they elect from their own number a President; two Vice-Presidents, a Secretary-Treasurer and so on.

Now, I think that we should look carefully at these type of clauses. We need this type of personnel in Manitoba and I would want to be sure that no restrictions are placed on their coming in. It seems to me that in most cases if we could get the registration of people in whatever type of activity they happen to be in, whether it's legal or whether it's psychiatric nurses or what, controlled by the university or by some other body than the individuals themselves in that organization, that there should be a set of rules as to what qualifies and what does not qualify, that there would be a better structure for the people within the province and for anyone who wants to move from one province to another.

MR. CHERNIACK: Mr. Speaker, I agree with the cautionary words of the Honourable Leader of the Liberal Party. I don't fear a closed shop in a field of this nature where one has to be absolutely sure of the qualifications; on the other hand, there is the question as to whether the psychiatric people - nurses amongst themselves are the best able to judge the qualifications of their own people because they have to work so closely with other professions in the health field generally - and it may well be that a good look would be valuable for all professions in the health field to be qualified or to be assessed for qualifications by one central body.

I've just become aware of a case which I don't know enough about to really spell out, it would be unfair to the profession, but there is a profession in the health field that, as I understand it, has recently turned down a person who appeared to be highly qualified from outside of Manitoba - and it may have been justifiably done or otherwise. We know what happened in Ontario not so long ago in the medical profession where a number of people who came to Canada under the definite understanding that the qualifications that they had acquired - and I believe it was in Asia - qualifications that they had acquired would be acceptable in Canada, and after having put in whatever term of internship was required in Ontario the Ontario Society of Physicians rejected them stating that the original qualifications, the academic ones, were not satisfactory, and there was a very strong suggestion that it was done for a purpose of excluding these people, not on the proper assessment of their qualifications.

So I think this is a serious thing. And this brings me back to the unanswered question which I asked, and certainly I think we all know the answer when a few days ago - a few weeks ago I think it was - I asked the Leader of the House when the Committee on the study of professional acts would be called together and we were given the usual answer that that decision hadn't yet been arrived at and it would be done in due course. There's no use any longer playing around with this. The honest answer I think today is that it will not be called until after this session has ended, just as I believe that would be the answer, the honest answer, on the other committees that have been appointed and are waiting to be called.

Now the committee on professionalism was first accepted - the idea was accepted in this House two years ago and we have made very little progress. And that disturbs me, Mr. Speaker, because I haven't the slightest doubt that a Bill such as this should be considered in the light of what we don't know yet, in the light of what that committee may learn and in the light of what that committee may plan as a sort of a uniform method of approaching this

(MR. CHERNIACK cont'd) . . . . problem. That committee has barely started its work and yet one can not possibly hold up what is really an important organization's efforts to improve its qualifications, which I'm assuming is the case before us. So that I deplore the government's dilatoriness in not proceeding with the committee, which as I say was agreed to a long long time ago, and yet one cannot come to hold this up at all. It will have to go to Law Amendments and it should be dealt with.

I appreciate the fact that the Honourable Member for Selkirk indicated that he doesn't have his file with him and he proposes that when this comes to Law Amendments someone would be there to speak to it. And incidentally, I wonder why he said Law Amendments? I would have thought it would have gone to -- no, it's a private Bill and it should go to the private committee.

However, wherever it goes, I would like to suggest to the honourable member that I have a note that I looked at this quite a while ago and I don't think that there are satisfactory appeal provisions from decisions that are made by the council in the Act itself. Certainly there's nothing in this Bill, and I would like to urge on the Honourable Member for Selkirk that he look into it and have the organization itself look into adequate appeal provisions to take care of the very problem raised by the Honourable Leader of the Liberal Party so that when we deal with it in committee it might be possible to introduce, at the committee level, proper amendments which would safeguard the appeal right of applicants whose applications have been rejected and who might otherwise not have any recourse. I think it's important that we have and encourage people to come into the province to practice this particular profession, as well as many others, and we should always make sure that there are proper appeal provisions by people who do not have vested interests which might adversely affect the applicants. And let me say, just to make it absolutely clear, I'm not suggesting that this would be the case in connection with this organization, but it is safe to suggest that in all professions one should be careful that there is no abuse.

So I hope that the Honourable Member for Selkirk will make it a point to discuss with the people involved the advisability of bringing in proper appeal provisions to committee when we deal with it.

MR. SPEAKER: Are you ready for the question?

MR. STANES: Mr. Speaker, I beg to move, seconded by the Honourable Member from Brandon, that the debate be adjourned.

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

MR. SPEAKER: I take it now we go back to Page 3.

MR. LYON: Mr. Speaker, I believe there's agreement to carry on with the second readings of public bills on the same page.

MR. SPEAKER: I wonder if I may take advantage of this opportunity to plead with the House on something that has been disturbing me lately, and that is when I have the floor and am addressing the floor, I wonder if the honourable gentlemen would remain in their seats. It seems to me that from time to time there is considerable moving around and it's very difficult for me to know as to whether or not they want the floor. Apart from disturbing my trend of thought at that particular time, if I can get the co-operation of the honourable members, I think we'll all benefit by it. I thank you for your time.

Second readings of public Bills. Bill No. 16. The Honourable Member for St. Matthews.

MR. STEEN presented Bill No. 16, an Act to validate By-laws Nos. 3/68, 5/68, and 6/68 of The Town of Swan River, for second reading.

MR. SPEAKER presented the motion.

MR. STEEN: Mr. Speaker, I believe this matter deserves a capsule comment from me. In spite of the fact that the Bill itself is quite self-explanatory, members of the House will recall that last year under Bill 67, which became Chapter 86 of the laws of the session of last year, we passed a number of by-laws correcting mistakes that occurred in the Town of Swan River over a seven-year period. Mr. Speaker, members of the House will also recall that afterwards there was an investigation by the Municipal Board of the Province of Manitoba and they uncovered a few other matters which should have been included last year and which occurred prior to their investigation of the affairs of the town.

There are three by-laws mentioned in this schedule, separate schedules in Bill 16, and the first by-law covers two matters. One is the correction in figures in last year's Bill, where some figures had been inadvertently transposed and created a whopping mistake of \$25,000. These were discovered in the investigation and the first part of Schedule "A", which is By-law

(MR. STEEN cont'd) . . . . No. 3, corrects this mistake. The second part of By-Law No. 3 authorizes the collection of certain pre-payments by the town, which should have been included in last year's Bill, and have occurred since the enactment of the legislation last year but prior to the completion of the investigation.

The second by-law, which is Schedule "B" to the Bill, covers a matter of the placing of a particular sewer in the town. The owner of this piece of property had been charged for a number of years a sewer tax but he did not have the sewer. After discovering this, he asked the town to install the sewer. The town installed the sewer but didn't do so in accordance with the requirements of the Municipal Act. This particular by-law allows the reimbursement to the previous owners of the sewer levy that had been collected over the previous years when there was no sewer, and permits and validates the actions of the town in the installation of the sewer to the current owners. And also, it sets up the method of the collection of the debenture for that particular sewer for the future.

The third by-law is a quite different matter. It appears that some years ago the town of Swan River engaged the services of a Manitoba land surveyor from Dauphin to complete a plan of survey for a subdivision to be known as the Silverwood Subdivision. The plan of survey, when completed, was of course, presented to the Municipal Board for approval before it could be registered in the Dauphin Land Titles Office. The Municipal Board did not approve of it because they hadn't been consulted on it prior in advance, and it didn't take into account a number of matters that the Municipal Board requires to be taken into account in any new plan of subdivision. The town of Swan River is seeking by this particular by-law to validate the payment that they had made to the land surveyor for the work that he has done in accordance with the instructions of the town, and to allow him to collect the payment from the general consolidated revenue of the town and not from the specific area that would have been affected if the plan had been registered in the Land Titles Office which is in accordance with the procedure of the Municipal Act.

If there's any questions, I would be only too glad to try and wrestle with them, but I would suggest to the members that the Mayor and the solicitor and Secretary-Treasurer of the town of Swan River will be appearing before the Municipal Affairs Committee and will of course be only too pleased to answer any questions and justify their actions in this regard.

MR. MOLGAT: Mr. Speaker, could the mover of the Bill indicate if any residents of Swan River or any ratepayers are going to be adversely affected by passing these by-laws? The members of the House here are in a position where they don't know all the details of the business of Swan River of course, and I think we should have the assurance that the passing of the by-laws will not have adverse effect on someone who may not know that the House is proceeding and may not have information as to what is being done.

MR. STEEN: Mr. Speaker, I believe that nobody is adversely affected, but there has been sufficient publicity to this matter in the town of Swan River, and of course the officials of the town when they appear before the committee will be in a much better position to give a more accurate answer to the Honourable Leader of the Opposition's question.

MR. SPEAKER: I can only add that it would only happen in Swan River.

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

MR. SPEAKER: Bill No. 59. The Honourable Member for St. Boniface,

MR. DESJARDINS presented Bill No. 59, an Act to amend The St. Boniface Charter, 1953, for second reading.

MR. SPEAKER presented the motion.

MR. DESJARDINS: The honourable member that asked to explain, if he'd take the trouble of reading the Bill I think it would be very easy because I can't explain it any better. This provides for an increase of the penalty on unpaid taxes from 1 1/2 of one percent per month, or three-quarters of one percent per month. I can't explain this any better than that. Then this provides that by-laws for borrowing money requiring the assent of the electors must receive a simple majority of the votes cast rather than the previous three-fifths majority. Straight majority instead of three-fifths and an increase in the penalty on unpaid taxes.

MR. SPEAKER: Are you ready for the question? The Honourable Member for Seven Oaks,

MR. MILLER: Mr. Speaker, I'd like some clarification which perhaps can be given today, or if it's going to be adjourned I can get it later. But I'm concerned about this item No. 1, the matter dealing with the increase in the penalty on unpaid taxes. Now I know there have been requests from other municipalities to the urban association and other organizations - this goes back a number of years - where that organization or association did request or did consider an

(MR. MILLER cont'd) . . . . increase, because there's no question that the present half per cent per month is not adequate. I believe it was very recently that the City of Winnipeg discussed this very matter and it was found that something like a million dollars was left in unpaid taxes by commercial organizations who found that it paid them to leave the money with the city in a sense, in unpaid taxes, and they could borrow from the bank to run their business. This is much cheaper, a much cheaper rate than they pay through a private bank. They can't borrow money at six percent today. They have to pay more than that, and this is a very very cheap way of getting capital. In certain large business firms the amount of tax could be considerable and could mean another source of revenue and also a saving in interest charges.

