

THE LEGISLATIVE ASSEMBLY OF MANITOBA  
2:30 o'clock, Monday, October 6, 1969

Opening Prayer by Mr. Speaker.

MR. SPEAKER: Presenting Petitions; Reading and Receiving Petitions; Presenting Reports by Standing and Special Committees; Notices of Motion; Introduction of Bills; Orders of the Day.

HON. RUSSELL PAULLEY (Minister of Labour) (Transcona): Mr. Speaker, I wonder if I may, before the Orders of the Day, indicate to the House that it would be the intention of the government to call the committee on denturists tomorrow morning at 9:00 o'clock. As you know, at this stage in the game, Mr. Speaker, sometimes Votes and Proceedings are of such a nature that they're behind, and I thought I'd use this opportunity of requesting that this Committee meet tomorrow morning at 9:00 o'clock, ostensibly for the purpose of selecting a Chairman, and also to receive copies of the report that was tabled in the House some time ago as a result of the special committee on denturists at that particular time. So, in the absence of Votes and Proceedings being up to us, I thought that it would only be proper on my part to make this suggestion at this time.

MR. SPEAKER: This morning I had taken a matter under advisement. I've had the opportunity to peruse Hansard and I would wish to dispose of it now before we proceed with the business of the House.

Before Orders of the Day were proceeded with at this morning's 9:30 a. m. sitting, the Honourable Member for St. Vital stated, and I quote: "I would like to direct not so much a question to the Minister of Transportation, because I do not want to elaborate on something that happened over the weekend, but to the Minister of Transportation: "When, Sir, in heaven's name is something going to be done." At this point there was an interjection by several honourable members suggesting that the question lacked clarity. The Honourable Member for St. Vital then proceeded to clarify his question. "My apologies, Mr. Speaker, I was under the impression the Minister was aware of what happened on, again, the Perimeter Highway because I did not want to introduce that into this Assembly for the purpose of having something done."

I must admit that had I been called upon to rule upon the question, or had I chosen to rule upon it, I may have ruled it out of order for lack of clarity. But, by rising to reply, the Honourable Minister of Transportation demonstrated an appreciation of the question and hence I refrained from interfering. May I remind the honourable members that the accepted rule in our House and those to which we look for example and precedent, is that in putting a question the member must confine himself to the narrowest limits, and that in making a question, observations which might lead to debate cannot be regarded as coming within the proper limits of a question.

There is also a rule governing Ministers' replies, Citation 181, subsection (1) of Beauschesne's Rules and Forms, Fourth Edition 1958, which reads as follows: "Questions must be answered briefly and distinctly and be limited to the necessary explanations, though a certain latitude is permitted to Ministers of the Crown whenever they find it necessary to extend their remarks with a view of clearly explaining the matter in question."

In the debate that followed, a suggestion was made that there was provocation in the question. If there was any provocation, then it was in the statement of the Honourable Member for St. Vital, and I quote that portion of it: "When, Sir, in heaven's name is something going to be done?" And the provocation may have been in the sense that because of the broad implication of the statement it may have invited comment on many matters touching upon the Honourable Minister's department. But in my humble opinion it cannot be regarded as one having provoked the Honourable Minister to utter the statement, and I quote: "They're responsible for deaths on that intersection."

It's neither novel nor profound to say that differences in philosophy and policy do exist between political parties, this is precisely what our system of politics and government is all about, but surely honourable members will agree that the conduct of this House should be such to resolve these differences without resorting to offensive speeches.

Beauschesne in Citation 140, subsection (1), quotes Cushing's Law and Practice of Legislative Assemblies in the following words, and I quote: "The rule relating to personal reflections occurring in debate may be stated thus; namely, that it is doubly disorderly for any member in speaking to digress from the question before the House and to attach any other member by means of opprobrious language applied to his person and character or to his conduct,

(MR. SPEAKER cont'd.) . . . . either in general or in some particular occasion, intending to bring him into ridicule, contempt or hatred with his fellow members or to create ill-blood in the House."

The Honourable Minister's statement: "But if you want to point fingers or lay any blame, point at the other end, they're responsible for deaths on that intersection", was in my opinion digressing from the question. I do not interpret the question as one pointing an accusing finger at anyone. If it did have a flavour, other than one of seeking information, then it was merely concern, anxiety and impatience.

Furthermore, may I remind the Honourable Minister that it was an improper charge to make by a Minister of the Crown, even though in the opinion of the Minister more adequate safety measures at the location complained of could be taken. But I could find neither a report accepted by this House, nor a judgment of a court of law, holding any government of this province liable for any accident occurring at this intersection.

It has become evident to me that it is necessary for all, the government, opposition and the Speaker, to exercise greater control during the question and answer period to preserve the orderly flow of business. To this end I urge the honourable members co-operation.

With respect to the Honourable Minister's statement, "But if you want to point fingers or lay any blame, point at the other end, they're responsible for deaths in that intersection", I rule that the Honourable Minister retract it, and I hope to receive this co-operation.

HON. JOSEPH P. BOROWSKI (Minister of Transportation) (Thompson): Mr. Speaker, since that is your ruling I'm not going to argue with you, and if you suggest I retract it, I'll retract it.

#### ORAL QUESTION PERIOD

MR. SPEAKER: The Honourable Member for Arthur.

MR. J. DOUGLAS WATT (Arthur): Mr. Speaker, in the absence of the First Minister, I direct a question to the Honourable the Minister of Agriculture. My question is, what positive action has the government taken in making direct representation to the Federal Government on behalf of the grain farmers of Manitoba respecting the present grain shipping crisis at Vancouver?

HON. SAMUEL USKIW (Minister of Agriculture) (Lac du Bonnet): Mr. Speaker, I don't know whether or not anyone, other than my department, has made any representation. I gather that they haven't, and the matter is under consideration at the moment.

MR. WATT: A supplementary question, Mr. Speaker.

MR. SPEAKER: The Honourable Minister of Finance.

HON. SAUL CHERNIACK, Q.C. (Minister of Finance) (St. John's): In answer to that, Mr. Speaker, at the Prairie Economic Council meeting a letter was signed by all three Premiers appealing to the government, to the Federal Government, to look into the matter and to take action.

MR. SPEAKER: The Honourable Member for Arthur.

MR. WATT: Since the Premier of Saskatchewan has on his own behalf made direct representation, I ask again, is it the intention of the government to make such representation?

MR. SPEAKER: The Honourable Member for Lakeside. -- (Interjection) -- The Honourable Member for Pembina.

MR. GEORGE HENDERSON (Pembina): Mr. Speaker, I'd like to ask the Minister of Agriculture a question. Is there going to be a meeting of the Committee on Agriculture this session?

MR. USKIW: That will be decided in due course, Mr. Speaker.

MR. SPEAKER: The Honourable Member for Fort Garry.

MR. BUD SHERMAN (Fort Garry): Mr. Speaker, I'd like to direct a question to the Acting Premier and ask him whether it's true that pressure of business will make it impossible for the First Minister to lead that business delegation to North and South Dakota this week, and if so, will the delegation still go and who will lead it?

MR. CHERNIACK: Mr. Speaker, firstly, I don't think I'm the Acting Premier when the Premier is in the province, which he is. Secondly, my impression is that the pressure of business referred to by the Honourable Member for Fort Garry is the need for the First Minister to be in the House and in the building, and I am under the impression that if a pair were available then he might be able to get away, but I'm not sure.

(MR. CHERNIACK cont'd.)

I'm sure that the Premier is most concerned about whether or not he can honour that undertaking, and I expect when he returns tonight we'll know better what the situation is.

MR. SPEAKER: The Honourable Member for Lakeside.

MR. HARRY ENNS (Lakeside): Thank you, Mr. Speaker. A question directed to the Minister of Agriculture. The other day I asked this question and ran into the probability of laying an egg; I ask it more seriously at this time. Has the Minister had an opportunity to study the university report with respect to the microwave studies that have been carried out and can he assure, or give some form of assurance to Manitoba farmers, who by today's paper are being told that these reports or these studies still leave a great room for question as to the safety that's involved.

MR. USKIW: Mr. Speaker, I have gone through the report, and if the report is accurate, and assuming that all the facilities that were necessary to make a very definite report on the subject matter, if all the facilities were used or were brought into use, I would say that perhaps the report is accurate. There has been some question some time ago as to whether or not the university had the kind of machinery to undertake that kind of study and I don't know that there has been any new machinery brought in. To the extent that they have used their maximum resources, I accept the report, but I don't know whether that in itself is conclusive.

MR. ENNS: A supplementary question then, Mr. Speaker, if I may. Would the Minister undertake to clarify this point for the farmers of Manitoba. We have the President of the Farmers Union stating dissatisfaction with the report. Is the Minister prepared to indicate that there is a concern here or that there isn't?

MR. USKIW: There is always a concern, Mr. Speaker.

MR. SPEAKER: The Honourable the House Leader of the Liberal Party.

MR. GORDON E. JOHNSTON (Leader of the Liberal Party) (Portage la Prairie): Mr. Speaker, I'd like to direct a question to the Minister of Education. Is it the intention of the government to institute a sliding scale on university fees, that is increase fees for some and decrease them for others?

HON. SAUL A. MILLER (Minister of Youth and Education) (Seven Oaks): No policy has yet been determined in that regard.

MR. SPEAKER: The Honourable Member for Arthur.

MR. WATT: Mr. Speaker, I think I have a credit of one further question to the Minister of Agriculture. Would the Minister tell us if it is the intention of the government not to make direct representation to the Federal Government in regard to the Vancouver crisis?

MR. USKIW: Mr. Speaker, it was my intention, and still is, that we will be making representation to the Federal Government on a number of things.

MR. SPEAKER: The Honourable Member for Roblin.

MR. J. WALLY MCKENZIE (Roblin): A supplementary question. Will the Minister of Agriculture personally make representation on behalf of the farmers of Manitoba?

MR. USKIW: Mr. Speaker, I can only answer that in saying that I have always made representation on behalf of the farmers of Manitoba, even when I was over on the opposite side of the House.

MR. SPEAKER: The Honourable Member for Gladstone.

MR. J.R. FERGUSON (Gladstone): I'd like to direct my question to the Minister of Transportation. Due to several enquiries in my constituency last weekend, I would like to ask, are motor vehicle licenses going to cost more next year?

MR. CHERNIACK: Mr. Speaker, it's obviously a question of government policy.

MR. SPEAKER: The Honourable Member for Lakeside.

MR. ENNS: Mr. Speaker, in the absence of the First Minister in his capacity as Minister of Industry and Commerce, I direct the question to the Minister of Mines and Natural Resources. I note in the paper today a call of tender issued by D.R. Corney, President of the Freshwater Fish Marketing Board, which calls for the success for tendering, that is the . . .

MR. SPEAKER: Has the honourable member a question?

MR. ENNS: Yes, I will arrive at it. It takes me a little bit of time, Mr. Speaker, I've had a difficult weekend. "The successful bidder will be required to purchase, pack and arrange transportation of fish." My question being, would he undertake to intercede to have the word "process", or at least have our industry be given an opportunity to process these fish in Manitoba. It's this kind of thing of course that has been our concern on this side.

HON. LEONARD S. EVANS (Minister of Mines and Natural Resources) (Brandon East): Mr. Speaker, I will look into this matter.

MR. SPEAKER: The Honourable Member for River Heights.

MR. SIDNEY SPIVAK, Q.C. (River Heights): Mr. Speaker, my question is for the Minister of Finance. I wonder if he could inform the House whether, as a result of the delay in flooding South Indian Lake and the delay of the government in a decision, whether it will mean that there will be less capital borrowing required by Hydro during this fiscal year?

