

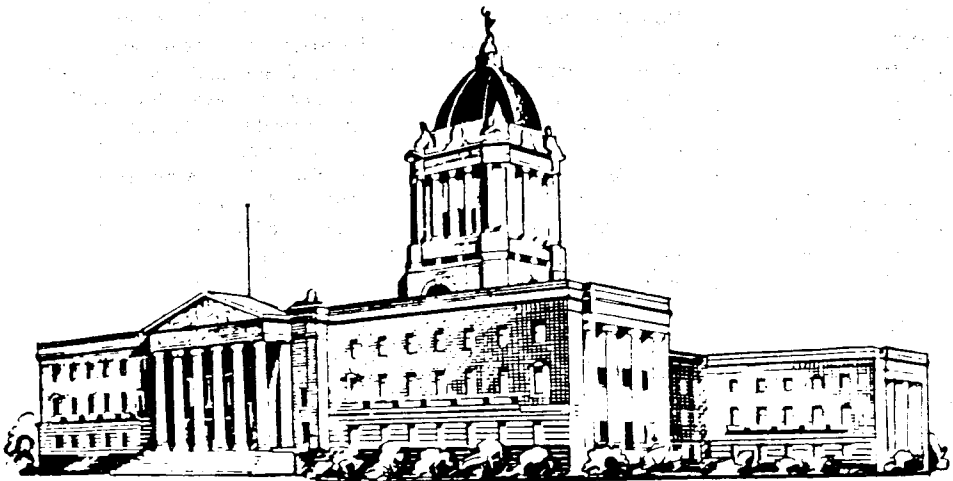


Legislative Assembly of Manitoba

DEBATES
and
PROCEEDINGS

Speaker

The Honourable Peter Fox



Vol. XVIII

Third Session, 29th Legislature.

No. 129 - 2:30 p.m., Thursday, July 22nd, 1971 — No. 130 - 8:00 p.m., Thursday, July 22nd, 1971