But I'm wondering whether it makes sense to just allow one city to do it. I'm not against what he's suggesting; I'm thinking, is this the way to do it? Should it be that St. Boniface comes to this Chamber, and West Kildonan, and Winnipeg and somebody else, all asking for this or should it be done through the change in The Municipal Act - some day we hope the Cities Act, which we haven't got yet.

Also, I'm concerned about just the flat increase, I think from half to three-quarters of one percent. I think a distinction should be made between the resident who occupies his home and commercial property or rented property, because there are people who are not paying their taxes, not because it pays them, they get a better deal from the city that way than through the bank, but simply because they can't afford to meet the payments on a given day and so they're behind and they have to pick up the penalties as they come into effect. Surely this isn't the intention of St. Boniface. I don't believe that they intend to hurt these people either. I know the City of St. Boniface is just as much concerned about them as I am, but at the same time if we just allow a unilateral increase of a half to three-quarters of one percent, this will happen. There are people who don't pay because of their inability to pay and they are going to be hurt. I'm wondering whether when we look at this we can't come up with some reasonable variation that it should apply to certain kinds, that there should be a basic exemption of some kind beyond which it should apply, but not the minimum amount. There are I think a number of ways this could be devised, but I just wanted this House's views on this. I don't think it should be dealt with, as I say, on a single application because it has a great deal of effect throughout Manitoba.

On the other, the Item 2, this request for a simple majority, there certainly I think this is long overdue, and again the only comment I'd have to make is that it should apply all through Manitoba. Again, it shouldn't require St. Boniface coming forth or West Kildonan or St. James or anybody else; this should apply. I think in many areas it does already apply. St. Boniface is just simply trying to correct the situation which apparently they find difficult to live with.

So those few comments, either the member could rely himself or perhaps these matters will come clear in Law Amendments, I'm not sure, but I think these are the matters which should be looked into.

MR. DESJARDINS: Mr. Speaker -- (Interjection) -- Oh, I'm sorry.

MR. GREEN: Mr. Speaker, I take it that if the Honourable Member speaks he will now close the debate, so I move, seconded by the Honourable Member for St. John's that debate be adjourned.

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

MR. SPEAKER: Bill No. 74.

MR. HILLHOUSE presented Bill no. 74. An Act to amend The Child Welfare Act (2), for second reading.

MR. SPEAKER presented the motion.

MR. HILLHOUSE: Mr. Speaker, this is a short Bill but it may be a little bit contentious. Some of the members may feel that they cannot support it on the grounds of conscience or of religious beliefs. I respect their right to disagree with me and I will defend their right to disagree with me, notwithstanding the fact that I do not agree with them.

In my opinion, there is some public misconception and confusion over the so-called religious section of The Child Welfare Act, and I think that in order to give a better understanding of what I'm trying to achieve it would be advisable for me to try and clear up that misconception and understanding, and it would serve a useful purpose to that end if I read to the members of this Assembly Section 131 of The Child Welfare Act. Section 131, subsection (1) says: "No child dealt with under this Act (a) being a Roman Catholic child, shall be placed in the care of a Protestant society or in a Protestant family, home or institution; or (b) being a Protestant child, shall be placed in the care of a Roman Catholic society or in a Roman Catholic family,

(MR. HILLHOUSE cont'd) . . . . home or institution; (c) being of a religious faith other than Protestant or Roman Catholic, shall be placed in the care of a Protestant or Roman Catholic family or institution."

Mr. Speaker, I think it is clear from that section that the prohibition is directed against Catholics and Protestants and no others. In other words, a Catholic cannot adopt a Protestant child or a Protestant can't adopt a Catholic child, and a Protestant can't adopt a child of another faith nor can a Catholic adopt a child of another religious faith. But this section does not prevent a person of no faith from adopting a Protestant or a Catholic child. There's no prohibition in that respect.

Now furthermore, I cannot find anything in this section which precludes or in any way prohibits adoptions by people of no faith of a child without faith, and that notwithstanding the fact that The Children's Aid Society seems to have a different opinion. It seems to me, Mr. Speaker, that the only reason why this section was ever put in The Child Welfare Act was to try and retain that numerical equilibrium between the Protestant and the Catholic faiths, and if that is the conception which I think it is, there is no place in a Child Welfare Act for trying to do or achieve such a purpose. In Canada, we have evolved the practice of only replacing Senators by Senators of the same religious faith or of the same ethnic group. We have also evolved the practice of choosing the same method in replacing judges. I think that practice is wrong in respect of these two matters, but it is more than wrong when we adopt that practice when we're dealing with the welfare of a child.

It has always been my opinion that child welfare legislation is for the sole purpose of attending to the immediate and the ultimate welfare of a child, and that such an objective can be obtained without any reference to religion provided our social workers who are charged with the responsibility of the placement of such children properly, faithfully and conscientiously carry out the responsibilities of their office.

In 1962, I introduced a similar Bill into this House, and although it was defeated, I believe the introduction of that Bill and the discussion which then took place was responsible for an amendment which the government brought into this section in 1963. I refer to that amendment now. It's to be found in Statutes of Manitoba, 1963, Chapter 10, and that amendment provided as follows: "Where the care and custody of a child has been committed to the Director or an Agency, and after attempting to place the child in accordance with subsection (1)" - that is placing a Protestant child in a Protestant home and a Catholic child in a Catholic home - "the Director or the Agency is of the opinion that no suitable home or shelter within the province is available or is likely to be available within a reasonable time in which the child can be placed in accordance with subsection (1)" - that is a child of a Catholic faith in the home of a Catholic and vice versa - "but that a suitable home or shelter within the province is available or likely to be available within a reasonable time in which were it not for subsection (1) the child could be placed, the Director or the Agency could apply to a judge of the County Court in the district in which that child was situated for an Order exempting that child from the provisions of subsection (1) of Section 131". In other words, if the judge granted that order, a Catholic child could be put in a Protestant home and vice versa, and a Catholic family could adopt a child of another faith and a Protestant family could also adopt a child of another faith.

Now, I think you will notice from a reading of that section that there are two aspects to this amendment: one, it only refers to the adoption of Protestants by Catholics and vice versa and further allows the adoption of a child of another faith by a Catholic or a Protestant, but it has no reference whatsoever to adoptions by other faiths at all. It's still dealing with subsection (1) of Section 131. The second thing you will notice is this: it is the first time in our child welfare legislation that we have, by statute, recognized the fact that the welfare of a child should be the first and paramount consideration, because that section says if the judge is satisfied that the welfare of the child requires that child to be placed in that other home, that judge could make an Order exempting the child from the provisions of that section.

Now I think that that was a step in the right direction. I think it was a recognition by this House that child welfare law should be, and should have its main consideration that of the welfare of the child. But the thing that I cannot understand is this, that since the application is made to a judge of a County Court and since the judge of that court before whom the application comes does not give evidence himself but receives the evidence of the social worker who is responsible for the welfare of that child, and on the basis of that evidence gives an Order or refuses an Order, why can't we, in common sense, remove from the jurisdiction of the court

(MR. HILLHOUSE cont'd) . . . . such matters and place them entirely in the hands of those people where they rightly belong, that is to the Director of Child Welfare of the Province of Manitoba or the Director of the various agencies involved with child welfare in this province.

Now, following what I have just said still further, since it has been established by statute that a child's welfare should be of the essence of child welfare legislation, I do not think that religion should be a factor. Firstly, because a child has no religion; and secondly, the professing of religion by an adopting party does not per se make that party a suitable foster parent. In other words, all you have to do is to profess a religion - period, and as long as the other facts and circumstances are in your favour you'll get an Adoption Order.

Now to me the other facts and circumstances are the ones that we should take into consideration. I don't think simply because I make application for a child for adoption and I put my religion down as Protestant and there is no investigation made into whether I live up to the beliefs of my religion or not, the investigation is made into the other surrounding circumstances as far as I'm concerned. I think the second investigation is the investigation which is the determining factor, in determining whether or no an applicant for adoption of a child is a suitable person to have that child.

Now, I'd like to refer to Page 16, Table 15 of the Annual Report of the Department of Welfare for the Province of Manitoba, and this gives a table showing the ages of children at time of placement for adoption by the Children's Aid Society and the department regional offices for the period April 1, 1963 to March 31, 1967. Now the total number of children between those years whose ages did not exceed one month was 450. The total number of children whose ages did not exceed three months was 688. The total number of children whose ages ranged from three months to six months was 353; from six months to one year, 321; one year to two years, 205; two years to six years, 189; six years to 10 years, 22; over 10 years, 14.

Now can anyone honestly and conscientiously say that a child up to six years of age has any religion? Can anyone definitely say at what age a child acquires a religion, knowing its meaning and its import? And can anyone say that even a child from six to ten has a full appreciation of all that religion means? I say no. I say that children of that age are only conscious of three things: one, they're conscious of love; they're conscious of being fed; and they're conscious of the fact that they belong. I think that these are the main things that we should take into consideration in determining or no whether an applicant for the adoption of a child is a suitable person to have that child.

Now in Manitoba there are four types of adoption. First of all, there's selected adoptions, that is children adopted by adoptive parents selected by the Children's Aid Society and the department regional offices. Now these are the children really that we are dealing with under Section 131.

The second group is parent's own adoptions, that is children adopted by an own parent and a step parent. That is where a man marries a widow who has several children and that man, in order to give these children his name and to give them the benefit of what he possesses, he adopts these children. Now the question of religion doesn't enter into that at all because the people of their own free choice have made that decision, and the Director of Child Welfare in the Province of Manitoba or the Director of the Children's Aid Society in the City of Winnipeg will accept an application by that stepfather to adopt these children.

Now there are other adoptions - private adoptions - children adopted by adoptive parents chosen by the natural parents or persons other than authorized agencies. Thirteen of those adoptions were by relatives of the children concerned, that was during the last year. Now the question of religion doesn't enter in there because that is a matter of choice between the parties.

Then there is the fourth kind of adoption which is known as a de facto adoption, that is children adopted by adoptive parents who have fully maintained the child for at least five years but where the placement initially was arranged by the natural parents as a temporary basis. Now religion does not enter into that, so when we are discussing Section 131 of the Child Welfare Act, the only place where religion enters in is where the child is the ward of the Province of Manitoba, either through the Director of Child Welfare or through one of the Children's Aid Societies.