MR. CHERNIACK: Mr. Speaker, the government's decision was made; there's no delay in the decision. I was informed that there should be a difference of some \$17 million less required at this time.

MR. SPIVAK: A supplementary question. I wonder if he could indicate then the amount of borrowing that is expected this fiscal year.

MR. CHERNIACK: Not precisely, Mr. Speaker. As I recall it -- (Interjection) -- It's been suggested to me that it's the amount less \$17 million that will now be required. But it will be in the neighbourhood of \$100 million within the foreseeable future, and I don't want to say this year - I don't mean this calendar year, nor indeed need it be this fiscal year. The government is not under pressure for temporary or short-term financing, and it's really a question of how the general market is, and the honourable member probably knows that the market is rather difficult right now.

MR. SPIVAK: A supplementary question then, Mr. Speaker. I wonder if the Minister of Finance would indicate approximately - and I realize this is a guesstimate based on the market - what would be likely to be borrowed by Hydro during this fiscal year, if he could get that information and give it to the House.

MR. CHERNIACK: Mr. Speaker, I'm satisfied that the answer I have given is unclear to the Member for Lakeside, who had a difficult weekend. But rather than try to remember, I will attempt to ascertain more precise information for the Honourable Member from River Heights.

MR. SPEAKER: The Honourable Member for Riel.

MR. DONALD W. CRAIK (Riel): Mr. Speaker, before the Orders of the Day, I wanted to direct a question to the Minister of Mines and Resources. Can he indicate any details with respect to the group of consultants, Crippen and Associates, that are doing the study on the Lake Winnipeg control. First of all, is it being done for the government or for Hydro; and secondly, the deadline date for its presentation.

MR. EVANS: Mr. Speaker, the study referred to by the Honourable Member is being conducted directly for the Water Control Branch in my department for the government; and secondly, it's hoped that the report will be in its final stages by the middle of January. It's hoped that it will be completed by January 15th.

MR. CRAIK: A subsequent question, and thank you, Sir. The other question was, there was reference to the liaison committee that was being established of government personnel, Hydro, etc. Can he indicate at this time the names of the people on the liaison committee?

MR. EVANS: Mr. Speaker, I don't know how pertinent it is to know exactly who is on a committee. I'd have to check my files, but I can assure the honourable member that the committee includes key personnel, senior officials from Hydro and from my own department. For instance, from my own department I can indicate the Deputy Minister of Mines and Natural Resources and also the Director of the Water Control Branch. There are others as well. If he wants more detail I can give it to him, but I can assure him that it is senior people involved.

MR. SPEAKER: The Honourable Member for Charleswood.

MR. ARTHUR MOUG (Charleswood): Mr. Speaker, I'd like to address a question to the Honourable Minister of Labour. Has the government taken any steps to curb alleged bombings and threats to employees of the Bell Foundry?

MR. PAULLEY: Certainly not, Mr. Speaker. It's not within my jurisdiction, it is within the jurisdiction of the law enforcing agencies of the Province of Manitoba, in this instance I believe St. James.

MR. MOUG: A subsequent question, Mr. Speaker. Has the Attorney-General's Department taken any action?

HON. AL. MACKLING (Attorney-General) (St. James): No, no action has been requested.

MR. SPEAKER: The Honourable Member for Rhineland.

MR. JACOB M. FROESE (Rhineland): Mr. Speaker, I would like to ask a question of the Honourable Minister of Education. Is the government prepared to make representation to the universities in Manitoba in connection with having more Canadians appointed to the university posts that are being filled from time to time. According to Time magazine, in the year 1968-69, academic year, 25 percent of the posts that were filled were Candians, the rest were Americans. Certainly I think this should be looked into.

MR. SPEAKER: The Honourable Minister of Education.

MR. MILLER: I think the honourable member should welcome as many immigrants into Manitoba as possible. However, in seriousness, the Department of Education does not tell the university whom to hire and does not interfere in the hiring at the university.

MR. SPEAKER: Has the honourable member a question?

MR. FROESE: Mr. Speaker, a supplementary question. I fully realize that they are not making the appointments, but certainly I think the government could make -- will the government make representation to the university?

MR. MILLER: Mr. Speaker, I don't think that can be answered in the affirmative or the negative. This is a matter which I am sure the honourable member realizes is of general concern to the community. The university is aware of the problem and they'll no doubt take the necessary action if they see fit.

MR. SPEAKER: The Honourable Minister of Cultural Affairs.

HON. PHILIP PETURSSON (Minister of Cultural Affairs) (Wellington): Mr. Speaker, I wish to rise to my feet to make a very brief announcement. Last Saturday I attended a meeting of the regional, or area meeting of the Centennial Committee in Portage la Prairie, and while there a member of the Chamber of Commerce of MacGregor, Manitoba, was in attendance and explained that MacGregor has a tartan of its own which is properly registered with proper authorities in Scotland, and he presented me with this necktie which represents that same tartan. It is made in Edinburgh and made in Scotland and I wear it proudly. At the same time, being aware that the Member for Rupertsland has no objection to neckties, as such, and would be glad to wear one presented by the Chamber of Commerce in MacGregor, they asked me to bring another necktie and present it to him, which I do so with great pleasure.

MR. JEAN ALLARD (Rupertsland): Mr. Speaker, if I may, I would like to take the occasion to thank the people of MacGregor and the Minister of Cultural Affairs, and to state that I have no objections to neckties as such, and that my conflict is with the House in its desire to impose, as it were, modes of dress upon me.

MR. SPEAKER: The Honourable Member for Lakeside.

MR. ENNS: Mr. Speaker, if I can follow up on the subject of tartans, I direct a question to the Minister of Finance. Can he indicate to the House -- he will recall that special legislation was passed last year to facilitate Tartan Brewery coming to Manitoba. Has he, or would he accept the question as notice, are there any announcements in the making of this decision on the part of Tartan Breweries to locate in Manitoba? Is it happening?

MR. CHERNIACK: Mr. Speaker, I'm under the definite impression that this is still a matter that is being discussed and considered, and I will not accept it as notice because it may be that this is not the tactically right time to discuss it. But I'll draw it to the attention of the Honourable the Minister of Industry and Commerce, and certainly if he feels the occasion is warranted he will make a statement in reference to it.

MR. SPEAKER: The Honourable Member for Lakeside.

MR. ENNS: A supplementary question. The reason for the question is the suggestion that he is moving to St. John's, and I would ask if the Minister would further undertake, in passing along this question to the Minister of Industry and Commerce, to advise him of the possibility that Tartan Breweries is moving to Newfoundland instead of Manitoba.

MR. CHERNIACK: Mr. Speaker, I would normally welcome very much anybody who moves to St. John's constituency. I know that the Honourable the Minister of Mines and Resources is in communication with the gentlemen concerned.

MR. SPEAKER: The Honourable Member for Riel.

MR. CRAIK: Mr. Speaker, before the Orders of the Day, a question to the Minister of Youth and Education. The Minister is reported, and is quoted as having made a statement that the University of Manitoba Board of Governors is composed "of too narrow a base of society." Would he care to indicate what he means by the statement and how he intends to rectify it?

MR. MILLER: Mr. Speaker, it's a personal opinion on my part. I made a statement, I can rectify it when appointments are made in the future. I think the member at that time will

(MR. MILLER cont'd.) . . . . learn how I intend to change the situation.

MR. SPEAKER: The Honourable House Leader of the Liberal Party.

MR. G. JOHNSTON: Mr. Speaker, a question for the Honourable Minister of Youth and Education. I'm informed that he is aware that the school bus which carries school children between Pointe du Bois and Pine Falls did not run today because of adverse road conditions on Highway 313. Could he inform the House what he is doing to correct this situation?

MR. MILLER: I was informed about the matter just before the lunch break. This matter is being discussed with the Department of Transportation, and hopefully a solution will be found very shortly.

MR. SPEAKER: The Honourable Minister of Health and Social Services.

HON. SIDNEY GREEN (Minister of Health and Social Services)(Inkster): Mr. Speaker, the other day I was asked by the Honourable the Leader of the Liberal Party concerning the granting of a licence in the Rural Municipality of Portage la Prairie with reference to feedlots, I believe it was. My information, Mr. Speaker, is that no licence has been granted by the Clean Environment Commission. A licence has been requested and there has also been a protest to the granting of a licence, and no licence will be granted without a hearing. I take it that the member may have been referring to permission being granted under zoning laws, but no licence under the Clean Environment Act has been granted.

MR. SPEAKER: The Honourable Member for Churchill.

MR. GORDON W. BEARD (Churchill): Mr. Speaker, with the constant threat of snow, I just wonder whether there is any consideration being given to the licensing of snow toboggans and how they're going to deal with this, particularly, as far as I'm concerned, north of 53 this year?

MR. BOROWSKI: Mr. Speaker, they're being considered and possibly by the next session we may bring in legislation licensing skidoos.

MR. SPEAKER: The Honourable Member for Birtle-Russell.

MR. HARRY E. GRAHAM (Birtle-Russell): Mr. Speaker, I would like to address this question to the Minister of Transportation. Would the Minister give consideration to the issuance of new licence plates for our centennial year next year?

MR. SPEAKER: The Honourable Member for Riel.

MR. CRAIK: Mr. Speaker, a question to the Minister of Youth and Education. The St. Vital School Board finds itself with \$160,000 bank overdraft as the result of the Minister of Transportation's freeze on property in the inner beltway. Can he give any indication whether

. . . . MR. CHERNIACK: Mr. Speaker, I object to that question. I don't believe that it's a proper one, it's argumentative and I don't think that it should be put in that way.

MR. SPEAKER: Can the honourable member rephrase his question?

MR. CRAIK: Yes. Can the government indicate when some firm decision might be made with respect to the inner beltway, and particularly with respect to the purchase of public property?

MR. CHERNIACK: Mr. Speaker, it was only two or three days ago that I stated that the Cabinet was intending to consider this as soon as it had time so to do, and it is most anxious to go ahead with its consideration.

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

MR. EVANS: Mr. Speaker, some time ago the Honourable Member for Lakeside asked if the Canada Water Act would lead to any significant changes in the PFRA agreement between Manitoba and Canada. My understanding at that time has been confirmed, and that is that no changes will be brought about as a consequence of the passing of the Canada Water Act, although I do understand that the Federal Government is contemplating some changes in the PFRA agreement. The new Water Act is not intended to replace programs in other departments such as the PFRA program in the Department of Regional Economic Expansion.

MR. SPEAKER: The Honourable Member for River Heights.

MR. SPIVAK: Mr. Speaker, my question is for the Honourable Minister of Transportation. Will the Manitoba Transportation Commission be called into session this month?

A MEMBER: But answer there came not.

ORDERS OF THE DAY - GOVERNMENT BILLS

BILLS NOS. 10, 20 and 34 were each read a third time and passed.

MR. PAULLEY: I wonder now, Mr. Speaker, would you kindly call Bill No. 39, the adjournment of the motion of the Honourable Minister of Finance?

MR. SPEAKER: The proposed motion of the Honourable Minister of Finance, Bill No. 39. The Honourable Member for Roblin.

MR. McKENZIE: Thank you, Mr. Speaker. In dealing with the second reading of the bill, an Act to amend the Income Tax Act (Manitoba), I was partly through my speech when we adjourned for the noon lunch on Friday and was pointing out certain aspects of this bill to the Minister when the Minister of Transportation and I became involved -- let that be where it may.