ELECTORAL DIVISION	NAME	ADDRESS
ARTHUR	J. Douglas Watt	Reston, Manitoba
ASSINIBOIA	Steve Patrick	10 Red Robin Place, Winnipeg 12
BIRTLE-RUSSELL	Harry E. Graham	Binscarth, Manitoba
BRANDON EAST	Hon. Leonard S. Evans	Legislative Bldg., Winnipeg 1
BRANDON WEST	Edward McGill	2228 Princess Ave., Brandon, Man.
BURROWS	Hon. Ben Hanuschak	Legislative Building, Winnipeg 1
CHARLESWOOD	Arthur Moug	29 Willow Ridge Rd., Winnipeg 20
CHURCHILL	Gordon Wilbert Beard	148 Riverside Drive, Thompson, Man.
CRESCENTWOOD	Cy Gonick	115 Kingsway, Winnipeg 9
DAUPHIN	Hon. Peter Burtniak	Legislative Bldg., Winnipeg 1
ELMWOOD	Hon. Russell J. Doern	Legislative Building, Winnipeg 1
EMERSON	Gabriel Girard	25 Lomond Blvd., St. Boniface 6
FLIN FLON	Thomas Barrow	Cranberry Portage, Manitoba
FORT GARRY	L. R. (Bud) Sherman	86 Niagara St., Winnipeg 9
FORT ROUGE	Mrs. Inez Trueman	179 Oxford St., Winnipeg 9
GIMLI	John C. Gottfried	44 - 3rd Ave., Gimli, Man.
GLADSTONE	James Robert Ferguson	Gladstone, Manitoba
INKSTER	Hon. Sidney Green, Q.C.	Legislative Bldg., Winnipeg 1
KILDONAN	Hon. Peter Fox	627 Prince Rupert Ave., Winnipeg 15
LAC DU BONNET	Hon. Sam Uskiw	Legislative Bldg., Winnipeg 1
LAKESIDE	Harry J. Enns	Woodlands, Manitoba
LA VERENDRYE	Leonard A. Barkman	Box 130, Steinbach, Man.
LOGAN	William Jenkins	1287 Alexander Ave., Winnipeg 3
MINNEDOSA	Walter Weir	Room 250, Legislative Bldg., Winnipeg 1
MORRIS	Warner H. Jorgenson	Box 185, Morris, Man.
OSBORNE	Ian Turnbull	284 Wildwood Park, Winnipeg 19
PEMBINA	George Henderson	Manitou, Manitoba
POINT DOUGLAS	Donald Malinowski	361 Burrows Ave., Winnipeg 4
PORTAGE LA PRAIRIE	Gordon E. Johnston	Room 248, Legislative Bldg., Winnipeg 1
RADISSON	Harry Shafransky	4 Maplehurst Rd., St. Boniface 6
RHINELAND	Jacob M. Froese	Box 40, Winkler, Manitoba
RIEL	Donald W. Craik	2 River Lane, Winnipeg 8
RIVER HEIGHTS	Sidney Spivak, Q.C.	1516 Mathers Bay, West, Winnipeg 9
ROBLIN	J. Wally McKenzie	Inglis, Manitoba
ROCK LAKE	Henry J. Einarson	Glenboro, Manitoba
ROSSMERE	Hon. Ed. Schreyer	Legislative Bldg., Winnipeg 1
RUPERTSLAND	Jean Allard	602 - 245 Provencher Ave., St. Boniface 6
ST. BONIFACE	Laurent L. Desjardins	357 Des Meurons St., St. Boniface 6
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ST. JAMES	Hon. A. H. Mackling, Q.C.	Legislative Bldg., Winnipeg 1
ST. JOHNS	Hon. Saul Cherniack, Q.C.	Legislative Bldg., Winnipeg 1
ST. MATTHEWS	Wally Johannson	23 - 500 Burnell St., Winnipeg 10
ST. VITAL	D. J. Walding	31 Lochinvar Ave., Winnipeg 6
STE. ROSE	A. R. (Pete) Adam	Ste. Rose du Lac, Manitoba
SELKIRK	Hon. Howard Pawley	Legislative Bldg., Winnipeg 1
SEVEN OAKS	Hon. Saul A. Miller	Legislative Bldg., Winnipeg 1
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SPRINGFIELD	Hon. Rene E. Toupin	Legislative Bldg., Winnipeg 1
STURGEON CREEK	Frank Johnston	310 Overdale St., Winnipeg 12
SWAN RIVER	James H. Bilton	Swan River, Manitoba
THE PAS	Ron McBryde	Box 1295, The Pas, Manitoba
THOMPSON	Hon. Joseph P. Borowski	Legislative Bldg., Winnipeg 1
TRANSCONA	Hon. Russell Paulley	Legislative Bldg., Winnipeg 1
VIRDEN	Morris McGregor	Kenton, Manitoba
WELLINGTON	Philip M. Petursson	681 Banning St., Winnipeg 10
WINNIPEG CENTRE	J. R. (Bud) Boyce	777 Winnipeg Ave., Winnipeg 3
WOLSELEY	Leonard H. Claydon	116½ Sherbrook St., Winnipeg 1

THE LEGISLATIVE ASSEMBLY OF MANITOBA

2:30 o'clock, Thursday, July 22, 1971

Opening prayer by Mr. Speaker.

MR. SPEAKER: Presenting Petitions; Reading and Receiving Petitions; Presenting Reports by Standing and Special Committees; Ministerial Statements; Tabling of Reports.

TABLING OF REPORTS

MR. SPEAKER: The Honourable Minister of Education.

HON. SAUL A. MILLER (Minister of Youth and Education)(Seven Oaks): Mr. Speaker, I want to table an Order for Return of the House dated June 17th on the motion of the Honourable Member for Roblin.

STATEMENTS

MR. SPEAKER: The Honourable Minister of Transportation.