Now it has always been my position that once a child has been declared neglected, once that child becomes a ward of the Director of Child Welfare or of the Children's Aid Society, it is my submission that that Director, either of the Department of Welfare or of the Children's Aid Society, stands in loco parentis to that particular child, that the natural mother - and in

(MR. HILLHOUSE cont'd) . . . . most cases they are illegitimate children - that the natural mother has lost all legal rights to that child, although she retains the right at the time that the child is declared neglected to tell that society whether or no she wants that child to be brought up as a Protestant child or a Catholic child or under what religious faith she wants that child to be brought up. She has that power, but I submit that once the child becomes a ward of the Director or of the Children's Aid Society, that that Director or the Children's Aid Society actually stands in loco parentis to that child and it should possess all of the powers towards that child that a natural parent would possess, and if that society or that director can find a suitable home for that child, as long as they are satisfied as trained social workers that that is a suitable home, I submit with all the seriousness at my command that religion should not be a determining factor in the placement of that child.

Now I feel in Manitoba, Mr. Speaker, that we have a serious problem, and I would like to quote from Page 33, Table 8, of the Annual Report, 1966-67 of The Department of Welfare, and this gives the total births in Manitoba, both legitimate and illegitimate, from January 1, 1962 to December 31, 1966. In 1962 the total births in Manitoba were 23,269; of these, 1,666 were illegitimate. In 1963 the total births had gone down to 23,018; of these, the illegitimate births had risen to 1,767. In 1964 the total births had gone up by 50 to 23,068, but the illegitimate births had jumped to 1,917. In 1965 the total births in Manitoba had dropped by approximately 2,000 and the illegitimate births were slightly below 1964, being 1,891. In 1966 the total births of Manitoba dropped to 18,326, but the illegitimate births climbed to an all-time high of 1,938.

Now we are largely dealing with illegitimate children under Section 131 of The Child Welfare Act. I submit that we must do everything in our power to place each and every one of these illegitimate children in homes of people who are prepared to adopt them, and I do not think that we should have any artificial barriers or anything that will prevent those children from getting a home to which they are entitled. These children didn't ask to be brought into this world, but once they are born and brought into this world it becomes our responsibility to deal with these children to the best of our ability and to see that these children get the best possible homes. I submit with all seriousness that religion of adopting parents should not be a factor in deciding or no whether that parent is going to be entitled to a child. The child's welfare should be the paramount consideration of this Legislature and of our welfare agencies. And I am satisfied too, Mr. Speaker, that if this matter were left to the decision of our welfare agencies, Section 131 would not be in our Child Welfare Act, and I would ask the Honourable Minister of Welfare to take a straw vote among his welfare workers and find out how many of these welfare workers actually support this section. I'd be terribly surprised if he found there was about 10 percent.

Now in addressing the House as I have . . .

HON. J. B. CARROLL (Minister of Welfare)(The Pas): I would just like to ask a question if I could. Have you pursued this course of action and do you have anything to back up that statement?

MR. HILLHOUSE: I wouldn't like to reveal the source of my information, but I have made enquiries and I've made enquiries of people who should know, and they tell me that that is the consensus among workers.

Now as I have said, Mr. Speaker, in making the remarks that I have and in introducing this Bill, I did so as an individual member of this Legislature. I am not speaking on behalf of the Liberal opposition. I have not caucused this Bill with my Party. The only individual with whom I have discussed this Bill was the Honourable Member for St. Boniface, but I have not discussed this Bill with any other member of this House. I hope that there will be a free vote on this matter because I think this is a matter of such importance that it should not be decided upon party lines but should be decided on the individual conscience of each and every member in this House.

Now I hope that no one will be so unfair as to accuse me of being anti-religious, and I hope too that they will attribute to me the same sincerity of purpose as I will attribute to them in their deliberations. I don't think in introducing this Bill that I am being anti-religious; I think that in introducing this Bill I sincerely believe that it is the right thing to do in the interest of the welfare of the children of this province.

Now in closing, Mr. Speaker, I have always felt very strongly of the fact that State and Church should be absolutely separate, that we must render unto Caesar those things that are

(MR. HILLHOUSE cont'd) . . . . Caesar's and we must render unto God those things that are God's. I have found in my reading a declaration of principles published by the International Religious Liberty Association of Washington, D. C., which I think would be worthy of reading to this House and it reads as follows:

"We believe in religious liberty and hold that this God-given right is exercised at its best when there is separation between Church and State.

"We believe in civil government as divinely ordained to protect men in the enjoyment of their natural rights and to rule in civil things, and that in this realm it is entitled to the respectful and willing obedience of all.

"We believe in the individual's natural and inalienable right of freedom of conscience to worship or not to worship, to profess, to practice, and to promulgate his religious beliefs or to change them according to his conscience or opinions, holding that these are of essence of religious liberty, but that in the exercise of this right he should respect the equivalent right of others.

"We believe that all legislation and other governmental acts which unite Church and State are subversive of human rights, potentially persecuting in character and opposed to the best interests of Church and State, and therefore that it is not within the province of human government to enact such legislation or to perform such acts.

"We believe it is our duty to use every lawful and honourable means to prevent the enactment of legislation which tends to unite Church and State and to oppose every movement towards such union that all may enjoy the inestimable blessings of religious liberty.

"We believe that these liberties are embraced in the Golden Rule which teaches that a man should do to others as he would have others do to him."

I submit, Mr. Speaker, that if the members take this declaration to heart they will come to the conclusion that Section 131 of The Child Welfare Act is an attempt to unite Church and State and it has no place in civil legislation. I therefore hope, Mr. Speaker, that the Members of this Assembly will support me in this Bill. I believe that it is timely and I believe that we have got to do something to try and eradicate the overload of unadopted children that we have in this province, and I hope that each and every member will consider this Bill in the light of what is best for the welfare of the child.

MR. CARROLL: Mr. Speaker, I appreciate the sincerity with which these views were presented. I feel, however, that the case was not made that there is a backlog of cases that could not be placed because of any of the provisions of The Child Welfare Act; a complete lack of evidence to support the statements that he has made in support of the Bill that he brings before us today.

He indicates that he feels that religion should not play a part in the affairs of State and I believe that they essentially do not. I think that there were certain religious principles built into the Act because of strong religious convictions of the people who were in this Legislature at the time the Bill was presented that met with the views of the people of Manitoba at that time, and which has changed as people saw problems that could not be met under the existing legislation and saw problems that could not be coped with at that time. The sections of the Act were changed with the cooperation of the religious bodies of this province who form a backbone, I think, of the foster home and the adoption home program here, because it is largely through the support of churches, the goodwill of churches, that we have been able to find and to keep many of the good foster homes and good adoption homes that we have.

I would like to state some of the facts as they have come to me with respect to the operation of the Act in recent years. Of the unmarried mothers who placed their children for adoption, some 60 to 65 percent placed no religious preference with respect to those children. Most of these children, in spite of that, are placed in homes of the same religion as the parent, and there have been no problems in placing children that have been given up with no religious preference.

Of the children where parents have declared their religion, the vast majority have been placed in homes of the same religion and there have been no problems with these people. Where homes cannot be found of the same religious faith, the remedy is found in the amendments that were placed in the Act in 1962 and 1963, Section 131, subsections (4) to (7) - the agency applies to the court for a waiver of the religion with respect to that child. Every application that has gone before the court that I'm aware of, every application certainly since 1965, has been granted by the court. There were only two where there was a slight delay and that was only

(MR. CARROLL cont'd) . . . . because some of the people involved were not fully familiar with the Act and its application. The process, I am advised, does not slow down the normal adoption process that is gone through by the various agencies.

I think the one thing that the Member for Selkirk completely ignores is that the religious sections of this Act do not apply to adoptions only. They apply to those people who are taken temporarily into the care of a child-caring agency or the Director of Child Welfare. In other words, a family - it may be a low income family where they have a number of children, the mother takes ill, she has to go to the sanatorium or go into a mental institution for a few months, hopefully to return to accept her responsibility as one of the adult members of that family - some of those children may be taken into care because the father is not able to support them and they may care very much about the religious homes into which those children are placed into. In fact there could be a real discord in the family and real conflict if these sections were not there. I think there has been a great tolerance by the various religious groups and a great attempt to try to move towards an acceptance of the sections that are in here and to try to accommodate the problems that the societies and our department have met in recent years in coping with the larger number of illegitimate children in our society. I think we have that goodwill and we've had that co-operation.

I really don't know what evidence, or what prompted the member to bring forward the recommendation, because as far as I know none of the societies in the Province of Manitoba share his views with respect to this section. I've written to them all and have invited their comments. I've heard from only one, and the one that reported to me, the Children's Aid Society of Winnipeg, did discuss it and said there was certainly objection to it within their own society. They raised the question of temporary wards and the foster homes to which this section also applies. They indicated that as far as they were concerned the only change that was needed was in the form that is presently being used. They didn't see the impediment that other societies have seen in the Act with respect to the couples who had no stated religion. The other societies have been circulated. We have not heard from them, but the only changes that they wanted in the Act - we've heard from three of the other societies - was that apparent difficulty which caused the section in the regulation dealing with children who were given up by their parents without stating a religion, where we ask the families to declare their religion in bringing up that child. We feel that this can be accommodated by a change in the regulations since we've looked at it further.

So I would like to say that we have had excellent co-operation. I've had no member of my staff recommend to me that we should change the religious sections and I believe our staff expressed their personal views to me, The Director of Child Welfare has just left and it was certainly not his recommendation that we should remove the religious sections, and I would think that there's no one in the province that has been more knowledgeable of that particular section than the Director of Child Welfare who has just left our employ.

I've not heard of any recommendations at this time coming from any other member of our staff and I've talked about child welfare matters to a great many of them. Now there may be some who share your view but I would hope that you could bring some further evidence to support the case which you're making here today, because I do think that all of our societies and our Director of Child Welfare do take the interest of the child -- the interest of the child is always paramount and it is always their attempt to get the best home they can for that child, and I'm advised that the religious sections of the Act at the present time are not an impediment to the placing of children in good homes and the best homes that are available to them in the province.

I would hope that we would not do anything that would disrupt the present situation, because in the letter that I've just received from the Children's Aid Society of Winnipeg - this is signed by the Executive Director, not the president - he says "the withdrawal of this section as it affects the religion of children placed for adoption will arouse considerable opposition in the public at this time." And this I think is a very clear warning from one of the largest societies in our province, from the society which was raised this matter in the House some weeks ago where one of the social workers within the society felt that the present regulation, the present form was causing them some concern in the placing of children, although we had offered prior to that time to try to accommodate any difficulties that might have been caused by that particular form. We are of the view now that there is no impediment to changing the form. We will do that, and presumably will have gone as far as any Children's Aid Society, including all of

(MR. CARROLL cont'd) . . . . their volunteer members, would want us to go.