I was trying to point out to the Minister of Finance, with respect to this bill, the concern that is evident in the country today in the aspect of regional economic disparities, and with the agricultural situation being where it is at the moment, we naturally are looking for new ways and new methods of interesting industry and development of the rural community to provide some secondary aspects to the agricultural product, and in this bill I find many questions that had come to my attention which I was asking of the Minister. The one of an increase in taxation at this time is one that the Rural Development Corporation, Parkland, naturally want some answers from the Finance Minister.

I think what is rather critical in the bill, as far as I can see, is that because of this tax increase it somehow seems to me to place us in a rather disadvantage when we at this time are doing our utmost to create an environment and an atmosphere for development. No doubt there's a disagreement in philosophy, political philosophy between the government and myself. I am a free enterpriser and I support the system very much, and no doubt the Minister with his philosophy disagrees in the way that we could go about the bill, but no doubt when the Minister closes the debate on the bill there will be other aspects and answers that I will be most interested in.

To close my remarks, I was reading some Hansard this morning and I noticed some remarks from the Honourable Member from St. Boniface when he was talking about the Fisheries bill, and he said he's not worried about the fishing industry, he's worried about the future, and that's where I stand as far as this bill is concerned.

Thank you, Mr. Speaker.

MR. SPEAKER: Are you ready for the question?

MR. WALTER WEIR (Leader of the Opposition) (Minnedosa): Mr. Speaker, if the Minister is going to close the debate, I think that I might like to say just a word or two before he does, lest it be thought that some of the expressions from the other side had changed my mind. I didn't want my silence to be taken as consent to what was going on in the bill, and I don't, Mr. Speaker, intend to go over all of the details that I attempted to cover when I was replying to the budget. I think that there has been considerable discussion on the bill by members on this side and members on the other side. It's one of those areas where there certainly appears to be a difference of opinion.

I am concerned, and become more concerned as I hear people in the community making suggestions like I heard on the air, I believe it was Friday night, by people from Versatile, and Mr. Asper in terms of people that he represents as clients, that there is certainly this difference of opinion. I just want to assure the Minister of Finance that he can expect me to stand and oppose the principle of this bill, that I haven't changed my mind as a result of all of the wonderful things that have been presented to us from the far side of the House.

MR. SPEAKER: The Honourable Minister of Finance.

MR. CHERNIACK: Mr. Speaker, I move, seconded by the Honourable the Attorney-General, that the debate be adjourned.

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

MR. CHERNIACK: Mr. Speaker, would you call the Bill No. 44, second reading.

MR. SPEAKER: The proposed motion of the Honourable Minister of Municipal Affairs. The Honourable Member for Sturgeon Creek.

MR. FRANK JOHNSTON (Sturgeon Creek): Mr. Speaker, could we have this matter stand?

MR. CHERNIACK: Mr. Speaker, of course the honourable member knows it will come up again tonight on the new Orders of the Day.

MR. F. JOHNSTON: Mr. Speaker, I know that. I just adjourned it this morning. I would rather it come up tonight.

MR. SPEAKER: Agreed? (Agreed.)

MR. PAULLEY: I wonder now, Mr. Speaker, if you would kindly call the adjourned debate on Bill No. 40 dealing with the Centennial Lottery Act.

MR. SPEAKER: The proposed motion of the Honourable Member for Elmwood, Bill No. 40. The Honourable Member for La Verendrye.

MR. LEONARD A. BARKMAN (La Verendrye): Thank you, Mr. Speaker. I'm sorry to inconvenience members this morning not being here, but I had a very delightful morning visiting with 60 or so people from the City of St. Boniface, so I think I still spent the morning worthwhile.

Well, I guess we are speaking on a bill on lottery, a subject that has been with us, or with the many countries of course, for hundreds of years; perhaps also a subject that is getting much wider interest and beginning to interest Canadians perhaps more than ever before. But I will have to say at the outset - and this may not be quite common during this stage on Bill 40 - but I will have to say at the outset that I may be one of the few in this Legislature that will vote against this bill. I intend to do so for various reasons. First of all, I think the Honourable Member for Swan River already has brought it to the attention of this House that a lottery, after all, is a scheme of distributing prizes by lot or by chance, and I certainly agree. He put it in different wording but I think we mean the same; I certainly agree with him. And I perhaps should also say that if I do duplicate in any way what he mentioned and others mentioned - I had my notes made before Friday - it will be by sheer mistake then, although perhaps the thinking on the same vein won't hurt either. So the number one, we realize then that taking chances with money of course is gambling. And the English law -- I'm sure some of you - we have quite a few lawyers in this House who have studied this for a long time - states very clearly that all lotteries are illegal unless they are lotteries run at a festival or a bazaar or those restricted to the members of a society. Now I bring this in because I wish to bring in a few examples of some of the English lotteries, realizing of course that the Member for Elmwood is trying, in his bringing in this bill, that he is trying to change this and make this legal in the Province of Manitoba.

MR. MACKLING: Mr. Speaker, would the honourable member yield to a question?

MR. BARKMAN: I'll try it.

MR. MACKLING: Are you aware of the fact that the Parliament of Canada has made it permissive for the provincial governments to sanction lotteries in the province, and the Parliament of Canada has therefore made it no longer a criminal offense that a lottery be held. It has taken the provisions out of the Criminal Code by amendment.

MR. BARKMAN: Thank you. I am sure that the Minister knows his law well and I'm aware, in fact I wish to bring forth some of the outcomes of the discussions in the House of Commons when it became law. The lottery, of course, usually the law or the courts have been fairly lenient in perhaps all countries and especially in Canada and perhaps even so in the Province of Manitoba because so often the proceeds have gone to charity and not usually to commercial gain, and also perhaps that the enforcement of lotteries law usually lies with the local police or with the local lawmakers, and it is quite clear that very often it is largely ignored because it is really for local charitable causes or purposes. And it has been suggested, and I agree with this statement, that a government might very well perhaps even pay for the whole scheme of a national health scheme if it went on a national scheme of lotteries. I agree with all this thinking and I'm sure that all of us take to mind, especially the last couple of days, our famous Irish Sweepstakes. And I wish to point out at this time that lotteries usually are expensive to handle. They're expensive, and it might interest members, although I think I gathered from my colleague the other day and also from other speakers that the 1967 Irish Sweepstake, the one I'm referring to now, brought proceeds of approximately \$14 million and of course, as many people would like to believe, that so much of this money goes to the hospitals, less than \$2-1/2 million in the Irish Derby of 1967, less than \$2-1/2 million went to the hospitals. Therefore, if the rest were expenses, it seems a very expensive way to go about trying to find monies, and this, as perhaps we also know, is done three times a year, and the 14 million times three is draining a lot of money out of any country, and especially England that I don't believe can afford -- I'm referring now to the L . . . and the Irish, and of course the recent Cambridgeshire horse races. And after all, as we've seen in the

(MR. BARKMAN cont'd.) . . . . front paper this afternoon, gambling -- somehow there seems to be so many inroads of somebody forgot to pay for his ticket or somebody thought he didn't pay and thought the prizes -- I don't wish to touch on that subject. I wish to point out at this time that it is really expensive and the hospital share is actually, on the basis I just quoted, just 52 cents on every \$2.80 that was received. Therefore I'm trying to make the point, that is simple: Lotteries are expensive to run. And I may warn some of the members, and perhaps I should warn myself, that regardless of what the Honourable Minister the Attorney-General mentioned, it is still illegal to sell, possess or promote sweepstakes tickets -- (Interjection) -- in the mall and otherwise.

It might be of interest to members that this sweepstake started originally by Messrs. McGrath, a Dublin bookmaker Dick Dugan, and Captain Spencer Freeman, and the board today still includes members of the original people that started this sweepstake, and believe it or not, these people are considered amongst the wealthiest and considered very honorary, so I guess, regardless what some of the results have been, especially towards England, there is some honorary about this type of gambling if we like it or not.

Mr. Speaker, I don't think I have to spend too much time explaining to this House that running any kind of a lottery is simply and purely gambling, and are we really in favour of gambling, or have we come to the point in this day and age where a member is practically afraid to get up and speak against gambling. I wonder perhaps, Mr. Speaker, if the mover would rather have me call lotteries charity than call it gambling . . .

MR. BEARD: Fun and games.

MR. BARKMAN: . . . and in the same breath say that gambling is not a crime. Do we really think that it is not a crime? Do we really wish to make a crime legal in Manitoba. I think some of these questions should be posed to the honourable member because I believe he's serious in presenting this bill and I wish to on the other hand be just as serious in what little I have to add this afternoon. Coming back, or during the debate of 1963 in the House of Commons on lotteries, where the question of provincial lotteries was brought up, I'd like to read an article out of the Free Press. It's rather lengthy but I think it will serve some purpose. The Free Press of November 18, 1963, and I quote: "As matters stand, any citizen may have his little flutter if he chooses. The state does not prevent him but neither does it encourage him; the state is neutral. But the proposal now is that the state should abandon neutrality and become the patron, proponent and instigator of gambling. If provincial lotteries are made legal, we may indeed have ten patrons, ten sets of official circus barkers competing for the gambling dollar. No doubt public money will be expended to persuade us that gambling is part of good citizenship comparable to support of the Community Chest. It is no doubt true that in this fashion a great deal of money will be raised. It is possible, although by no means certain, that some of this will replace revenues presently secured through taxation. There is, however, a rather important point which is commonly overlooked. Taxation, especially direct taxation, is based on ability to pay," - as the Honourable Member for Pembina brought up so capably the other day - and I quote again: "But a lottery by its very nature has the greatest appeal for those in the poorest circumstances. It is not at all uncommon for people to bet their last dollars out of sheer desperation. No welfare worker in his right mind would encourage this sort of thing. With the advent of provincial lotteries, however, every provincial government in need of revenue will have a direct interest in encouraging the widest public participation in gambling."

I could go on quoting but I don't think I shall at this time. It's an editorial in the Free Press on November 18, 1963, although I do wish to quote another one that I thought was of interest, which appeared also in the Free Press of October 4, 1966, and I wish to quote: "Advocates of state lotteries as a means of financing social welfare and other programs, thus keeping tax rates low, should take a look at what has happened in the State of New Hampshire. Two years ago, the state instituted a public lottery with the objective of using the state's share of the proceeds to finance its public school system. Advocates of the plan argued that enough money would be raised that there would be no need for state income tax or sales tax. A few people have done well from the lottery based on horse racing results at local tracks. Some 8,500 gamblers have shared more than 4.5 million in prize money." And I'll close it off by the last part of this statement: "The lottery is not, as once again has been proved, the easy answer to government financing."

While this is not government that the honourable member is thinking of, it is certainly an organization that I doubt should embark on this kind of a program, and I would just like to come

(MR. BARKMAN cont'd.) . . . . back briefly and try to state clearly that running lotteries is expensive. I took some figures: in the case of Ireland, where 22 percent of the whole proceeds went to profit, 23 percent to expenses, and 55 percent in prizes; where in Sweden it's a little different: 60 percent in profit, 2 percent in expenses only, and 60 percent in prizes; while in Italy they went about half way: 45 percent in profit, 15 percent in expenses and 40 percent in prizes.

But in February of 1968 in the British Parliament, when a vote was taken on a private member's national lottery bill that passed by 69 to 17, the government, however, considered the total vote to have been too small to be decisive. I think they were wise in this kind of judgment or in this kind of a decision.