HON. JOSEPH P. BOROWSKI (Minister of Public Works and Highways)(Thompson): Mr. Speaker, I'd like to make a couple of statements. The first one, dealing with taxi drivers, is that Tuesday, July 13th last, persons wishing to apply for a license will not have to appear in front of the Police License Enquiry Board providing they do not have a criminal record and have resided in Winnipeg for one year. This is a substantial change from the previous policy that was followed.

The second statement deals with an interim report from the Taxi Board Commission Enquiry. The Chairman, and signed by both members of the Board, informs me that three companies, Yellow, Moore's and Grosvenor, have agreed to transfer the ownership of 203 taxicabs to form a cooperative, and one of the things this will do, of course, is lower the inflationary franchise, reselling, or the trafficking that has been going on in Winnipeg; and in addition they have agreed that the price will be, instead of 20 -- I think the highest price that the license has been resold is 20,500 with interest running up to 24 percent, and the owners have agreed to sell this to the drivers at \$10,000, and the formula they used was 2 1/2 times the value of the cab. In addition, the interest will be only 8 percent and they will be able to pay off this cab at \$7.00 per day, which includes \$3.00 per day depreciation, \$3.00 per day office administration and dispatching, which is a total of \$13.00 a day.

As some members of the House may know, the previous system used was that the drivers had to pay anywhere in the neighborhood of \$50.00 to \$100.00 a week and more, and should they fall sick or something happened, they'd lose their total investment, and this is not going to happen under this system. I think the most significant part of this co-op that's being formed presently, is that every driver is going to be an owner, which I think is going to improve the service tremendously because the drivers will want to service the customers because they'll want them to come back and use their cab. This will be going into effect shortly and I expect a report within one month when the details of this deal are finalized.

MR. SPEAKER: The Honourable Leader of the Opposition.

MR. SIDNEY SPIVAK, Q. C. (Leader of the Opposition)(River Heights): Mr. Speaker, I rise to make a comment, but I wonder if I may, because I'm not sure that I heard the Minister correctly with respect to his statement before I make my presentation. I wonder if I could ask a question, not by way of information but to find out whether he indicated what cash payment they would be paying in connection with the proposition, or are there no cash payments?

MR. SPEAKER: The Honourable Minister.

MR. BOROWSKI: I think if the member is asking will there be any down payment my understanding is there will be no down payment and they will simply pay the \$13.00 per day with the interest rate being, I believe eight percent - yes, eight percent; and if the transfer should run over \$100.00 in making the transfer, the company will pick it up itself, so the maximum will be \$100.00 for the . . . fees and there is no down payment.

MR. SPIVAK: Well, Mr. Speaker, on the basis of that, there's really no comment to make. It was just a matter, really, of clarification depending as to whether they were going to be financed basically by the companies who are selling the cabs and I gather this is the intention; no one else is involved; the government's not involved in financing it, and on this basis there is really no other comment to make other than to at least, as a result of this proposal, to at least be assured that there will not be a substantial or even a partial increase in taxi fares that are directly related to the negotiations and the sale as opposed to the normal general rate

(MR. SPIVAK cont'd) increases that may take place as conditions change independent of this particular transaction, and I gather from what the Minister had indicated that this is not likely to be the case.

MR. SPEAKER: Order, please. There's no debate on this. The Honourable Minister did make his statement. The Honourable First Minister.

HON. EDWARD SCHREYER (Premier)(Rossmere): Mr. Speaker, if the Honourable Member for Lakeside is rising on a question pertaining to other subject matter, I'd like to take this opportunity to answer some questions that were taken as notice some time ago.

One question in particular, the Member for Emerson asked on the 4th of June whether or not the phone calls that were being received by the Autopac office were being taped. I believe the Minister of Municipal Affairs answered that question. The member is shaking his head in agreement.