I would hope that the societies will continue to do the very fine job they've been doing in the past, which has resulted in a very large placement of children at a time when it seems that society presents fewer possible adoption homes than in the past. I think that they've done an excellent job. We would hope that they would continue to do so. We would hope to be able to rely on the goodwill of all of the religious groups who have been supporting our legislation, have been helping us in the finding of adoption homes and in helping to place children in good foster homes, and doing the very fine job that all of these people are doing in our province. I would therefore propose to vote against this present Bill.

MR. SPEAKER: The Honourable Member for Wellington.

MR. PETURSSON: Mr. Speaker, I would just wish to ask a question. In the process of adoption, is it a requirement of the Act that a Minister of a church need necessarily indicate that the child will be accepted into his church and given religious training and things of this sort. I have had the experience of letters of that kind being sent to me from the Children's Aid, and because of a failure to reply within what would have been a reasonable length of time - I have set the letter aside and really I've forgotten it, I have to admit that - then I have received phone calls, either from the adopting parents or from the agency, asking me whether I would send in the letter, forward the letter or give the assurance over the telephone, otherwise the adoption proceedings were being held up. Is this a necessary part?

MR. CARROLL: I know of no requirement in the Act that would make that action necessary. The parent does assume an obligation to bringing the child up in his particular religious faith. I think we have, in the cases where a child is given up with no religious preference, I think we have got around this completely with the change that will take place in our form with respect to children in this particular category. If it is a Protestant child being placed in a Protestant home, as far as I am aware the prospective adopted parent just indicates that they will be bringing them up in the Protestant faith, and similarly with the Catholic adopting family.

MR. PETURSSON: A supplementary question, Mr. Speaker. The Protestant faith or the Roman Catholic or any faith? I mean you indicated only two.

MR. CARROLL: Yes, or any faith.

MR. PETURSSON: I had the experience of receiving a letter on one occasion asking me in an instance where the adopting parents were members of my church, and the worker from the Children's Aid responsible for writing letters enquired of me whether Unitarians were Christians. Now, there is no authorization for anything of that sort either, is there, in the Act?

MR. CARROLL: I think the proposed amendment to the form would enable Unitarians, or any other religious group or denomination, would enable them to qualify as adopting parents under the Act.

MR. SPEAKER: The Honourable Leader of the New Democratic Party.

MR. PAULLEY: Mr. Speaker, at the offset, may I compliment the Honourable Member for Selkirk for his very enlightening presentation this afternoon in respect of this matter. I'm sure that all members of the House will appreciate the study and the consideration that the honourable member has given to this matter, and that members of this Assembly should not dismiss readily or quickly many of the suggestions and propositions that the Honourable Member for Selkirk has presented to us this afternoon.

I want to also say, Mr. Speaker, as I make a brief comment on the Bill that we have before us, that I have not caucused with the members of the New Democratic Party in respect of this matter. How they vote will be an individual vote and in line with the suggestion of the Honourable Member for Selkirk that this very vital and important matter in question in the human activity be decided on the basis of individual consideration rather than that within the realm of politics or caucus discussion and coming to an opinion, and I trust and hope that the remarks of the Honourable the Minister of Welfare indicates his own personal viewpoint and not necessarily those of all members of the Conservative caucus.

I'm sure, Mr. Speaker, that all of us will agree that the question of religious inclinations in adoption has been a matter that has been of deep and grave concern for many years. I think that I would be proper and correct in saying ever since there were any adoption laws established or adopted in this or any other jurisdiction. Of course it was based on a historic concept that like attract the like and only like can get along together, be it in religion, ethnic groups, etc. I suggest, Mr. Speaker, we've come a long way from there at the present time and that we have reached an area where we can give considerations other than to those that an Anglican must be

(MR. PAULLEY cont'd) . . . . with an Anglican or a Presbyterian with a Presbyterian, a Greek Catholic with a Greek Catholic and so on and so on.

You know, we often give lip-service these days insofar as religious inclinations are concerned. We give lip-service to the growth of the ecumenical movement prevalent throughout the world. We maintain under our bill of human rights that we all should be concerned with each other, not on the basis of religious or ethnic associations or heritages or ancestries but that we should be in a community of goodwill toward all, and I think that we should give consideration to the proposition of the Honourable Member for Selkirk.

It appears to me, Mr. Speaker, from the remarks of the Honourable Minister of Welfare, that he has recently held discussions with various organizations acting in the Province of Manitoba such as the Children's Aid Society of Winnipeg, and I suppose the Eastern District Children's Aid Society and others in respect of this matter. Now I would like to have the opportunity of having these various organizations and representatives and social workers appear before a committee of this House to document their positions and to give to all of the members of the House the benefit of their considerations, and where we can ask questions of them as to why they accept or reject a certain position insofar as the religious affiliations in adoptions.

It may be strange to some, Mr. Speaker, that myself being one who is an ardent adherent and supporter of the Anglican fraternity who historically wanted to establish the status quo, or fought for the retention of the status quo in our adoption laws, should today suggest at least the adoption in principle of the recommendation of the Honourable Member for Selkirk, and at least have the matter considered outside of this House and not summarily rejected. I do this because I think that there is changing approaches, changing attitudes in all of the religious bodies and groups in the field of adoption, and possibly more particular and more important in the field of attitudes toward our unfortunate infants and youngsters who are born into this world without their choice, and I don't think that we any longer should adhere to the rigidity in religion as far as religion is concerned in adoption procedures as we have in the past.

I, for one - again I want to emphasize that I'm not speaking for my Party - but I for one think that it would be well worthwhile for all of us in this House to process this Bill so that it can go without the House and hear the arguments, and I'm sure there's plenty of arguments both pro and con as to whether we should or whether we should not erase from our legislation any discrimination in respect of religion or any other area of human endeavour. I doubt, Mr. Speaker, whether I would have taken this position five or six years ago. I'm sure that the Honourable Member for Selkirk has heard me speak somewhat differently in the past on similar matters, but I trust and hope that I, and indeed other members as well, can consider the likes of the proposition of the Honourable Member for Selkirk in view of a changing approach in the areas of human endeavour that we meet today.

So as far as I am concerned, Mr. Speaker, I'm going to support the Honourable Member for Selkirk in his Bill at this time and recommend to the House that the matter be considered outside of the House. And again, Mr. Speaker, I want to make it amply clear, however, that what I am saying now is being said by the Member for Radisson. My Party has not caucused and I doubt that we should caucus on matters of this nature because of all the ramifications and implications. I follow the suggestion of the Honourable Member for Selkirk that we should deal with this matter on a personal, non-political basis, and my position as an individual is let the Bill go to second reading. The Honourable the Minister of Welfare indicates that he has caucused with some of the organizations, or it appeared to me from that - or received their advice. I'd like to have the advice myself as a member of the Assembly and the only place I can get it readily is by the likes of this Bill going into Law Amendments Committee for consideration, and I recommend that that be done.

MR. SPEAKER put the question and after a voice vote declared the motion lost.

MR. HILLHOUSE: Yeas and Nays, Mr. Speaker.

MR. SPEAKER: Call in the members.

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

Yeas: Messrs. Campbell, Cherniack, Dow, Doern, Fox, Guttormson, Hanuschak, Harris, Hillhouse, Johnston, Miller, Patrick, Paulley, Petursson, Tanchak and Uskiw.

Nays: Messrs. Baizley, Beard, Bjornson, Carroll, Cowan, Craik, Dawson, Desjardins, Einarson, Enns, Evans, Hamilton, Johnson, Klym, Lissaman, Lyon, McGregor, McKellar, McKenzie, McLean, Masniuk, Molgat, Roblin, Shewman, Spivak, Stanes, Steen, Vielfaure, Watt, Weir, Witney and Mesdames Forbes and Morrison.

MR. CLERK: Yeas, 16; nays, 33.

MR. SPEAKER: I declare the motion lost. Bill No. 57. The Honourable Member for St. John's.

MR. CHERNLACK presented Bill No. 57, an Act to amend The Child Welfare Act (1), for second reading.

MR. SPEAKER presented the motion.

MR. CHERNIACK: I'll be glad to explain it, Mr. Speaker. Unlike the preceding Bill it's neither contentious I believe nor anywhere near as vital, but it is important. It was drawn to my attention by my partner, A. L. Wineberg, that The Child Welfare Act as it is now constituted does not make proper provision for the enforcement of affiliation orders which may be made under the Act. These orders, which are made by a magistrate, can also be made by a judge of a Juvenile Court, but when they are made they can not be enforced in the same way other than by commitment to jail of the judgment debtor.

This really should not be the only manner in which affiliation orders may be enforced. The garnishment proceedings which are available in the County Court, and other forms of enforcing orders made in the County Court, would be adequate for the purpose of enforcing orders made under The Child Welfare Act, and therefore it seemed sensible to bring under The Child Welfare Act the same provisions and the same powers as are found in The Wives and Children's Maintenance Act which also provides that an order made may be filed in the County Court.

I therefore requested the Legislative Counsel to look into the question, and after he did so he prepared this Bill in the form which I certainly rely on him to have done properly and which would just make this possible; namely, to enforce affiliation orders in the same way as under The Wives and Children's Maintenance Act, thus giving the person affected a greater possibility of collection in a reasonable manner under the County Court provisions rather than going to the extent of asking for a committal to jail. I suggest that this is a Bill which deserves consideration by the committee.

MR. CARROLL: Mr. Speaker, I'd just like to comment on it. The people in our department feel that this is a desirable amendment to make. I understand that it may require some further amendment in committee, another section which has a bearing on this one that may have to be changed at the same time. We're prepared to discuss that at committee stage and we propose to support it.

MR. HILLHOUSE: Mr. Speaker, I find myself in agreement with the Honourable Member for St. John's and also the Minister of Welfare.

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

MR. SPEAKER: Bill No. 69.

MR. STANES presented Bill No. 69, an Act to amend The St. James Charter, for second reading.

MR. SPEAKER presented the motion.

MR. STANES: Mr. Speaker, I would like to explain just very briefly. The Bill consists really of four sections. The first section gives permissive legislation for an increase in the indemnity of the mayor and the aldermen - for the mayor, \$6,000 to \$7,200; for the aldermen from \$2,400 to \$3,000. I've checked this thoroughly in every respect and I would certainly recommend it to the House. I might add that the job of mayor these days has changed very considerably in the last few years, especially regarding our major cities, and it's becoming very largely a full-time job.