I wish to quote one more article, and that's the last one I intend to quote today, and that is out of MacLeans Volume 18 of 1967, and it's headed, "For the Sake of Argument" by a popular gentleman, a Canadian author who has lived in England for several years, Mr. Lawrence Earl, and I quote: "The seven Canadians in ten who are in favour of legalizing all gambling in Canada - the figures come from recent national opinion polls - should take a lesson from the millions of Britons who are paying through the nose for the privilege of legal gambling in this country. Britain's Betting, Gaming and Lotteries Act of 1960 was intended, as one newspaper put it, only to legalize jolly afternoons for old ladies playing bingo, yet it has set the country off on a seven-year orgy of gambling unmatched in modern history. By 1964, British Customs and Excise estimated that 8,000 card-playing and 450 roulette clubs had sprung into existence where virtually none had existed before the Act. Thousands of bingo clubs had materialized with a card-carrying membership of fifteen million." And again it goes on and on. I don't think I wish to read any more. I believe the point is made, except he makes one other statement, Mr. Lawrence Earl, this Canadian author who is quite famous, and I do believe I should read that.

The heading is this: "We become liars, cheaters, tricksters." And I'll just read two or three paragraphs: "But sadly for England, the biggest gambling group comes from the United Kingdom's working class, and the busiest betting shops are near docks and industrial complexes. The lamentable situation has led to a tremendous loss in the nation's productivity, for the man who sneaks around the corner to lay a fast bet often stays on and on to try to get himself out of the red. We become liars, cheats and confidence tricksters, a Gamblers Anonymous member told me. The 1960 Act has ruined more people in Britain than in both world wars."

And I shall conclude by the last statement: "Certainly Canadians, those seven Canadians in ten, should take Gordon Moody's words to heart and remember the British experience of the last seven years. Canadians at least don't have the same excuse that Britain once had. They didn't know the gun was loaded. And we have this warning, and we're aware of it." So, Mr. Speaker, I've given some evidence of respectable people which seems to give concrete evidence that lottery is gambling, and certainly gambling is illegal, regardless that the honourable member wishes to say that this House should legalize this bill.

I would like to summarize the few points that I've been trying to make. First of all, lotteries are expensive to handle, expensive to operate, and they're not so profitable and not so good to charitable institutions as so many wish us to believe.

And secondly, lotteries are gambling, as in England where the law, as I said, was changed in 1960, and it now basically covers bingo, but in most cases it encourages larger gambling, more gambling, and to an extent where it runs out of control. There's an old saying: "Give the devil your little finger and soon he'll have the whole hand," and this could also happen to the Member of Elmwood if this bill passes, or to the bill at least and possibly not to him. We also have the example of the other countries and most of them are running into all kinds of trouble, so I simply ask, Mr. Speaker, why are we looking for more trouble?

Point No. 3 that I'd like to bring out, and has been brought out by others, lotteries or gambling has upset many homes and continues to create problems, especially to people in the lower income brackets. I could not quite agree with the Honourable Minister the other day when he spoke and said - the Minister of Culture I'm referring to now - he says, "Well now, I think the opportunity to get involved would be a voluntary one." I'm afraid this is not quite so. I think we can class gambling as a disease or a sickness and many people can just not control themselves, and that includes perhaps a lot of us at times.

However, I do agree - I was happy to see the Minister of Labour, possibly the first one in this House, show his position clearly, distinctly, with fortitude, and there was no maybe

(MR. BARKMAN cont'd.) . . . . about it. I thought this was a real good example to me, and I think he knows that his government, who so often has claimed that they are the champions of the small people, I think he also took that into consideration, and I know that he realized that how can members of this House, whether they be members of this government or members on this side, how can we submit to this House such a degrading suggestion. I'm sure we will -- (Interjection) -- I'm sorry, my apologies to the Honourable Member for Pembina, he said he would sell tickets -- he would buy tickets but he wouldn't sell tickets, and he wouldn't support the Bill, so my apologies. But I can hardly see, with that kind of attitude on that side -- and this is a good attitude, I praise the people for having this kind of attitude -- but I do hope that the Honourable Minister of Labour will take some time off and try and get this point across to some of the honourable members on his side. I can hardly see a responsible Cabinet especially, hardly see a responsible Cabinet or Ministers voting for this kind of a bill. In fact I can hardly see any members vote for this kind of a bill.

So even if the Centennial Corporation lottery should be a success -- which it could be -- can anyone provide -- I should perhaps use these, but I think I'll use them a little later. Thank you, the Member for Churchill. If it passes, I will be using them because it will be a sad day. So can anybody be proud in suggesting greater gambling, that will certainly drain more of the money that our people so badly need? Not only that, I'm really concerned that we are and could very well take away some of the joy and peace and contentment that can live in people if they don't overdo in some of these vices or evils like gambling or perhaps lotteries. And I think the lesson, the warning has been sounded by other countries. Why don't we just wish to heed them and save the agony that some of these people go through.

I'm sure there are many more reasons, Mr. Speaker, one could think of for not allowing a lottery to operate. Well, I think another reason that I believe is a very sane and practical one -- and it's partly the one that the Member for Swan River had -- after all, 1970 is going to be Manitoba's Centennial year. After all, 1970 is going to be for much activity, as the Minister mentioned, much activity and much joy for many of the citizens of the Province of Manitoba, including constituents of the Member for Lakeside, and everyone in Manitoba of course. And 1970 I believe will mark the importance of how well our ancestors, or grandfathers, and we ourselves from each individual community have behaved in the past hundred years and are going to behave presently. Yes, if we like it or not, faults will be found or revealed, whether they be thistles that we've been sowing or roses, and I do hope that we will find a healthy generation beginning in 1970, that when we look back we will find that we did not make a mistake that so many other countries have already made. I really say, like the Member of Swan River said, or intimated, can we, or can anyone really be proud by helping enact legislation that has been proven by other countries that a country will certainly surely be ruined to destruction eventually if this keeps on going as it does in certain countries? Surely, Mr. Speaker, we do not want to put such a black mark on the Province of Manitoba, especially for her hundredth birthday.

And in my final conclusion I wish to say this: This government, and I realize this is a public Bill -- I should perhaps say it a little bit different. I'd like to say, especially to members of this government, even if this Bill should pass by a margin of three to one, which I suggest it might, even if it would, I would like for them, this government, to take the advice that was shown by the British people, where a vote went through 69 to 17, they still did not legalize gambling or lotteries at that time. I'm sure they feel today that it was a grave mistake in England, and I've repeated this, we can certainly take a lesson here. Just while they were perhaps trying to help some society women and make them feel a little bit better in their bingo games and so on, I think we feel loose enough about some of the things that are happening today -- and I'm not suggesting that we should step in and try and not let these ladies, and of course a lot of the men playing bingo also -- I'm not suggesting that we tear right into them and pull this all apart, but I think enough of it's going on, so to speak, illegally, that I don't think that we wish to ask for more. I certainly wish to ask the members, if they're not ashamed to do so, I think you should stand up here when the time comes and state clearly that you are not for lotteries.

MR. SPEAKER: The Honourable Member for Roblin.

MR. McKENZIE: Mr. Speaker, I don't know whether I'm taking the dare offered by the Honourable Member for La Verendrye or not as I rise to speak on the second reading of this bill, but I, like him, am not in a position at the moment to support the bill until I have a lot

(MR. McKENZIE cont'd.) . . . . more information than I have at the present time, and even then I'm not prepared to say at this time whether or not I can support this bill.

I do congratulate the Centennial organization in the way they have conducted themselves in the past and will no doubt conduct themselves in the future, but I wonder very much about bringing a lottery on for our hundredth anniversary. The indication already has been given to the House that royalty will possibly appear on the scene some time during that Centennial year, and is this a fit and right position for us to place ourselves at that particular time?

I understand of course that possibly the President of the United States and the astronauts may appear at the Peace Gardens, and if in fact that is the reason that this bill is being brought forth so that we can meet them with the ability to sell a ticket or something, well fine. But anyway, I would like the answer to these various questions.

I also was most grateful to hear the Minister of Cultural Affairs on Friday speak of some of the projects that are already approved by the Corporation, but I was quite concerned as to the excuses that he, in my opinion, brought before the members of the House as to the reason we were having this bill before us today. He said, "Isn't all of life a gamble," in his remarks, and he went on and said, "You don't set foot outside your door without gambling that you'll return again in the evening." And he goes on, "Life is a gamble, and the biggest gamblers amongst us are the farmers of this land." I rather resent him associating gambling with farmers. I don't know of a farmer that - he is a gambler - in fact that doesn't want to be placed in that rather embarrassing position, especially at this day and age, so I don't think that the one is basically related to the other.

I also wonder is this a symbol of the future of the government, or is this where we're heading? Is this going to be an annual event, lotteries of this nature, or are there super controls or some type of controls proposed to control? He said one, only one lottery. Well, I wonder how if we legalize one, how we can control. I hope in fact that he can prove to me that they will be able to control gambling, legalized gambling in the province with legislation.

I'm wondering what arrangements that the Member for Elmwood has made with the postal authorities of Canada because it has been illegal up to now, in my opinion, for anything to go through the mails. I've had a couple in my constituency had their mailing privileges deprived over the years by using the mail for lotteries, or illegal gambling tickets from outside of Canada and so on.

The other thing that concerns me, I'm wondering why this bill was not introduced by a member of the government, a Minister of the Crown, possibly the Minister of Cultural Affairs, it's his department. Why was it introduced by the Honourable Member for Elmwood? Is there a reason, and if so, I would like to have the privilege of the answer. How much money is required? Some have told me that the corporation figures they'll make \$200,000. If that in fact is all that we're expecting out of this lottery, I submit that we throw in our 20 cents apiece and save ourselves all the trouble of getting involved in a lottery.

I'm wondering who's going to sell the tickets. Is it the politicians who are going to be selling the tickets, the MLA's, or who's going to get the commission? What'll be the commission on the tickets? What'll happen if there's a deficit in this lottery? If it was a government-sponsored bill I could understand the province would have to be assuming the deficit, but if it's a backbencher's bill, then I say possibly Mr. Doern, the Member for Elmwood, if there's a loss, maybe he's going to pay.

MR. RUSSELL DOERN (Elmwood): I'll do that on the condition that I get all the profits if it's a success.

MR. McKENZIE: Some funny things have happened in lottery schemes over the years.

The advertising of the lottery, how does he propose to advertise it? Is it regular newspaper ads? And I'm sure he'll make note of this and answer some of these questions. As I said, if it's a once over deal, but until I get more information I'm not prepared at the moment to support this bill. Possibly after Law Amendments we'll have the experience of the public letting us know their views. So with those few questions I would hope that the Member for Elmwood would be able to fill us in.

MR. SPEAKER: The Honourable Minister of Consumer and Corporate Affairs.

HON. RENE E. TOUPIN (Minister of Consumer and Corporate Affairs) (Springfield): Mr. Speaker, first of all I'd like to thank the member that introduced this bill, and I wish to congratulate my colleague the Honourable the House Leader for telling the House his own conviction so far as this bill is concerned and equally the previous speaker, the Member from

(MR. TOUPIN cont'd.) . . . . La Verendrye, and I must tell you that I will be speaking in favour of the bill.

My reasons for speaking in favour of the bill are quite short. I can't see actually any reasons why we should morally be against such a one-shot deal. I'm not against bingo in churches or what not and I feel that such a gamble, if we may call it a gamble, should be left up to the individual to decide for himself, since as far as I'm concerned there's nothing morally wrong in having such a lottery bill. If we are going to leave the individual decide for himself, I can't see any member voting against this bill, because if we vote against this we're not actually leaving the liberty to the individual to decide. We're telling him that lottery is not accepted. If we say that this lottery is accepted by the members of this House - and it is left up to each individual member to decide for himself, it is not sponsored by the government - we're leaving a choice for the people of Manitoba and we're leaving equally a choice for the people of Manitoba not only to decide to invest a few dollars on a lottery but to invest it here in our province. If we forbid them, if we do not accept this bill, I am completely convinced that they will invest elsewhere a few of their hard-earned dollars in other provinces. -- (Interjection) -- Yes.