I go on. The Member for Lakeside asked whether or not it was my intention to visit the Province of Saskatchewan in a short period of time. I don't know what prompted the honourable member to ask but, since we don't impute motives, I take it at face value and answer seriously that I have no such plans but the Minister of Agriculture has made that visit to deal with matters of public policy in the field of agriculture and has met yesterday in Edmonton with the other Ministers of Agriculture.

Another question was asked about whether or not the government intended to rescind the regulations pertaining to egg marketing, and I believe the Minister of Agriculture did answer that question; to the status of the regulations that we had drafted with respect to egg marketing, the Minister of Agriculture did answer that question.

And there was a question asked as to whether or not it was intended -- if I could indicate on what day or date the next contract might be let by Manitoba Hydro with respect to successive stages of construction of Lake Winnipeg regulation. The answer to that is that that is still indeterminate at this time.

MR. SPEAKER: Order, please. Notices of Motion. Introduction of Bills. Oral Questions.

ORAL QUESTION PERIOD

MR. SPEAKER: The Honourable Member for Lakeside.

MR. HARRY J. ENNS (Lakeside): Mr. Speaker, I direct a question to the Honourable the Minister of Urban Affairs with respect to the inevitable unification of the police forces in the City of Winnipeg.

MR. SPEAKER: . . .

MR. ENNS: Yes, Mr. Speaker. With respect to a statement made by the Winnipeg Police Chief regarding the inevitable unification of the police forces in Winnipeg.

MR. SPEAKER: Order, please. I'm certain the honourable member is of the opinion that what the Honourable Police Chief states has no bearing on any of the motions at the present time before the House, or any of the procedures, until they are concluded. The Honourable Member for Lakeside.

MR. ENNS: Well, Mr. Speaker, let me simplify the question. Does he concur with the Winnipeg City Police Chief's suggestion that with respect to unification of police forces that when raised, is inevitable; relax and enjoy it?

MR. SPEAKER: Order, please. The question is frivolous and the concurrence or non-concurrence of the Minister is not essential to the House in outside statements. I am certain the honourable gentleman will cooperate and adhere to the rules and procedures of this House. The Honourable Member for Lakeside.

MR. ENNS: Mr. Speaker, I direct a question to the Honourable the Minister of Agriculture. With respect to his recent visit to Edmonton, can the Minister make any statement or can he give us any assurance with respect to negotiations that took place at that important meeting with respect to the poultry industry, the egg and broiler industry here in Manitoba?

HON. SAMUEL USKIW (Minister of Agriculture)(Lac du Bonnet): Well, as the honourable member may have read, I believe this morning we did issue a press release to the effect that there is an agreement on the part of all ten provinces to help promote the development of an egg and broiler production and marketing system within a reasonable period of time, and that was unanimous on the part of all provinces.

MR. SPEAKER: The Honourable Member for Lakeside.

MR. ENNS: A supplementary question, Mr. Speaker. I wonder if the Minister can assure Manitoba egg and poultry producers that at that meeting the Minister did not in any way bargain away future possibilities of production of these products for Manitoba farmers.

MR. USKIW: I think I'm safe in assuring my honourable friend that that is the case because we did not deal with the question of how to share future growth in the market at this point.

MR. SPEAKER: The Honourable Member for Portage la Prairie.

MR. GORDON E. JOHNSTON (Portage la Prairie): Mr. Speaker, my question is for the First Minister, who is the Minister responsible for Manitoba Hydro matters. The decision made to develop the Lake Winnipeg control and the extra expense entailed, is it likely that this will result in an increase in Hydro rates to users?

MR. SCHREYER: Well, Mr. Speaker, there is an assumption in the honourable member's question which I think is very questionable itself, the assumption that there are extra costs involved. Depending on how that is calculated, Sir, it is possible to say that there are extra costs; on the other hand, it is equally possible to say that when taking the entire Hydro development program in its totality, that there are no extra costs or only marginal ones.

MR. SPEAKER: The Honourable Member for Portage la Prairie.