The second item, Mr. Speaker, is regarding water mains. There has been a need for clarification in the separation and responsibility between service water mains which are domestic, which are usually one to one and a half inch in diameter, and that of the six-inch which are sprinkler systems. This amendment clarifies the problem that St. James has had for the last year or so and is in almost all fours with that which we passed in this House in the last year or so. I would recommend that to the House.

The third item, Mr. Speaker, is regarding libraries. As you know, Sir, there has been in the last few years an increasing demand for an increase in money to libraries and St. James has been no exception to this. We are very fortunate in St. James in having a very dedicated and a very efficient librarian in the name of John Russell and he has got some very fine supporters around him. In the last year there has been pressure by the Library Board of St. James on the Council to increase the amount of money which they may receive. There was a meeting in the fall, September or October. The outcome of that was a Council meeting and Council was

(MR. STANES cont'd) . . . . split on this matter, but the majority voted in favour of requesting the Legislature for an increase of one to two mills. As you know, Sir, at the moment the maximum throughout the province is one mill. I have spoken at length with many of the members and they wish it to become before the House. I would suggest if I may, Mr. Speaker, that this matter be allowed to go into committee in order that those librarians who have done such an excellent job with St. James Council may have an opportunity of explaining to the committee exactly their feelings on this subject. But in this, I want to point out, is a very important matter of principle. In order to solve the problem in the future, St. James Council asked for a reconstitution in the Board. The Board, which has been largely citizens with part elected, will now be four elected; four citizens; the Chairman shall be a member of the Council, be elected, and shall have a vote both as a member of the Board and also a casting vote. So it does give control in future on library matter expenditures to the elected people of St. James.

The last item, Mr. Speaker, is regarding a problem which has existed throughout Greater Winnipeg, and is on the control of Council to be able to step in and improve the condition of rented residential properties. We've had this - I think it was two years ago for the City of Winnipeg. This clause is almost identical to that which was passed by this House at that time for this particular problem.

MR. MILLER: Mr. Speaker, I thank the honourable member for the explanation; he covered the essential parts of the Bill. The last one, the control on residential housing - and this of course applies only to non-owner occupied homes - this is in line with what now applies to West Kildonan and the City of Winnipeg, but it brings me back to the point I tried to make earlier on another Bill. Why are we dealing with these things on a piecemeal basis? Why do we have to come every year to deal with St. James or St. Vital or Winnipeg or West Kildonan? These things are good, and if they are required in one area the probability is that other areas can use the similar legislation. Surely we should be able to make amendments through The Municipal Act of a permissive nature so that those municipalities that wish to take advantage of the permissive nature of this legislation could do so and they wouldn't have to come here year after year as supplicants asking for certain rights and certain privileges. Certainly this particular by-law dealing with control of exteriors of buildings is one which undoubtedly within the next four or five years probably will apply to almost all of Greater Winnipeg.

There's one very interesting clause or section in this Bill which is a new one, and that's the suggestion by the Honourable Member for St. James that the City of St. James be permitted to levy over and above the one mill for library use. Now my own personal sympathies are with him in his direction because I do know that the one mill just isn't adequate to fill the needs of the communities in and around Greater Winnipeg which are suffering from a very odd thing; they're suffering from too much popularity and over-use. One would have thought years ago - I believe it was in this House where it was thought that libraries in the light of TV and other distractions wouldn't be as popular in the years to come - the fact is that in St. James, in St. Vital, in the City of Winnipeg, in the City of West Kildonan, I know their problem is to keep up with the demand. They can't meet the demand which is placed on them now - and not just children but adults as well - and the one mill just isn't adequate any longer to fill this need.

So I would go along with letting this Bill go to Law Amendments, but I would suggest to the Honourable Member for St. James that when this goes to Law Amendments, rather than just limit the representation to members from St. James Library Board that perhaps we could have representation from the Library Association of Manitoba -- the Librarians' Association and the Library Trustees' Association, both groups who have the interest of the community at large in mind. And again, if it would be acceptable for St. James and it was acceptable in Law Amendments, then I think again the Minister of Municipal Affairs should seriously consider extending this -- or the Minister Provincial Secretary should seriously consider extending this to apply to The Municipal Act so that we wouldn't have to come back here next year, because I can assure you that if this goes in, another municipality will be here a year from now or maybe more. So I think certainly we should do it on that basis.

The question of the city's responsibility for repair of waterworks, this is a thorny problem, and again we are faced with the problem where every municipality has its own by-law to contend with. The Municipal Act, I believe, is silent on it, probably because when The Municipal Act was written most of Manitoba did not have sewer and water facilities so they weren't worried about it. But we've passed that stage surely, and isn't it possible now that The Municipal Act should be brought up-to-date and should include these various provisions, these

(MR. MILLER cont'd) . . . . sections and statutes which would apply to all municipalities where they would be applicable, and they would be, as I say, of a permissive nature so that those municipalities desiring to avail themselves of that section of the Act could do so, again without having to come here.

Now with regard to the increased indemnities, I have nothing to say there. I don't doubt that the gentlemen in question feel that they merit this amount of money and this is something that they have to live with insofar as their own voters are concerned. They are subject to the vote just as anyone here is, and I would leave that entirely to the discretion of the local Council. That is all, Mr. Chairman.

MR. STEVE PATRICK (Assiniboia): Mr. Speaker, I do not rise to oppose the Bill. I support the Bill in principle but I do have some reservations, and that's on Section 74(b) in allowing an extra mill rate for libraries. I know this is establishing a completely new principle in expenditure of an extra mill rate which is allowed for all municipalities now. However, I will let the Bill go into Law Amendments Committee where we can hear the library people and probably members of the St. James Council, and at that time I'll be able to ascertain much more properly to see if this is good legislation.

On the other matter in respect to water legislation, I think that in St. James we've had for the past few years problems with connections from the main trunk line to the house, connections to the property line in many areas, and we have ground in St. James that in the last couple of years that have sunk and some of these connections have been damaged, and some areas it wasn't easy to determine whose responsibility was it. Was it owner or was it the city? And this legislation just makes the legislation much more clear whose responsibility it is. So I do support the principle of the bill with the exception of that one section, and I will reserve my judgment after we hear the presentations in Law Amendments Committee.

MR. CAMPBELL: Mr. Speaker, I certainly have no intention of opposing the passage of the bill for committee consideration, but I have been rather astonished to notice that with the consideration that's being given to the question of amalgamation in St. James that they would, with that major matter under consideration, that they would propose a bill as far-reaching as this one making changes in quite substantial ways. However, that can be further considered later on.

One principle in the bill that I am opposed to, however, is the one that gives to a member of the St. James Library Board two votes. There have been some discussions in the House here and will again, as to how voting strength between urban and rural parts of Manitoba should be apportioned, but I have never found anyone yet that really seriously defends the principle of giving one member on a particular board twice as many votes as anybody else. I do not approve of that method as a principle. I don't care what the board is; I don't care what the composition is; I think that is wrong in principle. I would have no objection -- I have no objection to the Chairman being given a vote. I don't think it should always be necessary that there should be an equality of votes before he can exercise his franchise. But I certainly do disapprove in having a second one. If the board wants to achieve that same principle, then I think they should put another person on the board. I'll be likely saying something about that when it gets to Committee, and because I believe it is a matter of principle I wanted to announce it here.

MR. STANES: Mr. Speaker, may I thank the members for the support in general. To answer the Honourable Member for Lakeside, the reason for these amendments coming in at this time is they were prepared somewhere in October or November of last year, and one didn't know anything about the conclusions of the other matter at that time. As far as the suggestion for the library board constitutes his concern, I think it's a very good one and I will pass it on and perhaps we might find amendment at the time of committee.

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

MR. COWAN presented Bill No. 55, an Act to amend The Winnipeg Charter, 1956 and to validate By-laws Nos. 19389, 19466 and 19494, for second reading.

MR. SPEAKER presented the motion.

MR. COWAN: Mr. Speaker, this bill contains quite a few sections, some of them not very important, I think, as far as this House is concerned and I'll just touch on those that I think are of importance to this House.

At present the Winnipeg Charter provides that no person shall be able to be an alderman or member of council who is receiving or entitled to receive the whole or part of any money paid or payable by the city or by a commissioner, or a person acting for the city for services rendered. The opinion of the City Solicitor is that this doesn't include a man that's receiving a pension from the city, but it's not clear and the City of Winnipeg wishes to make it clear that a person who is receiving a pension from the city can be a member of council.

Another section provides for the increase of penalties on arrears of taxes, from one half of one percent per month to three quarters of one percent per month, commencing on January 1st, 1969. I understand that the city wishes this because of the fact that a number of business people are letting their taxes go in arrears. Instead of having to borrow money at the bank at a higher rate than 6 percent, they can let their taxes go in arrears and save themselves some money, and I think the city have made a survey of those who have taxes in arrears and generally they find that not many of the small income person owning a small house lets their taxes go in arrears, and furthermore, when the city goes to borrow money from the bank, now - at least a few weeks ago they had to pay six and three quarters percent, and it may be higher to date, so that they certainly don't want to have a penalty lower than what they have to pay when they borrow money.

The Charter at present provides that assessment for sewers shall be at a rate not exceeding \$8.00 per frontage foot. We have a lot sometimes that have a great area, like on the corner of a bay and just a very small frontage, and the city wishes permission to assess that property on the basis of \$8.00 for each foot of frontage or six cents for each square foot of lot area, whichever is the greater.

Another amendment widens the investments which the sinking fund trustees may make, to include certain investments which are permitted for insurance companies under the Canadian and British Insurance Companies Act.

Another section changes the limitation on the mill rate to coincide with the provisions for cities in the Municipal Act, and it makes applicable to the city the powers of the Minister of Municipal Affairs to remedy certain irregularities with regard to assessment rolls and perhaps a larger mill rate than is set out in the Municipal Act, and they make that provision that as now applies to other cities under the Municipal Act, to apply to the City of Winnipeg.

And there's another -- at present the man that, the dogcatcher, he can only be successful in prosecuting an owner of a dog for letting their dog run at large if he catches the dog off the owner's property, and that's sometimes quite a job. And there is an amendment here that would allow the owner of a dog who allows his dog to be at large to be prosecuted, and to be penalized even if the dog isn't caught off the owner's property. There's also provision in the same section that the city may set a penalty up to \$10.00 for a violation of this section, and that penalty may be paid in the same way as a traffic ticket. You don't have to wait for a court hearing and come down to the court at a certain time in order to pay the penalty for allowing your dog to run at large.

Mr. Speaker, I think those are the main amendments in this bill.

MR. MILLER: Mr. Speaker, if no one wishes to speak, I'd like to move, seconded by the Member for Brokenhead, that the debate be adjourned.