MR. G. JOHNSTON (Portage la Prairie): Can the Honourable Minister tell me what the rate of return is on the investment?

MR. TOUPIN: What was the question? I didn't quite get it.

MR. G. JOHNSTON: What is the rate of return upon the investment you speak of?

MR. TOUPIN: Do you mean in this lottery? I'll leave this question to be answered by my honourable friend here. Mr. Speaker, this is the end of my statement. Thank you.

MR. SPEAKER: The Honourable Member for Lakeside.

MR. ENNS: Mr. Speaker, I'm tempted to rise and say, Woe befall on those who live in wickedness and sin, but I won't. I merely rise to indicate my support for the bill.

MR. SPEAKER: The Honourable Member for Souris-Killarney.

MR. EARL McKELLAR (Souris-Killarney): Mr. Speaker, I rise to say that I am against the bill, right from here on in. After listening to the many speeches - and I want to congratulate the many speeches that have been made, especially the Member for La Verendrye just here a few minutes ago. I think he pretty well expressed my feelings. I've given a lot of thought to this lottery, and in fact about eight or nine years ago we did have a lottery, or a resolution proposed by the then member for Birtle-Russell, a lottery, if it had been passed, which would have been used to finance the hospitals of Manitoba. At that time I think it was defeated about 47 - 2, and that was the end of that lottery.

Now we have a bill, a public bill brought in by the Member for Elmwood, and I wondered why the government were not bringing this bill, and when the Minister of Labour expressed himself the other day I knew the reason why it was not a government bill, because it could not get government support. I'd like to hear from the Attorney-General whether he's in favour of gambling such as a lottery. He hasn't expressed himself, I don't think, on this bill. I'd be very interested to hear him express himself. But I want to congratulate the Minister of Labour for the viewpoint which he took, because I think he expresses the viewpoint of many of the people of the Province of Manitoba.

Now we have in the estimates this year, which we haven't voted on, there is an amount of money for the Centennial Corporation of \$1,759,672 in Resolution 91, and if they're only going to profit by the amount of \$200,000 here, I can't see for the life of me why the government of the day can't extend that resolution by \$200,000 so that we would not need this lottery. Is it because that the government of the day are short of funds? Is it because the government of the day are wanting to appeal to this just society on the grounds that they think lotteries will help them in the next election? I wonder. These and many questions have gone through my mind in this last few days. I was greatly interested in the Minister of Consumer Affairs speaking in support of this bill. My seat mate here, the House Leader of the Liberal Party, asked him what the profit would be, or a similar question to that. I thought the Minister of Consumer Affairs would be interested in the consumer and I wonder is he going to look into this lottery bill and see that the consumer will be provided with a fair return on his money. But I think the basic problem that I can see in this Centennial of 1970, the one and only 100th anniversary that we will have in the Province of Manitoba, I consider this anniversary to be for all our boys and girls who are under the age of 21 principally. Surely they are to be an important part in this anniversary celebrating our Centennial in every community in the

(MR. McKELLAR cont'd.) . . . . Province of Manitoba, and if we are going to indulge in the business of gambling, surely we are instilling in the minds of these children something which I think we should not do, and coming from a rural area, I think many of the people that I have talked to are mostly all against this bill. It is for that very reason that I am voting against it on second reading and also in Law Amendments Committee. Mention was made, I think, by the Member for River Heights that the name of "Growing to beat '70" has been changed to "Gambling to beat '70" and I think if this bill passes you could change that name from Growing to beat '70 to Gambling to beat '70, and I think you would be right in style. -- (Interjection) -- Gambling to beat '70. And I would think that the Member for Elmwood, when he agreed to piloting this bill through the House, that he should have taken a second look at this bill. I know it's the Government of Canada, at the last session of their House of Commons they made lotteries permissible for the Province of Manitoba or any other province. I know that. They also made homosexuality too, they also made abortions legalized but that's not to say that every province or every individual should enter into it just because it's legal, and I understand, from listening this afternoon to the Attorney-General, that he said it is now legal. Because it's legal doesn't say we should do this, and I would suggest if you want to take some money, surely there's enough money going through the race track out there at Assinibola Downs where the government gets over a million dollars a year, why don't you take that million dollars and put it in the Centennial Fund if you want to take some -- there's no reason why you can't. I think it's a terrible shame when the Cabinet of the day permits one of their backbenchers to bring forth a public bill when they can't even get support for it in their own Cabinet. I think this is terrible. I think that the backbencher himself will maybe regret it at a later date - maybe in the year 1970.

Now members of the Committee, I have had some letters here from the area which I presently serve, from members of clergy, members of the community and all, and I don't want to take the time of the day but if I see on third reading that some, that we're -- I might take the time at that time to read some of these letters because I think maybe there's one paragraph here I have, I think it pretty well explains it.

MR. BEARD: How many letters did the member receive?

MR. McKELLAR: Well, in the last three or four days I got seven or eight yes.

MR. BEARD: And how much is the population of the Souris-Killarney constituency?

MR. McKELLAR: Oh they haven't heard of it. They're too busy working. They don't take the time of the day to listen to what's going on. But I have a letter here from Mr. Charles E. Lawrence of Wawanesa, and I just want to read one paragraph. "A private member's bill is before the House to make it possible to hold lotteries in order to raise money for our Centennial. This to many is not morally right. If each individual cannot afford to pay his share directly or indirectly through contribution and taxes, we should call the Centennial off." I think this is pretty well what the people in the community which I serve actually agree. The Honourable Member for Roblin, I think, mentioned it's only 20 cents a person if you are going to make a profit of \$200,000, and I can't see for the life of me why a fund couldn't be set up to take the place of this lottery, and I know you would get more than your \$200,000. And I would say right now that you won't come anywheres near \$200,000 and all you do is leave a bad taste in the mouth of every Manitoban who wants to celebrate this in a very able fashion. I know it will go through because, with the exception of the Minister of Labour on that side of the House, I bet there isn't a person who's going to vote against it. In fact, they have been very silent up to now. -- (Interjection) -- Well congratulations. Why don't you come out and speak on this bill whether you are for it or against it? Your people at home will want to know. People never criticise you for saying what you believe in this House. In the past, I have spoken out against many topics, and they won't criticise you. They appreciate you for what -- but they want to know at least where you stand.

So with those few words, Mr. Speaker, I think this pretty well explains my position that until somebody comes up with a better reason why we should have lotteries in the Province of Manitoba in 1970, I can assure you I am voting against this bill on second reading.

MR. BEARD: Would the member permit a question? Could the member indicate how many lottery tickets he has bought, or bingo tickets he has bought in his life, and how many he has sold?

MR. McKELLAR: I don't sell tickets. I have bought them from service clubs, Lions Club and that, but I don't sell tickets.

MR. BEARD: Is there any difference between a service club and the Centennial Committee?

MR. McKELLAR: Well I'll give you an answer right now - there definitely is. The money remains in their own community. There is no mention in this bill that a man from Texas or Colorado or California can't buy tickets, and I'd be safe in saying that if the money -- the chances are it could go all over the world. We are going to have plenty of tourists. -- (Interjection) -- Well, it's a different thing. We're celebrating an anniversary, 100th anniversary.

MR. SPEAKER: The Honourable Member for Birtle-Russell.

MR. GRAHAM: Mr. Speaker, my contribution to this debate will be very short and to the point. We do know that, in the past, members of this House have introduced lottery bills. We do know what has happened to those bills and to those members, and I would just say this to the Honourable Member for Elmwood: I wish him well in his next occupation.

MR. SPEAKER: Are you ready for the question?

MR. DOERN: Mr. Speaker, does that mean that I might become head of the next Boundaries Commission?

. . . . . continued on next page

MR. SPEAKER: The Honourable Member for Rhineland.

MR. FROESE: Mr. Speaker, I should probably have adjourned debate; however, I'll just speak on it now and probably will have another chance at it later if the bill is not defeated.

The Lottery Act naturally will provide for additional funds to the Centennial project. This is the purpose of the bill and it has already been discussed whether other sources could not be found of revenue that would replace what is intended to be received in this way. On the other hand, we know that laws are made for the welfare of society generally. Too often I find that I have to oppose certain measures in this House that actually are not for the welfare of society, but in general we say that the laws are made for the welfare of the people.

There was also mention here by the Attorney-General that lotteries are confined, under a federal act, to clubs and confined groups or societies with defined or confined memberships, and that on that basis they are allowed. I am just wondering what about Trudeau's "Just Society," whether this would qualify. Maybe we haven't reached the point in Canada yet where we can call ourselves such a society that this society would justify or qualify under this condition. Nevertheless, I think the Federal Government has relented in its position and allows it under certain conditions, and I feel that we are gradually getting into the same position here in Manitoba, that we are weakening and opening up further. If we just take a look at the pari mutuels. They were started, they were confined to a certain period, and legislation was brought in where the season was extended. Now we are getting this bill brought forward and so gradually we are opening up further and further. On the other hand, too, legislation is brought in in this House, the government has been very concerned with protection, protection of the people and protection of society. We are trying to protect a certain segment of the public through legislation, those who are young, who we feel are not mature enough to decide for themselves as to how much should be spent, they might over-spend. We have other people who are probably weak in certain ways and that we want to protect them in this way. We also intend to protect the public that cannot exercise control over themselves in that they would spend money that should normally go for essentialities in their home or food and so on, and would then be spent for gambling or matters of this type, and I think this is what we have been trying to protect. We just passed a Consumer Protection Bill this year, whereby we are trying to protect the public in many instances, and this certainly opposed that very principle in my assumption.

I just went to Montreal over the weekend. I attended a certain function there and I learned from the people out there that the City of Montreal was deriving a certain amount of benefit, I think something like six million dollars net in a year, whereby they allow lotteries on a monthly basis. You send them \$2.00 and you are entitled to a prize, and big prizes are offered by the City of Montreal in this way and many prizes are won, but at the same time, people who probably should not be contributing in this way are contributing in fair amount - and in large amounts. If the principle should be changed here in Manitoba, that we go for instituting such a bill as this type, I think it is very wrong to start it off with a government venture. I don't think it should involve a government lottery as the first lottery in this case. I feel if it should be opened up then it should be opened up generally, and not just for the government to proceed and have a lottery of its own.

MR. PAULLEY: Mr. Chairman, may I suggest to my honourable friend the government, as has been indicated, is not . . . it.

A MEMBER: . . . Paragraph (1) . . .

MR. FROESE: Well, it's passed by the Legislature, so maybe I should . . .

MR. PAULLEY: Well, I'll make sure of that, Mr. Speaker, but I want to emphasize to my honourable friend that it is not a government measure.

MR. FROESE: I'll read the first section into the record while I'm speaking so that there's no doubt as to what the section says. "The holding of a lottery authorized. (1) The province of Manitoba, through its agent the Manitoba Centennial Corporation, hereinafter called the Corporation, may and the Corporation is hereby empowered to conduct and manage a lotteries game in Manitoba during the period commencing on the first day of January 1970 and ending on the 31st day of December 1970."

MR. PAULLEY: That's right; they may.