MR. G. JOHNSTON: A supplementary question to the First Minister on the same subject, the marginal extra costs involved. Can he assure the public that there will be no increases in Hydro rates because of the marginal extra costs?

MR. SCHREYER: Mr. Speaker, no more so than I could guarantee the people of Manitoba that if we proceeded with alternative schemes that there wouldn't be extra costs to them in terms of environmental and ecological damage done for all time, for which it's impossible to put a price tag.

MR. SPEAKER: The Honourable Leader of the Opposition.

MR. SPIVAK: Mr. Speaker, I wonder if the Premier would indicate, is he suggesting that an expenditure of \$50 million is a saving to the people of Manitoba?

MR. SPEAKER: Order, please. The question is argumentative. The Honourable Member for Souris-Killarney.

MR. EARL McKELLAR (Souris-Killarney): Mr. Speaker, I'd like to direct a question to the First Minister. Have you received any correspondence regarding the low level flights that are going to take over be held over Killarney area by the American Air Force, this correspondence came from the Department of Transport at Ottawa? Did you receive any correspondence?

MR. SCHREYER: Mr. Speaker, there has been correspondence on this matter. Both the Minister of Mines and Resources in his capacity as Minister responsible for emergency measures, I believe, and environment, and my office, have received a communication from the Minister of National Defence to which we have replied, indicating at the same time that while this prospect is something that we certainly didn't welcome, nevertheless it is a matter that is within the purview of the Government of Canada. I don't know whether it would be proper to say anything more than that there has been communication on it and we have indicated our concern.

MR. SPEAKER: The Honourable Member for Brandon West.

MR. EDWARD MCGILL (Brandon West): Mr. Speaker, my question is for the Honourable the First Minister and relates to the holding of public hearings on the Brandon Boundaries bill and the announcements that have been made in respect to the time of this meeting, and specifically to the First Minister's announcement this morning on a change which had been made. Can the First Minister confirm that there will be meetings, public hearings on Monday at 2:30 p.m., and that in addition to this meeting there will be also hearings on Saturday at 2:30 p.m.

MR. SCHREYER: Mr. Speaker, that is, I thought, exactly what I had indicated this morning, that the intention was to issue a notice, the usual kind of notice, that there would be opportunity for making presentations to the bill on Saturday at 2:30 in the Municipal Affairs Committee, and that it would also be made known, and is being made known, and was this morning, that in the event that there is insufficient time to complete those presentations Saturday, or we receive word or notice or indication that there are some who have presentations to make who cannot make it Saturday but will be able to at 2:30 Monday, accordingly the committee will be convened at 2:30 Monday.

MR. MCGILL: A supplementary question, Mr. Speaker. Does this mean that the people from Brandon who wish to make presentations will have to be in Winnipeg on Saturday and then at midnight if . . . ?

MR. SPEAKER: Order, please. I'm certain the honourable gentleman can pick his words and choose a sentence which will direct a question and not create an argumentative hypothetical problem. The Honourable First Minister.

MR. SCHREYER: Just for clarification, and I think it's important to be clear on this, that if there is any indication of notice at the meeting on Saturday, when the committee is convened on Saturday, that there are certain parties, certain groups of persons who wish to make presentation but who would be able to do so on Monday, that it is merely necessary to inform the chairman of the committee and Mr. Clerk, and their names will be recorded and they'll be able to make their presentation Monday at 2:30.

MR. MCGILL: A supplementary question, Mr. Speaker. Would the First Minister then undertake to correct a notice which is appearing in today's Brandon Sun which would indicate that if there are so many briefs that they all can't be heard, meaning that the people all should be there, that they will then be heard on Monday. The people would like to know, I think specifically, that they need not come on Saturday and that they can come on Monday.