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

MR. LYON: ... go back to the resolutions after that brief time on bills, Mr. Speaker.

MR. SPEAKER: The adjourned debate on the proposed resolution of the Honourable Member for Virden and the amendment thereto standing in my name. I ask leave of the House to let the matter stand. Carry on with the next item.

The adjourned debate on the proposed resolution of the Honourable Member for St. James, and the proposed motion of the Honourable Member for Selkirk in amendment thereto. The Honourable Member for St. James.

MR. STANES: Mr. Speaker, it has been very interesting listening to the debate upon this small, simple, but I think very important resolution. I'm also very interested that the

(MR. STANES cont'd.) . . . . preamble still remains unchanged at this moment, because I assume from that, Mr. Speaker, that the general concept is agreed that there is a need for getting greater use out of our existing facilities for recreation of all ages. I fully recognize of course, as many have pointed out, that a lot has been done in many areas, but I think it's also agreed that more can be done in this direction.

Now the question is: who should do it? In the motion before it was amended, the suggestion was the Municipal Council. That was considered a rather weasely, wishy-washy amendment, but it's been replaced by an amendment that gives no suggestions at all but just says the government will do something about. I think the idea of having resolutions is so we may debate the various subjects of public importance that we might get a consensus of opinion, learn from each other, and perhaps have better legislation and a better province because of that.

Mr. Speaker, I still contend that we should have some guidance as to who should be the authority. Someone has to be the authority. It's quite obvious that the government does give leadership. Whoever the authority, the government has to decide the method, the detail, the legislation that is necessary, and so on. I still believe that the better authority to choose would be a municipal council. Somebody has to be responsible for these premises which are owned by the public and the local government is custodian of public premises.

I also believe, Mr. Speaker, that although new facilities are very important, - it is true; we do need new facilities - but first things first. The existing facilities I think is the first step. Let's get better use of existing facilities, and if we can find a ways and means in which we can improve the administration and the use of these existing facilities, that liaison, that group or groups as they work together, will finally develop means by which new facilities can be developed for the good of the public.

So I'm afraid I cannot support this amendment, Mr. Speaker, because it gets away from the main purpose, which was getting better use for existing facilities. Let's do this first and go on to the other one later. Let's take it step by step. This, I feel, is the first and essential step.

MR. EARL DAWSON (Hamiota): Mr. Speaker, when one sits back here and listened to the Minister of Welfare last week speak in regards to this resolution, and he gave a different viewpoint of that we have just heard by the Honourable Member from St. James, I was amused, actually, to hear the Honourable Member from The Pas in the person of the Minister of Welfare state that there are 80 recreation committees throughout Manitoba today when three years ago there were only 14. But of course I wonder if he would like to go a little deeper and see what type of commissions there actually are throughout the Province of Manitoba. It is my belief that the recreation department, through its Physical Fitness and Amateur Sport groups, are only paying lip service to the Province of Manitoba and not the glorified account that the Minister of Welfare tried to present to us.

It seems that the way these people are operating now is that they ask the council, or some of the leaders in a community, to call a meeting and someone from the Physical Fitness and Amateur Sport Department arrives that evening at 8:00 o'clock just in time to start the meeting, gives them a fast spiel and says, "Why don't you form a recreation committee? This is what you can get." They form a committee and from that day on they are left in the dark. No leadership whatsoever from the government. Yet we see that the municipal people are being criticized all the time and I think this is what we're trying to get to the Member from St. James, is the fact that his resolution has nothing to it except to condemn and knock the community leaders in the various communities throughout the province. It's true that the Provincial Government are providing grants in the amount of \$600.00 to the various communities to assist in fitness and amateur sport, but this too is not being handled properly, because in most instances the community are getting the \$600.00 and it's not being applied in the proper place because once again the government are not providing the proper leadership.

The Minister of Welfare mentioned in his remarks last week that the Public School Act had been amended to make it possible so that we could use the school buildings seven days a week. Well I wondered if he could name some of the schools that are being used even one day a week. I think as well as changing the School Act so that the buildings could be used seven days a week, they should make some changes whereas the Phys. Ed. man that is in the school could be used seven days a week by the entire community instead of being available to the pupils only. And I'm sure that many of these Phys. Ed. people that we have in the schools

(MR. DAWSON cont'd.) . . . . would be very happy to take on the extra duties and assist in the community.

The Minister of Welfare spoke of all the tremendous ice facilities we have in the City of Winnipeg, and he says when he first came here in 1958 there was only one arena in the City of Winnipeg and there was the Olympic somewhere else in the City of Winnipeg, so actually we had two arenas and a bunch of outdoor rinks. Well I think this is a true statement, but I don't think that he can take responsibility for seeing them built in the City of Winnipeg. No responsibility whatsoever. I recall last year - to show how the Minister of Welfare changes each situation to suit himself - that I put in a resolution suggesting that we provide low cost loans to towns and villages throughout Manitoba to install artificial ice. At the time he said this wasn't necessary and they voted against it. But yet, in another breath, he says last week that all these rinks that we have scattered throughout Greater Winnipeg are providing ice hockey for six months of the year instead of the two and a half. Well this is exactly what I was asking for the rest of Manitoba when you voted against that resolution last year. Yet you say you provide leadership.

I'd like to ask, too, you mentioned the Dutton Arena. What did the Provincial Government contribute to the Dutton Arena? The Dutton Arena was a straight donation. Would you say we had all these facilities - you named them off - St. Boniface Arena -- (Interjection) -- I know you didn't contribute anything. You didn't even offer the leadership and that's what we're trying to tell you. The leadership comes from the government, not from the municipal people. I'm sure that the Minister knows that in every town we have throughout Manitoba we have excellent rinks, and those excellent rinks are there because of the fact that the mayor and everybody else in those communities provided the leadership, but once again they didn't come to the government.

MR. CARROLL: That's where it should come from.

MR. DAWSON: Yes, and that's where it is coming from. That's why we're trying to tell you this resolution has not substance; it's ridiculous. The amendment is an excellent one. We're commending the people that have been doing all the work. I think it's an insult to the community leaders to tell them that they haven't been providing leadership or any direction. But you could provide some leadership, find a way to get these people artificial ice. You said in your remarks that it's absolutely necessary to get 2 1/2 months hockey in most towns. Certainly you said it. You said in the City of Winnipeg they get six months now because of the fact that you had artificial ice rinks, and these are some of the things we feel we'd like to have in the rural areas. We'd like to get six months' ice, but as you know, it's a big undertaking and maybe if the government offered some leadership I think we might be able to get something. I think that the amendment is much more sensible because it places the responsibility where it belongs. It has some substance.

I think another thing too is that the government hasn't paid enough attention to physical fitness and amateur sport in the Province of Manitoba. We spend very little money in comparison to other provinces on physical fitness and education. We have graduates that are from Manitoba that are graduating in North Dakota and other centres, yet they can never find a job in Manitoba. They have to go to Calgary or Vancouver or some other centres, Alberta, B.C., Saskatchewan. Saskatchewan has an excellent plan where they hire their physical education people and they set them up like Ag Reps throughout the province. This is something we should be doing. I know we made a step in the right direction when we placed a man in Brandon, but then that man in Brandon can't look after all of southwestern Manitoba. He needs some help too. So once again it's going to be an office job where he sits in the office and puts out pamphlets. There won't be any actual work derived from this. -- (Interjection) -- I'm not downgrading the particular person, I'm -- (Interjection) -- I hope you do remember because last year I made the suggestion you should get somebody in Brandon, and I'm glad to see you have got somebody in Brandon this year, but he needs . . .

MR. LYON: Now you're downgrading.

MR. DAWSON: Now I'm telling you that he needs some help. Maybe if you had a man sitting in Hamiota, scattered around like this. How can one man handle all of southwestern Manitoba? All he can do is sit in the office and make suggestions. This is what we're trying to tell you. It's for that reason, Mr. Speaker, that I personally think that the main substance of the resolution has no body to it and it means nothing. I think that the amendment as provided and supplied by the member from Selkirk that shows how to provide leadership and take such

(MR. DAWSON cont'd.) . . . . steps that are necessary and essential to co-ordinate and increase our recreation facilities is an excellent one, and I hope it will be supported by all on this side.

MR. WALLY McKENZIE (Roblin): On a question of privilege, would the Honourable Member for Hamiota correct me if I'm wrong. The amendment here mentions with particular attention to built-up areas. He specifically is talking about rural areas. Would he distinguish between one and the other?

MR. DAWSON: If you asked me a question, there was no question there.

MR. McKENZIE: . . . in the amendment that is described as a built-up area, and in your argument you were talking about rural areas. Would you distinguish between the one and the other?

MR. DAWSON: It doesn't exclude any part does it?

MR. McKENZIE: He says particularly in the built-up areas to offer the leadership. Well, isn't my constituency built-up and isn't yours?

MR. DAWSON: No.

MR. McKENZIE: It isn't? Well I recall you saying a couple of months ago that yours — or a couple of weeks ago that yours wasn't, but mine is.

MR. MILLER: Mr. Speaker, this resolution has been kicking around on the Order Paper for some time, and it has been suggested, I think by the Honourable Member for St. James, that this proves how important a resolution it is. All it proves is that for this House to vote on the resolution in its original form is something that would be to the discredit of this House — members of all sides, not just members of the Opposition. Perhaps that's why it's being tossed to the extent that it is, because to pass it as it stood would have been an insult to every person involved at the municipal level, whether through school boards, the community centres or the councils, in anything dealing with recreation.

The amendment proposed by the Honourable Member for Selkirk is an attempt on his part — and that's what he said when he spoke — it was an attempt on his part to bring some reasonableness to this particular resolution. This is the third amendment that has been added. The government has rejected the two others and we now hope that they'll realize that the resolution as it stands simply isn't acceptable and shouldn't be acceptable to them because it's a pious resolution saying nothing.

The Honourable Member for Roblin just asked a question and he said, he asked — the fact that this stresses the built-up areas and what about the poor areas that are not built-up. In other words, the sparse areas of Manitoba. And yet I remember a few weeks ago when he got up and attacked the original amendment I made, and which he said, well this may apply to the Greater Winnipeg area but this wouldn't apply to us; we don't even have any buildings; we don't have schools in which to get together with; so it's of no use to us at all. Well that's his privilege. If it's of no use to him, then he can follow whatever methods he wants to try and get this, but why deny 80 percent of the province when it's no use to him? There are built-up areas, and by built-up it doesn't have to be Metropolitan Winnipeg; there's Thompson, there's Flin Flon, there's Hamiota, there's Boissevain, there's Steinbach, there's many towns — these are built-up areas. And if the Minister of Welfare is going to make the kind of speeches he did last week, well he covered the countryside. He really covered it. Everything — I don't think there was a town or village that he didn't cover, and he made an excellent defense, he felt, of the position.