MR. FROESE: So there's no misunderstanding now as to what the bill says. I object to it, too; that the moment we legalize it, what is intended under this bill, that it is done for tax purposes. As has been pointed out, the federal legislation confines it to clubs and confined

(MR. FROESE cont'd) . . . . groups or other societies with a defined membership, that will more or less deal within a certain sphere or local area, but as I have already pointed out, the precedence of pari mutuels in this province and where we are gradually opening up, the matter of gambling versus speculation has not been discussed to any degree here. I always take the stand that there is a very substantial difference between speculation and gambling. When you gamble, the total amount that is being placed at the disposal at that time can be lost whereas, when you speculate, you still hold onto your investment and you are more or less speculating with the value that that investment, or the return that that investment might have, whether it be increased or decreased.

The one point where I find it rather difficult, even with myself, has to do with the matter of and whether to interfere with the individual rights, personal rights, and the freedoms of the individuals. I always maintain that as long as it does not infringe on the rights of others, that the person should be free to exercise his will as he may please. It is rather hard and difficult to draw a line of demarcation in this instance. Certainly I do not think that I was sent here to eliminate or to confine the rights of others. That was certainly not the purpose of me representing the people. On the other hand, we cannot legislate morals and I think this is the chief factor and this is the main factor in making my decision in not voting for the bill, and I would like to read from page 1291 of Hansard where the Honourable Member for Assiniboia spoke and he quoted Thomas E. Dewey when he was governor of New York, and I quote. "He said the entire history of legalized gambling in his state and his country shows that it brought nothing but poverty, crime and corruption, demoralization of moral and ethical standards, and a much lower standard of living and misery for many people in the States." I think this has been the general result of allowing gambling and lotteries, including lotteries, in the various states where this has been authorized, and it is for this purpose that I too will oppose the bill that is before us.

MR. SPEAKER: The Honourable Minister of Health and Social Services.

MR. GREEN: Mr. Speaker, I hadn't intended to speak but the member for Souris-Killarney indicated that nobody on this side of the House was going to vote against the bill, and in view of the fact that it is my present intention to vote against the bill, I don't want my vote to be confused with the rather muddled logic which he presents against voting for the bill.

Therefore, Mr. Speaker, I want to make it clear that I don't accept the fact that lotteries are immoral. As a matter of fact, I think that this is a form of human activity that no matter how much you legislate you are not going to prevent it. There will be people who are willing to engage in this type of chance no matter what we in the Legislature say. We could vote 57 to 0 against lotteries and that won't stop lotteries. There is something about the activity which commends itself to people all over the world. I myself don't like to participate but from time to time I have. Nevertheless, Mr. Speaker, I see nothing immoral about it; and secondly, I see it's completely impractical to try to legislate against it. I can recall sitting at baseball games where the people in the immediate vicinity of my seat wagered on every throw of the baseball, not on the game but on every pitch. I have been at football games where people have wagered on every play, not on the outcome of the game but on every play, and those people who think that they can have the state move into the operation of this type of activity, I think are barking up the wrong tree; it's just not possible.

And furthermore, although it can lead to hardships and difficult consequences for the family, there are many types of activities that can lead to hardships and difficult consequences which people have to regulate for themselves rather than have regulated by the state. So in this particular argument I am not a statistician, I don't believe that the state can do anything really meaningful in this area except perhaps remove some of the conditions which make people feel the desperation which wants them to take that kind of a chance. So, Mr. Speaker, I reject the notion that the activity itself has something immoral about it.

But my reason for opposing the bill is that I think if the Province of Manitoba is big enough to have a party and feel that it's a party which we should all participate in, then it should be big enough to levy taxation in a sensible manner to support this party. I am principally opposed to this legislation because it pretends that taxation can be picked up in an easier way than on the basis of which taxation should be levelled, and that is the basis which was introduced in other bills in this Legislature. I'm just as opposed to raising money in this way, if not more so I think, that even the premium system which I have been so much against and which is such an insensible system of raising money is probably preferable to raising taxation by means of a lottery.

(MR. GREEN cont'd).

Mr. Speaker, lest there be any misunderstanding, that is my only reason for opposing this bill. It constitutes a regressive form of taxation; it's a suggestion that there is an easier way of raising public revenue than by raising it on a sound basis; and it ultimately, Mr. Speaker, although it's thrown out as a one-shot affair, if it is successful in raising money it can lead any government, including a New Democratic Party government or any other government, to say, well we need some money, we'd like to raise it on a sound basis but this is a painless way and let's do it this way. Well it's not a painless way, Mr. Speaker, and it's not a sensible way, and for that reason, because it represents in my opinion a regressive form of taxation, I am going to vote against the bill.

MR. SPEAKER: Are you ready for the question?

MR. WATT: Mr. Speaker, I want to say a few words on this bill to indicate that I will not be supporting the bill, Mr. Speaker. I want to point out to the Honourable Member for Churchill of course that it is not because I consider that my morals are so high that I cannot at any time indulge in gambling of any form because I would be shot down in pieces by my constituents at home if I got up and took such a position, as I have from time to time - and I don't mind telling the honourable member from Churchill or anybody else - that I have taken part, that I have sold raffle tickets and I have bought raffle tickets. I have tossed the odd buck onto a crown and anchor board which was run by service clubs throughout the constituency, and in fact just last Friday night at a service club gathering, in fact Hospital Aid, run by the ladies out there, there was raffle tickets in every direction, there was a crown and anchor going, and I see nothing wrong with that. But I do, Mr. Chairman, disagree with bringing lottery in insofar as raising money for government services, and I consider that our Centennial year does involve . . .

MR. PAULLEY: Not for government service per se.

MR. WATT: I'm not quite sure of that, Mr. Speaker, and I'm not quite sure whether this is a government Bill or not a government Bill in spite of the fact that some government members have spoken against it, because I recall when the Member for Elmwood on a TV interview when the Bill was introduced in the House was asked the question why a backbencher had brought this Bill in, his indication was that this government were spreading responsibility through the backbenches and I rather took that to mean . . .

MR. PAULLEY: On a point of privilege, may I indicate - may I indicate to my honourable friend that I as House Leader indicated this, speaking as a private member of this Assembly, and also my colleague the Minister of Health and Social Services has done this. Now surely on the point of privilege, Mr. Speaker, that if it was a government bill, and my friend having had the experience of being on the front benches, it would be most unusual for Cabinet Ministers to speak as I have done and also the Honourable the Minister of Health and Social Services.

MR. WATT: Mr. Speaker, with all deference to my honourable friend and what he has just said, I again reiterate that I am not quite sure what the position over there is in spite of the fact that two members have just spoken against the bill. I'm referring again to the indication of the Honourable Member for Elmwood when he made his statement to the press and to TV and radio, and I refer again to the First Minister's position that does give some indication that it could be a government bill.

However, I do not intend to belabour this point, Mr. Speaker. I simply am indicating to you and to the House and to the people of my constituency that I am not in favour of a bill going through intended to raise money to relieve the government of expenditures. For this reason, if not for any other reason, Mr. Speaker, I will vote against the bill. But there are other reasons why I think that it is wrong for government to operate a lottery, and a clear indication, or one very good indication of why we should not is because we have just been discussing legislation in this House that has relieved 43 percent of our people from the responsibility of looking after their own medical needs, and I cannot possibly see now government raising money through a lottery source after having declared that 43 percent of our people are at the poverty level and should not be held responsible for their own personal and private needs.

As I recall, Mr. Speaker, during the debate when a lottery bill was brought before this House a few years ago, research had been done on it, or had been done in respect of the Irish Sweepstakes, and while it is impossible to come up with a figure of the percentage that finally goes to the source, or to the sponsors, at that time I recall that as near as we could figure about 11 percent of the money that was spent on lottery tickets in respect to the Irish

(MR. WATT cont'd) . . . . Sweepstakes finally saw its way to the Irish Hospital Commission.

There are many other reasons, Mr. Speaker, why I do not believe that as legislators we can support government-sponsored lotteries. I just point out again that as far as I'm concerned it's a field that should be reserved for service clubs throughout the province that have no other source of raising money to meet the needs in the communities for which they work.

Further, I want to point out that the Province of Manitoba coming to its 100th year has come to a time when we command the respect across the Dominion of Canada and indeed around the world for the progress that we have made through hard work, free enterprising citizens, and it would be unfortunate, Mr. Speaker, if we should and we hope to entertain the Queen of England, the Queen of Canada here in 1970 - that she should find us here with the Member for Elmwood, or possibly even the First Minister running a crown and anchor board to offset the expenses. So for these reasons, Mr. Speaker, it is my intention not to support this bill.

MR. PAULLEY: Mr. Speaker, if I might ask my honourable friend a question, he raised the point of Her Majesty - is he not aware of the fact that the Government of Great Britain permits gambling on horse races, football games, dog races, and a number of other areas of gambling?

MR. WATT: I can point out to the honourable member, Mr. Speaker, that right in the Province of Manitoba we permit lottery on horse races, we permit roulette wheels and crown and anchor boards throughout the province, but we're not doing it as a government-sponsored movement and I doubt if they are in Great Britain. I'm not conversant with the type of gambling they do in Great Britain but I'm quite aware of what is happening in the Province of Manitoba.

MR. PAULLEY: But you didn't answer my question. You made reference to Her Majesty and I'm talking of one of Her Majesty's governments, namely that of Great Britain, that has enacted similar legislation to this.

MR. WATT: May I ask the honourable member if it is to raise funds for government expenditures?

MR. PAULLEY: . . . receive licence fees?

MR. SPEAKER: The Honourable Member for Winnipeg Centre.

MR. BUD BOYCE (Winnipeg Centre): If no one else wishes to speak at this time, Mr. Speaker, I would move, seconded by the Member for Crescentwood, that debate be adjourned.

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

MR. PAULLEY: Mr. Speaker, if you would kindly call the adjourned debate on the resolution standing in my name dealing with the special committee of the House, standing in the name of the Honourable Member for Lakeside.

#### GOVERNMENT RESOLUTIONS

MR. SPEAKER: The Honourable Member for Lakeside.

MR. ENNS: Mr. Speaker, I adjourned the debate the other day in order that I might give both the Member for Rhineland and the members opposite, particularly the First Minister and the House Leader, an opportunity to get together and discuss the probability of accepting the reasonableness of the suggestion that has been made from various members on this side that called for placing the Member for Rhineland on this Rules and Regulations Committee. And I don't particularly want to delay action on the question too much further, I think that most of the things have been said.

Let me only reiterate that the request is a reasonable one, a most reasonable one insofar as that the majority of the committee would not be endangered as far as the government is concerned and that it is a committee, unlike other committees, that does not deal in any way with government policy, government programs, government decisions. There's no question that the House Leader of the government has every right to constitute their committees in whatever manner they see fit, hopefully with the reasonable representation by those members opposite who can always make that needed contribution to the deliberations of these committees. But in this particular case we are talking about a committee that concerns itself solely with the behaviour, the regulations, regulations that we ourselves impose upon ourselves in our conduct in this House, and to refuse recognition to a party leader is something that's difficult to understand.

Something more that's difficult to understand, Mr. Speaker, is the fact that in conversation with the Member for Rhineland it appeared to be that indeed in this particular instance the First Minister expresses no particular concern and has given some indication of being reasonable in this matter, but it seems that our House Leader is bound and determined to rule

(MR. ENNS cont'd) . . . . . on this question with a somewhat heavy hand, a heavy hand that we have on occasion in this short session experienced. -- (Interjection) -- A heavy steady hand? Well, it's a hand that's - it's an iron hand clothed in velvet, you might say, or something like that. But I think that on a question such as this where there is a degree of unanimity from members opposite representing different parties, who are rising in this instance solely to speak for a colleague, a member of this Chamber - I speak of him as a colleague in that sense, not a political sense - that it's rather an amazing posture for the House Leader to accept, to refuse or need to give us ample reason for his refusal in acceding to this request.