MR. SCHREYER: Mr. Speaker, what I have said I think does make that amply clear, but just so there can be no mistake about it, in the event that there is any group or person who wishes to make presentation to the bill but is unable to be there Saturday at 2:30, merely need notify the chairman of the committee or Mr. Clerk, the Clerk's office, and the committee will be convened Monday at 2:30 and those persons can be heard at that time. The notice, of course, should be in the hands of the Clerk or the chairman at any time on or before Saturday, say 4:00 o'clock or 4:30 -- 4:00 o'clock.

MR. SPEAKER: The Honourable Member for Rhineland.

MR. JACOB M. FROESE (Rhineland): Mr. Speaker, I'd like to address a question to the Honourable the Minister of Finance. How many users will be getting lower Hydro rates as the result of passage of Bill 36 and also because of the added areas that will now be served by City Hydro?

HON. SAUL CHERNIACK, Q.C. (Minister of Finance)(St. Johns): Did the honourable member say how many will not be served by City Hydro?

MR. FROESE: How many will be getting lower rates.

MR. CHERNIACK: Mr. Speaker, I would entertain a motion for an Order for Return.

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

MR. HARRY E. GRAHAM (Birtle-Russell): Thank you, Mr. Speaker. My question is for the Minister of Agriculture. Was the General Manager of Manitoba Dairy and Poultry Co-op in attendance at the meeting in Edmonton with the Minister?

MR. USKIW: No, the meeting at Edmonton, Mr. Speaker, was a meeting which is held annually and it's a meeting of Ministers of all provinces and the Government of Canada.

ORDERS OF THE DAY - GOVERNMENT BILLS

MR. SPEAKER: Orders of the Day. The Honourable House Leader.

HON. SIDNEY GREEN, Q.C. (Minister of Mines, Resources and Environmental Management)(Inkster): Mr. Speaker, would you call Bill No. 116, please?

MR. SPEAKER: On the proposed motion of the Honourable Minister of -- (Interjection) -- Order, please. Leave for what? I didn't hear the honourable gentleman. The Honourable Minister of Municipal Affairs.

STATEMENT

HON. HOWARD R. PAWLEY (Minister of Municipal Affairs)(Selkirk): I would like to just make a very short announcement, informative announcement, to the members of the House that there is a two or three page explanation being circulated at the present time insofar as the bill which was introduced this morning in connection with the Insurance Act, so that members will know what it pertains to.

GOVERNMENT BILLS

MR. SPEAKER: On the proposed motion of the Honourable Minister of Labour. The Honourable Member for Gladstone.

MR. J. R. FERGUSON (Gladstone): Mr. Speaker, I adjourned this bill on behalf of my leader, the Member for River Heights.

MR. SPEAKER: The Honourable Leader of the Opposition.

MR. SPIVAK: Mr. Speaker, it's going to be our attempt to express a caucus consensus with respect to the bill by my presentation and, as we've indicated before in this House, the difficulty of attempting to deal with legislation that's brought in during the speed-up and as we try to facilitate proceedings of the House, are such that the kind of debate that is required is sometimes controlled and is sometimes not developed to a point where there is both an understanding and an awareness by the public of the issues involved. This, I think, is probably true of the present bill, because the present bill requires informal and meaningful discussion and I think we in this House are prepared to give it.

The changes themselves appear to be minor; the implications are far more severe, because when we talk in terms of giving the police force a right to strike, we have to talk about the total effectiveness of a police force and its ability to be effective if in fact that power is given to them. The present Labour Relations Act provides specifically that policemen may not strike. There are, of course, some contractual obligations in which compulsory arbitration is in fact specified. There are other situations in which there are no specific contractual obligations for compulsory arbitration, and the result is that there has been and could be in certain cases an impasse arrived at, or an impasse achieved in which, as a result of the lack of certainty, the actions that would result in some agreement are stalled because of the void that exists in the legislation.