I'd like to remind him of some of the things he said. He said: "The development of facilities is not the most important problem in recreation," and he says he's happy on investigation to find that the other people agree with his point of view. Now who the other people is I don't know, but other people. Then he says: "Various meetings of recreation directors, conferences of community club leaders, have confirmed the point of view that there are more important problems than the development of facilities, and possibly the most important being the mobilization of people for executive office, to accept leadership roles within their community clubs in the provision of recreational services. So the most important is not the facility but to find people to take on executive office."

Mr. Speaker, this may apply in some areas. I don't doubt it doesn't. "Executive office, to accept leadership roles within their community clubs in the provision of recreational services."

MR. CARROLL: No, I didn't put the period. . .

**MR. MILLER:** ... "the development of the actual leaders, the people who will co-ordinate and plan services." There it is. These are the people. Mr. Speaker, recreation commissions have been formed in many places in Manitoba. The Minister is correct. I happened to be involved in the very first one formed in Manitoba, and land was set aside and it says: "Henceforth this shall be a play area, and henceforth this shall be a future Community Centre site." And do you know, ten years later this place is still henceforth to be a community centre site and this place is still henceforth to be something else. Nothing much has been done.

And of course we need leadership. Of course we need the trained personnel; and we are trying to get that trained personnel and we have in many cases got them, but unless the trained personnel have facilities in which to work, they're frustrated, and if the Minister honestly believes that in supplying the trained personnel and the professional personnel this will resolve the problem, nonsense! The professional personnel can only perform their function and do their job well if they have the facilities in which to perform their job. Without these facilities, the professional person can only advise and you're not going to get those facilities under existing situations. You can't simply accuse us on this side of the House, as the Minister did, of being financially irresponsible. This is what the Minister said to us in our Party, of being financially irresponsible, and then comes through with a resolution which says, "Let the Municipal Councils worry about this." In other words, let them be financially irresponsible. He doesn't want to be financially irresponsible.

It's absolute nonsense to think for one moment that these facilities are going to grow out of the earth. They're going to have to be built, and they're going to have to be built with dollars, and if the Provincial Government is not prepared to put up some of those dollars, either through direct assistance or through per capita grants or through shared programs or vacating certain fields now, like health education or welfare, to make more dollars available from within the existing tax structure in a municipality, if they're not prepared to do that, then they have no business coming out with resolutions which urge municipal councils to do something, because frankly, reading this, anyone reading it would simply feel, correctly I think, would have a right to feel that this House is criticizing the municipalities because they have failed to give leadership and direction, and Mr. Speaker, this is absolute foolishness and nonsense. They haven't failed at all. This government has failed in two ways. It's failed (1), in giving them leadership; (2), in making the funds available either through direct method or by, as I say, vacating certain fields that are being imposed on the municipalities now, but certainly it is not the municipalities that have failed. If the municipalities have not given the facilities, it is because the municipalities have not been able to find the resources to do so, and this amendment by the member for Selkirk simply says the government shall co-ordinate, or give consideration to the advisability of taking the steps necessary and essential to co-ordinate, to provide and to increase recreational facilities in Manitoba.

And then he says, "with particular attention to built-up areas." And if the members of this side want to amend this further and delete that reference to particular attention to built-up areas, I don't think the member for Selkirk will make an issue out of it. I think he'll gladly go along. So if you're prepared to accept this resolution and amendment with the deletion of the last six words - although the member is not here - I have a hunch, knowing the member, that he'll accept this. If that's the compromise, we're happy. — (Interjection) — He's right behind me. In other words, he's supporting me all the way; that's what he means. So that if we're going to accept what the government says as being sincere, and if their objection that we heard today, this objection to the built-up areas, that's a real stumbling block to them accepting this resolution — (Interjection) — just perish the thought; you won't have to lose a minute's sleep over it - I'm convinced that we'll yield on that point, but if that's not the only objection, if you want to go back to your original resolution which, I was going to say, says nothing, it's not so. It isn't what it says, it's what it implies that's negative - which says through implication that the councils have failed to provide, and I admit they have failed to provide but it doesn't recognize why they have failed to provide.

As a matter of fact, the Honourable Member for St. James brought in a bill this afternoon and, interesting enough, he brought in a bill where his city of St. James requests an amendment in the City Charter, a law permitting them to raise by an extra one mill the levy for libraries, and what he was saying was that the money which is being made available today for libraries in this city wasn't adequate to fill the needs, and this is exactly the situation that the municipalities find themselves in today. The moneys available just aren't there.

(MR. MILLER cont'd.) . . . .

Now if this government is sincere and wants municipal councils to do something, then let them put an Act in the Municipal -- a change in the Municipal Act empowering municipalities to levy one, two, three and maybe four mills if it's required, but you can't do that today. You're limited again, and if you wanted to introduce that, he should have done it through an amendment to the Charter saying, "Let there be an increase in the levy permitted." But he doesn't even have the decency to do it that way. Instead, he comes in, as I say, with the highest kind of gobbledygook and the Minister of Welfare supports him in his contention and attacks us on this side for being irresponsible, for not really recognizing the true state of affairs of Manitoba.

Now he knows the true state of affairs and I know them, and there are many commissions and there are many professional people now that there weren't before, and there are leadership conferences - there's one in Gimli in a couple of weeks, I believe, or very shortly. Sure, all these things are going on, but unless you have the facilities in which to carry out the programs they're not going to amount to a row of beans. They're going to be at best limping along as they have been for the last three years, because these are not new programs that the Minister of Welfare has mentioned. Some of these started three, four, five and six years ago, and today we're still in trouble, and if things are all that rosy, today we should really be moving along.

Well, we're not. We have the machinery. We have the commissions set up. We have the programs through the Physical Fitness Branch set up. We've got everything except to go, except we've got nowhere in which to go. The so-called recreational facilities consist of mud holes in many instances, where the municipality hasn't got the resources to put in the sewer and the water for drainage. It hasn't got the money to build the community centre buildings that are required. It hasn't got the facilities to put up the soccer fields and these baseball diamonds and a dozen and one other facilities that go into these areas. It just hasn't got this kind of money. And to urge the municipalities to do something about it is just to demand the impossible, but worse still, it demands the impossible of people who have consistently tried to do something, because if there's any recreation in Manitoba, any credit for it certainly is to the municipal people and to the school board people, because this province until just a very few years ago did nothing in that field, so if we have anything at all today it's to the credit of the municipalities, but it has come to the point where you cannot go any longer on this method. We've either got to take off from this point or we're going to grind to a halt, and this sort of resolution isn't going to help one bit. It's simply going to, as far as I'm concerned, make municipal councils throw up their hands in despair, because if they think, really if they feel that all that they've done today is looked on by this Legislature as being of no consequence, and that now after all these years of efforts they've got to be prodded to do something, then frankly they may just as well give up the ghost because they're fighting a losing battle if they can't get across to this government.

So I would urge all members of this House to approve of this resolution - the amendment, rather, to the resolution - and if the government side wishes to amend it by deleting the last six or seven words, they're welcome to it, but certainly to vote against the amendment and to just dig in its heels arbitrarily and say, "We'll vote on the original resolution and nothing else." I don't think will achieve anything in Manitoba and certainly won't give us any more recreational facilities.

MR. SPEAKER: The Honourable Minister of Mines and Natural Resources.

MR. DONALD W. CRAIK (Minister of Mines and Natural Resources) (St. Vital): Mr. Speaker, I'd like to say just a few words on this resolution, or on the amendment to the resolution. I rise particularly because I don't agree entirely with what the Honourable Member for Seven Oaks has had to say, although I do agree in part with some of the remarks which he has made here.

Two or three points I'd like to make. First of all, I think that in our community in general there has been and will continue to be natural forces that drive us towards centralization control of many of the things that have always inherently been a part of community life. I think probably the best example of this is our education system now which has reached a point of centralization, where we know that it's a practical fact that curriculum, financing, etc. must come more and more from the central sources, and more and more the actual control of education in the community moves away from the hands of the local community. I think

(MR. CRAIK cont'd.) . . . . probably that these - I'm not saying that this is a bad thing; I think to keep local interest is always extremely desirable - I think in a case like education probably it's a practical fact that in the modern world that it's not only more efficient to do it centrally but we just as a practical fact have to do it.

When we come to the area of recreation I think we should take considerable care before the communities actually do move too far in this direction. I think that there is good reason to try and ensure that the initiative for recreation stays in the local community itself. I think it would be the easiest thing in the world, and in fact it might well fall within the philosophy of the New Democratic Party, to centralize something like this and run it from the top down, although I don't think the Honourable Member from Seven Oaks was calling for this. I think that the more money you're going to put into it from provincial sources, etc., is inevitably going to lead to this with a dwindling of local responsibility.

No doubt there are many things that we want in the communities which we do not have. I'm sure that many people will cry loudly and longly and at great length for them, including myself and many neighbours, but we're also a little reluctant to go so far as to say that we need a central authority to guide the recreational facilities of the community.

Now, to come back to the Member from St. James' thoughts on this, I don't think that there's anything very pious about his resolution. I think the Honourable Member from Seven Oaks knows that facilities that now exist in the community are not, in all cases, used to their maximum utilization. I think in fact that it might be a good idea if, as a first step towards this, we might give consideration to members of community club executives or boards to actually be placed in some sort of ex-officio position on school boards to make sure that we get the liaison that's necessary in that one very simple case of the inter-relationship between community clubs and school boards, and school boards with their facilities. And I'm sure that any of you who have been on community club boards or school boards or councils, which probably a great many of us have been, know that even in a small community that you can actually get some sort of container set up around each of these bodies where you do not get communication between them, and I think that the resolution which the Member from St. James has moved here is not an insult to the councils to ask them to look into this. It is simply reminding them that recreation and facilities for it are still desirably a local responsibility to make sure that they have co-ordinated what they have in the way of auditoriums and outdoor facilities, to first of all do the best with what they have to make sure the community is getting the most from it.

And with those few words, Mr. Speaker, which I would be the first to admit are not very profound, I would like to say that I think the original motion has some merit, the second motion might be given consideration, but I don't think at this point I would be prepared to support it.

MR. CHERNIACK: I wonder if the Minister would permit a question, Mr. Speaker. What positive results would follow the passing of this original motion? What specific things will happen once this original motion is passed?