Well, Mr. Speaker, I suggest once again that the arguments that have been made are well documented. The Member for Rhineland has a special concern here with respect to the fact that he does represent a political group and that the kind of rules and regulations that we will evolve in this House do affect certainly - particularly if you are the only member of that group - and I would ask the House Leader to reconsider very seriously the position that he's taken on this matter and find it in his wisdom to have the Member from Rhineland represented on the Rules and Regulations Committee. Thank you.

MR. SPEAKER: Are you ready for the question?

MR. PAULLEY: Mr. Speaker, if no one else wishes to speak I'd like to say a word or two on the comments that have been made, but I want to indicate to the House that in accordance with the rules of the House I would be closing the debate.

MR. G. JOHNSTON: Mr. Speaker, if no one else wishes to speak, I'd like to move the adjournment. I beg to move, seconded by the Honourable Member for Assiniboia, that the debate be adjourned.

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

MR. PAULLEY: Mr. Speaker, I wonder if you would mind now calling the adjourned debate on the resolution in my name, on the adding of a standing committee to the rules of the House "on Economic Development," in the name of the Honourable Member for River Heights.

MR. SPEAKER: The proposed resolution of the Honourable Minister of Labour. The Honourable Member for River Heights.

MR. WEIR: Mr. Speaker, in the absence of the honourable member, I wonder if we could have the matter stand.

MR. SPEAKER: Agreed? (Agreed.)

MR. PAULLEY: Mr. Speaker, I wonder if you would now call the adjourned debate on the proposed resolution standing in the name of the Honourable the Attorney-General.

MR. SPEAKER: The proposed motion of the Honourable Attorney-General. The Honourable Member for Fort Garry.

MR. WEIR: Mr. Speaker, the Member for Fort Garry isn't here but I asked him to adjourn the debate on my behalf, so I wonder if I might be given permission to speak on it now.

MR. PAULLEY: I think that's quite acceptable, and I would like to ask my honourable friend would he want the debate to stand in the name of the Honourable Member for Fort Garry.

MR. WEIR: I don't think so, no. I think probably any comment that need be made from our side, I think probably I can make it because I think that essentially the resolution reflects a suggestion that I made in the House one day, and I just wanted to go on record, Mr. Speaker, as saying that I believe that we hopefully have arrived at a system of choosing the best person to be the Ombudsman in the province of Manitoba, and it will be the purpose of the representatives from our group to lend their effort to attempt to reach that end through the committee system that is being suggested here, so I rise essentially to support the resolution.

MR. SPEAKER: The Honourable House Leader of the Liberal Party.

MR. G. JOHNSTON: Mr. Speaker, I just rise briefly to support the suggestion that has been made by the Honourable the Leader of the Opposition, that the committee system of making this choice I believe is a wise one. The choice, when made, will have to stand scrutiny for many years, and I think that although the government did have two ways of going about this, they could have taken the responsibility as a cabinet decision or by a committee of the House decision, and I think that the committee suggestion made by my honourable friend the Leader of the Opposition is a good one. I note, though, that on the make-up of the committee, Mr. Speaker, there are four government members, two Conservative and one Liberal. Now the danger would be, I suppose, if there were no agreement in the committee, and by the rules of our House when a committee reports there can be no minority report, then the debate would break wide open in the House if there were any serious discussion or disagreement on

(MR. G. JOHNSTON cont'd) . . . . . the decision of the committee. I don't know, I am only suggesting perhaps that the committee should be widened to include perhaps one of the two members who are either independent or representing one member of one party, but I do basically agree with the suggestion made by the Leader of the Opposition and taken by the Premier in his approach to this problem.

MR. SPEAKER: The Honourable Member for Rhineland.

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

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

MR. PAULLEY: I wonder now, Mr. Speaker, if you would call the motion to go into Committee of the Whole House.

MR. GREEN: Mr. Speaker, I beg to move, seconded by the Minister of Labour, that Mr. Speaker do now leave the Chair and the House resolve itself into a Committee of the Whole to consider the following bills: No. 36, No. 37, and No. 38.

MR. SPEAKER presented the motion and after a voice vote declared the motion carried and the House resolved itself into a Committee of the Whole with the Honourable Member from Elmwood in the chair.

.....Continued on next page.

COMMITTEE OF THE WHOLE HOUSE

MR. CHAIRMAN: The Honourable Leader of the Opposition.

MR. WEIR: As we approached 12:30, I had been attempting to make a suggestion which I thought might have been helpful for members of the committee to consider over noon hour and failed in my attempt, so that I will be....

MR. PAULLEY: I say to my honourable friend, I apologize. I misconstrued his remarks at that particular time.

MR. WEIR: Well Mr. Chairman, I accept the apology because I was really attempting to be helpful and I thought that consideration by all members of the Committee, I thought it was unfair to give the Minister of Health notice of what my suggestion would be and not give it to my honourable friends opposite, and I was put in a kind of a difficult position, so I'm put in the position now where I'll be presenting an amendment which nobody will have had any advance time to consider, and hopefully will have to be dealt with - although I did my best, I did my best not to do it in the manner in which I am doing it.

But Mr. Chairman, the thing that bothers me here is, the other night in Law Amendments Committee, that certainly with my agreement we agreed to go without the discussion there because the Minister of Health wasn't there and that I saw no reason for a duplication of discussion, and that if we had anything that we needed to bring up in relation to the bill, we could bring it up at this stage of the session; and all this would have been fine, Mr. Chairman, had it not been for what I consider to be a fairly significant amendment that we weren't aware of at the Law Amendments Committee stage, and I am pretty concerned about the scope that is attached to this amendment that is a principle that really couldn't have been appreciated by the public at the time public representation was heard on this bill at Law Amendments Committee.

So what I am attempting to do, Mr. Chairman, and I have any one of a couple of ways that it could be dealt with and I am not objecting to being able to deal with it, but if we are going to deal with it I think it should be dealt with in such a way that the public would be able to make representation. I am taking the Minister's explanation at face value, Mr. Chairman, when I am suggesting the amendment which would really not change any principle that came back out of Law Amendments Committee. If the Minister wanted to go the other distance, then in my view it would be better to withdraw the amendment, present another bill in full, put it through the various stages and have it go to Law Amendments again, so that the people could make their presentation in terms of the proposed amendment.

Now, the purpose of my amendment, and because, Mr. Chairman, of the order of these things, I am making this amendment that if 28 (1) (a) didn't pass the next section, I think, to use a worn-out word around here, I think that my amendment might be redundant, that because of the order that they come up I feel that I have to present the two amendments at this stage of the game and ask for the consideration of the House. Their effect would be....

MR. GREEN: On a point of order Mr. Chairman, is this an amendment to the amendment which has been presented?

MR. WEIR: This would be an amendment to the amendment which my honourable friend presented to us today, and the effect of it without -- before I go into reading the amendment or what it is, the effect of it is really to apply the same rules as 28 (1) (a) applies to firms or employees or insured persons or what have you, that might not be within the constitutional jurisdiction of the province of Manitoba, but it doesn't give the extended powers of regulation to the Lieutenant-Governor-in-Council which could be far and ranging as even meeting the circumstances that I mentioned this morning, where out of the goodness of their heart there has been arrangements made between employers and employees and so on, so that what I'm attempting to do here in this amendment is to maintain the principle that was contained in the original Act so that it can be considered prior to the discussion on 28 (1) (a). If 28 (1) (a) of course, Mr. Chairman, was rejected, then this I don't think would do any harm but it would be ineffective because it wouldn't really be necessary in the operation of the Act. So Mr. Chairman, as I understand it, you do have the amendment of the Minister of Health before you. Would I have your permission, Sir, to read the two motions that I have that would affect his two amendments?

I would move, Mr. Chairman, that the proposed amendment to Bill 36 be amended by inserting after the word "and" in the second line of the proposed clause (d) of subsection (1) of Section 25 of The Health Insurance Act, the words "in the case of insured persons employed under collective agreements and who are not under the jurisdiction of the province in respect

(MR. WEIR cont'd.)... of those collective agreements."

And the second motion, that the proposed amendment to Bill 36 be amended by inserting after the word "residents" in the second last line of the proposed clause (w) of subsection (1) of Section 24 of The Health Services Insurance Act, the words "that have been charged premiums in excess of the standard premiums then being charged other insured persons."

MR. CHAIRMAN: The Honourable Minister of Health.

MR. GREEN: Mr. Speaker, with regard to the first part of my honourable friend's amendment, I have indicated in my initial remarks that there is some argument about the law as to whether provincial or federal jurisdiction governs. I'm not willing to accept the fact that the federal jurisdiction prevents the reduction -- the province requiring the employer to pass on this money. I'm not sure, but I don't wish to take a chance. To use the words that the former Attorney-General once used, this amendment is being pursued in order that we make sure of it and in order that there be an abundance of caution, so I don't want to accept the fact that we are talking about persons who are not under the jurisdiction of the provinces in respect to these collective agreements, although I have indicated to my honourable friends that this is the principal reason for the amendment.

Secondly, Mr. Chairman, I think I indicated this morning that I wanted to be in a position of doing this where any employer has not passed on, under a collective agreement, monies which he saves by virtue of the reduction in premium. I don't want to be limited. I know that sometimes employers will create arguments even about the section that we now have, and create arguments about whether they fall under provincial or federal jurisdiction, and in view of the fact that I have indicated to my honourable friend that this is the intention of the government in seeking this regulation, merely to make sure that the employees get the saving that is referred to in the Act, I am not ready to accept the first part of the motion. I understand the concern that the Honourable the Leader of the Opposition has put in presenting it, in order to limit the sphere, and ordinarily I believe that a regulation should be as confining as possible. I am in sympathy with his intention because I don't believe that we should govern by regulation. I don't like doing that kind of thing, and this particular amendment which gives us that power I ask for very reluctantly, but I want it for that specific purpose, and I am afraid that it's not as clear -- first of all, it makes a confession about federal-provincial jurisdiction which I do not wish to make at this time; secondly, it doesn't give me the power to do that in case an argument develops with a company as to its jurisdiction or as to whether this clause applies to them. So for that reason I don't accept the first part -- or I would ask the Committee to vote against the first part of the subamendment.

With regard to the second part of the subamendment, I am worried, Mr. Chairman, about what is then the standard premium. We would have to start defining "standard premium" and although I am intending that we would only remit back -- and I say this in advance so that members can hold me responsible or hold the Cabinet responsible if we do anything else -- that what we have indicated is we want to remit back to those people who are charged more than the \$13.00, but if we raise the premium for a certain group of people to \$117.00, which may be the effect of this amendment, what then is the standard premium? There is no such thing as the standard premium. There will be some people who will be paying a premium of \$117.00 and some who will be paying a premium of \$13.00, and I don't see the difficulty of us remitting back to that \$13.00 but I don't think that we can definitely say that they have been charged premiums in excess of the standard premium, because the premiums will be anything that the regulation wants to say.

Now Mr. Chairman and members of the Committee, I am in sympathy with what the Leader of the Opposition is intending by this amendment. I think that what he is saying is that if you are going to have power to do something by regulation, then that power should be as narrow as possible. I have argued that way myself. What I am doing in lieu of making this regulation as narrow as possible is that I am announcing to the House in advance that this is the reason for which it is intended, this is the only reason for which we intend to employ it, and if we employ it for any different reason then surely we will have to come back to this House with these words, which I am now saying in clear-cut terms, thrown back at me that we have gone far beyond what the regulation was originally intended to do. And so, while not being out of joint with the intention here, I am afraid that the amendment in the first instance causes me to admit something which I don't care to admit, that the jurisdiction that we have is not sufficient to take care of the subject, although I'm prepared to argue about it and I'm prepared to

(MR. GREEN cont'd.) . . . be able to deal with it in case I'm wrong, and I'm not prepared to admit that it doesn't work because I'm not at this point certain that I'm going to be able to accomplish what I seek to accomplish by the power in the regulation.