MR. CRAIK: Well I can't predict what the results are going to be. I think the aims and desires of the member's resolution are adequate, that is, to forcefully remind the local governments of their responsibility in this area.

MR. CHERNIACK: May I ask the Minister a second question? Have you considered writing them a letter?

MR. SPEAKER: The Honourable Member for Seven Oaks.

MR. MILLER: Mr. Speaker, I wonder if the member would permit a question. In view of what he said, and his recognition of the problem, I wonder why he voted against an amendment which calls for the joint development and utilization of facilities by school boards and councils acting jointly.

MR. DOW: Mr. Speaker, as this debate proceeds, it seems to be getting more confusing in regards to certain arguments put up, and particularly the last speaker, the Minister of Mines and Resources. If he will take a good look at the unitary divisions in Manitoba - I know this doesn't apply in the larger centers in Winnipeg - but most of the divisions are comprised of possibly 12 to 15 municipalities, towns and villages. And if he's had any experience at all he will realize how impossible it is to get a union of these various municipalities to build a permanent capital outlay and put it on a Division Board ground. It's one of the things that there's nowhere in the provisions of the Acts to do these kinds of things, and I'm in agreement with the Member from Seven Oaks that if it hadn't been for municipal councils throughout

(MR. DOW cont'd.) . . . . Manitoba in the past 25 years, we would have not had any recreational facilities. It certainly wasn't provided by the educational system and it certainly wasn't provided other than through municipal councils. If the government, as such, was desirous of giving the educational or recreational facilities through their department, they could give leadership and all of this could be done much better than it is now. But we have outside of the Metropolitan area, most of the municipal councils there have taken the leadership and have built the recreational facilities up. Every one of us that has lived in these communities know this, and I say that in voting for the main motion you're going to condemn the municipal men, and there is nothing wrong with the fact that you request this government to give leadership in the building up of recreation facilities in Manitoba.

MR. SPEAKER put the question on the amendment to the main motion, and after a voice vote declared the motion lost.

MR. HILLHOUSE: Ayes and Nays, Mr. Speaker.

MR. SPEAKER: Call in the members. For the benefit of the honourable members who were not present during the discussion when the vote was called, we're dealing with the amendment to the main motion of the adjourned debate by the Honourable Member for St. James.

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

YEAS: Messrs. Campbell, Cherniack, Clement, Dawson, Desjardins, Dow, Doern, Fox, Guttormson, Hanuschak, Harris, Hillhouse, Miller, Molgat, Patrick, Paulley, Petersson, Tanchak, Uskiw and Vielfaure.

NAYS: Messrs. Baizley, Bjornson, Carroll, Cowan, Craik, Einarson, Enns, Evans, Hamilton, Johnson, Klyn, Lissaman, Lyon, McKellar, McKenzie, McLean, Masniuk, Roblin, Shewman, Spivak, Stanes, Steen, Watt, Weir, Witney, and Mesdames Forbesand Morrison.

MR. CLERK: Yeas 20; Nays 27.

MR. SPEAKER: I declare the amendment lost. Are you ready for the question on the main motion?

MR. PETER FOX (Kildonan): Mr. Speaker, I beg to move, seconded by the Honourable Member for Burrows, that debate be adjourned.

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

MR. SPEAKER: The adjourned debate on the proposed resolution of the Honourable Member for Inkster, and the proposed motion of the Honourable Leader of the Opposition in amendment thereto. The Honourable Member for St. Boniface.

MR. DESJARDINS: Mr. Speaker, I have an amendment, a sub-amendment that I would like to bring, and I think it might be easier to speak on this if I was to introduce the amendment and then speak after the amendment has been introduced. So if this is in order, I would like to move, seconded by the Honourable Member from Selkirk, that the motion be further amended by adding at the end thereof the following words: "And Be It Further Resolved that in the process of amalgamation, specific provision be made in keeping with the principles of Canadian unity, for the protection of the historic, cultural and linguistic nature of St. Boniface."

MR. LYON: There is a point here. I wanted to make sure we hear my honourable friend but I'm wondering if the motion is put, technically whether he can then come back and speak, because I'm sure we'd want to hear him.

A MEMBER: En Anglais, s'il vous plait.

MR. SPEAKER: Order please. The advice I received suggests that if I put this to the House on behalf of the honourable member in that he has read it, that constitutes his speech. However, I . . .

MR. DESJARDINS: I wouldn't want to disappoint the Attorney-General — Oh, I'm sorry.

MR. SPEAKER: I understand that . . .

MR. CAMPBELL: Mr. Speaker, on the point of order, does our rule not distinctly say that a motion shall be put by the Chair before being spoken on?

MR. SPEAKER: Well it seems to me that when in doubt, I will pause and reflect. So I will take this matter under advisement.

MR. LYON: . . . suggesting that he withdraw his amendment, make his speech, and then put his amendment in, in the regular fashion. He can tell us what it is in the course of his speech, and we'd be happy to hear it. But we do want to hear him.

MR. DESJARDINS: As you know, Mr. Speaker, I'm always ready to play ball with my friend the Attorney-General. I'd be quite willing to any way that you decide as long as I don't disappoint my friend and have a chance to speak. That's the . . .

MR. SPEAKER: Is it the wish of the honourable member to withdraw this for the time being and make his speech? It seems to me that the ... of this morning ...

MR. DESJARDINS: With permission of my seconder, yes.

MR. SPEAKER: ... to have sort of overflowed. I don't seem to have the control we had this afternoon. The Honourable Member for St. Boniface.

MR. DESJARDINS: Mr. Speaker, I wish to say that I am completely in accord, first of all, with the motion. I think that — mind you, I would have much preferred if it was possible to go back to the cities the way we had the cities before Metro. I think I prophesied this in 1960 when the Metro form of government was introduced. I felt that this was not right; that we would have an awful lot of trouble; and I think that in fact Metro caused us an awful lot more trouble than I even thought was possible. So I think that in view of the fact that we've had Metro, it wouldn't be realistic now to go back to the past. I think there's only one thing that we can do, is go for total amalgamation. It's something controversial. There's certain things that probably might be better with different cities and so on, and I would be ready to listen to a different proposition but sometimes we must make a — we can't stay on the fence forever, and sometimes we must take steps and take our responsibility and I'm ready to say to go along with this question of total amalgamation. I might say that I also — and I don't agree with the members of the New Democratic Party, that it makes it difficult agreeing with something and then say, "Go to the people."

MR. PAULLEY: Mr. Speaker, on a point of privilege. The Honourable Member for Inkster when he introduced this resolution clearly pointed out that this was not New Democratic Party policy, and I would like my honourable friend from St. Boniface to respect that point.

MR. DESJARDINS: Mr. Speaker, I wasn't speaking on the speech, the person that introduced this. I was saying that I think that one of the spokesmen of the New Democratic Party if it's not everybody, in his speech I think I heard him say that it was a little difficult now to see the motion and the amendment because the motion was saying we're for something and the amendment said, "Let's go to the people." And this is the point I'm trying to make. — (Interjection) — No, well all right. The Honourable Member for St. John's then, if this correction can be made.

Now I don't agree with this, Mr. Speaker. I think that you can be in favour of something and I think that you can ask the people in an area what they think and what — get their opinion, especially on an important thing like this where it will be bringing up a different form of government, and I think that if this had been done at the time that Metro was introduced, we would certainly have way less trouble now and I think the Honourable Member from St. John's would be the first one to admit this. We brought in, the then Leader of our Party brought in a resolution in committee asking for a referendum, and the members of this Party supported this and the other members of the House voted against it, and we know the trouble that Metro gave us. So this is one of the reasons.

Now there's a different kind of referendum. Last year we had a referendum — this was brought in — we had a referendum on these larger school divisions. Well this was a little different. I wasn't in favour of a referendum then, because the government clearly wanted to put something — to change this, and they were bringing certain grants for only those, those only that would vote in favour of the referendum, and I don't think this is quite right. This is, call it a bribe; call it a promise; call it inducing; call it everything you want. This is not the same thing at all. This is, the people cannot vote and say, "Well this is better for me," or "This is not as good," when you've got the threat of having nothing at all. This is something of this Medicare, the famous Medicare program that we're having. I mean, this is saying, "You're going to have this only if you do it my way. No other way." So I didn't go along for the referendum then but I certainly do on this. This, we're asking the people, we're suggesting that we bring a new form of government, that we do away with the Metropolitan form of government as we have it now, and that there wouldn't be any more municipal councils; there would be one total amalgamation, one city, and I think this is important enough that we should certainly go to the people on this. And for another reason, which is very important.

I think that probably the people of Greater Winnipeg might have been more anxious, let's say, to co-operate with the Metro form of government if they would have had a chance to say, to study it and say, "Well, what do you think of this?" And I think this is important. We might be convinced, and maybe the House will approve this question of total amalgamation, but there's nothing wrong in going to the people and giving them a chance to decide which way they

(MR. DESJARDINS cont'd.) . . . . want to be governed. In a democratic form of government this is the way to do it. Now some members will say, "Well all right. In the democratic form of government you elect your representatives and they're there to represent you and they're there to act on your behalf and they're supposed to have the judgment. And I'll buy this also, but I would like to say that on this matter of referendum I think that you have to study them. The one of last year when there's a grant for those that voted in favour of something, inducing them to vote, an extra bonus, I don't go along with that at all. But on a question like this I think it's a little different. It'll be a chance to sell it; it will educate the people; and I think this referendum of last year certainly did that at least. It educated the people on this question of these larger units, and I think that probably they had to go at it a couple of times, but I think that people understand a little better now.

So I can't see any conflict between the original motion and the amendment. I think that we should go ahead with the question of total amalgamation. I think that we can sell it. After all, all this is asking is that we agree on a principle. There's an awful lot more work to do. So I think that I can readily say, "All right, I'll buy this. I'll go for this principle." It's a difficult thing to do because there's a lot of other factors. I might sooner — I might say, well all right, give the people a chance of three cities or four cities, but this might be too complicated. I'm ready to try to sell this business of total amalgamation, but I'm also -- I think that I certainly will agree with the amendment that we have in front of us now, suggesting that we go to the people of Greater Winnipeg area and let them have a voice in this also.

Mr. Speaker, I wonder if you would consider calling it 5:30 now because I'd be just repeating myself when I come in the amendment.

MR. SPEAKER: Agreed? (Agreed)

MR. LYON: Mr. Speaker, I beg to move, seconded by the Honourable Provincial Treasurer, that the House do now adjourn.

MR. SPEAKER presented the motion and after a voice vote declared the motion carried, and the House adjourned until 2:30 Monday afternoon.