Secondly that it's not flexible, so that I can deal with Manitoba companies who may cause trouble in the same way; and thirdly, because I don't think that standard premiums have a real meaning in the second part of the amendment.

MR. WEIR: Mr. Chairman, I don't accept the Minister's reasoning from my point of view, because if the section is permissive in terms of making regulations and it only needs to be used if there is a difficulty, if all he wants to do is to cover this area, then I submit to him that this provides him with the opportunity and if he wants to change it in terms of -- I'm talking now in terms of the principle, not the exact wording; the exact wording doesn't bother me. If an amendment could be made to improve the wording so that it would help my honourable friend out, I would be agreed to accept that as long as the principle was looked after in it, but if there is going to be a move here to have this very wide power of regulation, which would allow any breakdown amongst any type of group, it could be on any basis. It could be rural, it could be urban, it could be ethnic, it could be anything under the sun, and I don't suggest that the Minister of Health, the present one or other future ones, would break them down on that basis but it's a very very wide open clause to get at one very narrow area, and Mr. Minister, I can only suggest that if you insist, if you insist that you need something this wide, that you either find some means of getting this bill back into Law Amendments Committee to place the amendment at Law Amendments Committee where public representation can be heard, or withdraw the amendments now and present another bill to the Legislature that can be processed and put through Law Amendments Committee.

This is too big a principle, too big a principle to inject into a meeting of Committee of the Whole at third reading, injecting a new principle that hadn't even been considered, hadn't been considered by the people who've made representation and there might have been a lot more people, a lot more people than did attend to make representation, show up had this clause been within the bill. So that, Mr. Chairman, if it was the Minister's wish to deal with it in another manner, I could postpone my debate on the matter of principle until it came at that stage of the game. If it doesn't, why, we may have to have a fairly lengthy debate on this particular matter.

MR. CHAIRMAN: The Honourable Member for Rhineland.

MR. FROESE: Mr. Chairman, I find it difficult to understand, having two propositions before us, another, an amending proposition to the earlier proposition being made by the Minister, and I would therefore move that the Bill No. 36, together with the proposed amendments, be referred back to Law Amendments Committee for further consideration, hear outside representation, and report back.

MR. CHAIRMAN: On motion from the Member for Rhineland that Bill 36, together with the proposed amendments, be referred back to Law Amendments Committee for further consideration, hear outside representation, and report back.

MR. PAULLEY: I wonder, Mr. Chairman, whether that's within the rules.

MR. CHAIRMAN: I understand a motion to refer back is in order after third reading, therefore this could be proposed by the honourable member at that stage.

MR. FROESE: If I understand correctly, I think this was done before, that we've referred back bills together with amendments.

MR. CHAIRMAN: The motion to refer back should be in reference to this committee, not in reference to Law Amendments.

MR. PAULLEY: I think the proper . . . . for the motion, if memory serves me right, would be on receiving the committee report, the report of the committee from here, or on third reading, but I think my honourable friend is in error when he suggests that a similar motion has been approved by a Committee of the Whole House. I have no recollection of that being done.

MR. GREEN: Mr. Chairman, I'd just like to deal with that one point. With respect to the principle that is involved here, one can make more out of it than it appears. I'd like to remind honourable members that last year Section No. 28 of the Act as it now reads was amended in Committee of the Whole, and that was a far bigger change than is now suggested. The change that is now suggested is suggested merely for the purpose of enabling us to apply the principles that appear in the bill with regard to Section 27, to all citizens of the province

(MR. GREEN cont'd.) . . . rather than to some of them.

MR. WEIR: Mr. Chairman, I think the Honourable Minister will recall that there was considerable discussion of the points in committee, and agreement in committee that a decision would be made at third reading and presentation of an amendment. The discussion on that section last year was quite extensive in committee.

Mr. Chairman, if the Minister of Health would indicate he'd be prepared to accept a motion of this kind at third reading, we could knock the debate on the head, I'm sure, or if he'd care to withdraw it and present a new bill so that representation could be heard at Law Amendments Committee, this would be another means of accomplishing it. I'm not trying to be stubborn; I'm just trying to find a vehicle where public representation can be heard on something like this if in fact they want to make representation.

MR. FROESE: Mr. Chairman, maybe my motion was premature but I feel that the bill, together with the amendments, after the time of third reading, that it then be referred back to Committee for consideration. I feel that we should hear outside representation on this very matter that is before us now.

MR. PAULLEY: I wonder, Mr. Chairman, I think that I'm correct, and the Clerk could possibly discuss the matter with you, Sir - it's been indicated to me that we have no real objection to it going back for consideration at Law Amendments; it's just the methodology used; and I understand from my colleague the Minister of Health and Social Services that chances are that if -- I'm saying chance because it's not a firm decision - that on the motion to receive the report of the committee, that the report be not received but the subject matter be referred back to Law Amendments, which would be in accordance with procedure. I think that that could be the way out of this and my colleague has indicated to me no objection to it being done that way. It's just a matter of procedure.

MR. WEIR: Mr. Chairman, I'm quite prepared to postpone any discussion I have to get the matter out because I don't think we should establish a precedent of significant changes in amendment in here that are a complete surprise to the general public. I think, in terms of principle I think it's a bad way to do it. I disagree with the amendment for the other reasons and I will deal with that in another way, but the method by which we go around it I think is important.

MR. CHAIRMAN: Perhaps the House Leader could explain what he wishes the procedure to be, because I am not clear myself.

MR. PAULLEY: I think the way we would have to do it is to -- I'm not positive whether we have to deal with the complete bill but in any event, in order to get back into Law Amendments, there would have to be a motion on receipt of the report from this committee - is that not correct, Mr. Clerk? I'm only trying to facilitate. . . .

MR. ENNS: If I might give the Honourable Leader a suggestion, it may be easier to send it to the Public Utilities Committee if he would care to call that committee.

MR. FROESE: Mr. Chairman, probably it would be in order to have the committee rise so that the report could be made and we could immediately amend the report.

MR. PAULLEY: The Clerk has clarified the matter for me, Mr. Speaker. Apparently I was in error in referral back. It could be referred back to this committee once again, but not to the Committee on Law Amendments.

MR. GREEN: Mr. Chairman, if there was no difficulty involved, I would have no objection to going back to Law Amendments, but with the greatest of respect to the members who are arguing to the contrary, the principle of this amendment was surely before the notice of the public with the bill that was presented to Law Amendments, and people came and made representation about the fact that we should not be asking the moneys to be passed back to the employees. All we are doing in this section is passing a regulation which will enable us to do this for all employees and which will give us the flexibility and the power to do it, and I would therefore ask that both of the subamendments be rejected.

MR. WEIR: . . . explanation in any way, shape or form. The amendments that I had presented, the subamendments that I had presented to the House do in fact represent the principles that were discussed at Law Amendments Committee. The amendment that was presented by the Minister of Health enters a wider area and gives extremely wide powers of regulation, like fixing the amount of premiums required to be paid by residents liable to pay premiums, anybody that's liable to pay premiums, fixing the different amounts of premiums for different classes of residents. I don't know how you'd define those but certainly there's

(MR. WEIR cont'd.).... different classes over on that side than there are on this side; that would be one pair of differences that there could be; and prescribing the classes of residents required to pay the different premiums - if you didn't like the colour of their eyes, or there's going to be people with blue eyes and people with brown eyes on different premiums. There's extreme latitude in the ability to make regulations here. And designating the times and the methods of payment, collection and remittance of premiums. And then the other amendment is for the purpose of providing uniformity in the administration and operation of the Manitoba Health Plan; providing for the remission or repayment by the Corporation to, or as the waiver of the whole or part of the premiums paid or payable by any class of resident, and prescribing the classes of residents for these purposes.

Now, Mr. Chairman, the Lieutenant-Governor-in-Council could have any assortment of premiums and charge them to any class or classes or kinds of people that they had, and they could collect it from everybody they wanted to and send it back to the people if they wanted to. There's just no limitations in terms of the ability to make a regulation under this section, and it's not comparable in any way, shape or form to what was presented to the Committee on Law Amendments last Thursday evening.

MR. PAULLEY: Mr. Chairman, I think that the Honourable the Leader of the Opposition has raised the two points that are worthy of further consideration. I can see that we're in some area where we might be in a bind and we want to give consideration to the suggestions, Mr. Chairman, of my honourable friend. So I'm going to make a suggestion, or do something that I think is within our premise, and that is to suggest that the committee rise, we consider the facts raised by my honourable friend, and we'll have time for consideration of them in the interim. Now I am not making a formal motion at this time but I suggest this as a course of action to my honourable friend so that we can really consider the points that he has raised before the matter is further discussed in the Committee of the Whole.

MR. CHAIRMAN: May I say to the House Leader that in following that process we could deal with the other bills.

MR. WEIR: Mr. Chairman, if the House Leader wanted to do this I've got no objection. If we want to allow Bill 36 to stand in committee while it's considered, I'll be quite agreed to that and go on with the other bills and proceed with the Order Paper in any way, shape or form, but I think it's a serious enough matter that the government should even consider, if they want to, and give leave through stages - although with the kind of speed-up we've got leave is hardly necessary - to process a new bill through second reading to take it to Law Amendments Committee if this was necessary.

MR. PAULLEY: I thank my honourable friend, Mr. Chairman, so therefore I move that the committee rise.

MR. WEIR: Mr. Chairman, you don't want to go ahead with the other bills that are there, eh?

MR. PAULLEY: No, we don't.

MR. CHAIRMAN: Committee rise. Call in the Speaker. Mr. Speaker, the Committee wishes to report progress and asks leave to sit again.

#### IN SESSION

MR. DOERN: Mr. Speaker, I move, seconded by the Honourable Member for Rupertsland, that the report of the Committee be received.

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

MR. PAULLEY: I wonder, Mr. Speaker, if you would now call the adjourned debate on the proposed resolution of the Honourable Member for Elmwood, that the report of the Committee of Ways and Means be received, the adjournment being in the name of the Honourable Member for Rhineland.

MR. SPEAKER: The Honourable Member for Rhineland.

MR. FROESE: Mr. Speaker, I don't think I have my notes with me. I didn't expect... -- (Interjection) -- Yes, it was in connection with the matter of the budget at that time. I would beg the indulgence of the House that this matter stand because I cannot proceed.

MR. SPEAKER: Agreed? (Agreed.)

MR. PAULLEY: Mr. Speaker, it seems as though -- (Interjection) -- Well yes. My honourable friend that takes so many adjournments that he can't find them to speak on them, confuses me at times, I must confess.

MR. FROESE: Mr. Speaker, on a point of order. I do not. I think that's the only adjournment that I have. I am not taking that many adjournments.

MR. PAULLEY: I think I could point out about three others to my honourable friend that's on the Order Paper for today.

MR. FROESE: Mr. Speaker, I do not accept that. I ask the Honourable Minister to retract it because....

MR. PAULLEY: In the spirit of amiability and co-operation, I retract any reference to my honourable friend.

Mr. Speaker, I beg to move, seconded by the Honourable Minister of Finance, that the House do now adjourn until 8:00 o'clock.

MR. SPEAKER presented the motion and after a voice vote declared the motion carried and the House adjourned until 8:00 o'clock Monday evening.