So the options that we have are several. One is to let the legislation remain as it is. The second is to introduce and specifically spell out compulsory arbitration in those specific areas where in fact it is not mentioned or achieved by some form of contractual obligation. Or thirdly, to try and arrive at some kind of form that will be able to meet the requirements of maintaining the effectiveness of a police force and the confidence that the public must have in this police force as an essential service, and the right of the individuals to see to it that their particular civil rights have not been limited unnecessarily and that they have a degree of protection so that they are not abused because of the essential service that they are involved in.

Now the problem, Mr. Speaker, is that I do not think that we can cite the cases in which the degree of suffering has occurred - there may be some, and they may be known to the members on the opposite side more than they are to the members on this side - the degree of suffering that's occurred because of the lack, because this legislation did not take care of every situation and simply provided policemen do not have a right to strike, they had no method of compulsory arbitration, and an impasse had been reached.

MR. SPEAKER: The Honourable House Leader.

MR. GREEN: Mr. Speaker, would the honourable member recall his remarks with regard to abuses in legislation whether an actual abuse takes place or not, and one shouldn't have to wait for the abuse before one remedies the situation?

MR. SPEAKER: The Honourable Leader of the Opposition.

MR. SPIVAK: Mr. Speaker, the Member from Inkster is debating at this point and not asking a question. Yes he is. And I'm quite prepared to have him enter the debate and he may very desire that, but he really - this is not a legitimate question and this -- (Interjection) -- No, this is not a legitimate question and I'm suggesting that at this stage -- I'm not suggesting that you do not change the legislation. Obviously you look and examine legislation and there are changes that have to occur. Legislation should not remain fixed. It has to revolve and it has to be contemporary and it has to suit and meet the situations and changing attitude. And I'm not again suggesting that there isn't something more than what we have in the present Act that is required, but the problem we face: is this the solution? And realistically is it the solution? Because what is really being suggested here now is that in effect the contractual obligation between the police force and its employer, if it does not spell out compulsory arbitration, will in fact be superseded by the ability for the Cabinet to be able to declare it to be an essential service to in fact prevent these strikes, to prevent a strike, and in turn the possibility that the Legislature may be called in session to approve. -- (Interjection) -- Well, the Minister indicates that I'm wrong, but let's now review the situation.

If there are no contractual obligations with respect to compulsory arbitration and there was a provision in the present Act that a policeman cannot strike, then it is illegal for them

(MR. SPIVAK cont'd) to strike, if in fact you provide legislation which says that we take out the right to strike, the Legislature prohibiting the right to strike, policemen then are in a position to strike. If in fact they do not provide compulsory arbitration by agreement, then obviously if they go through the normal process and come to a point where there is going to be a strike, I mean determine that there is going to be a strike, the Cabinet will have the ability to declare this as an essential service to postpone a strike. So, Mr. Speaker, I think I've been consistent so far in with what the Act says.

MR. SPEAKER: Order, please.

MR. SPIVAK: Well, again, the Cabinet then can decide that there should not be a strike and there's a period of time by which they must then call the Legislature and then has to be confirmed by a resolution to the House.

Now, Mr. Speaker, there have been abuses and some of them, as I understand them, relate to situations where in fact settlements have occurred - and this is not only peculiar to a policeman situation but because he doesn't have the other vehicle available to him in labour negotiations it may penalize him - where in fact as a result of a settlement and reference back retroactively to the monies that should have been earned, they are accumulated and paid in the given year in which he is taxed at a higher rate than he is in a previous, of any he would be if it has been spread out over a period of time. And his rights in this respect are limited because he has not the ability - and this is not one abuse, this is not the only or major abuse, but this is certainly one abuse that he suffers - he's put in an impossible position of having to be taxed at a higher level because the money is paid in the given year or he hasn't the ability to be able to manoeuvre as some people have been able to manoeuvre in normal negotiations, because of the fact that he cannot strike and he has that alternative limited to him.

So, Mr. Speaker, what I am suggesting essentially is this, that what is probably required is something more than what we have in the present legislation or probably something less than the government is proposing, and what that is requires study and consideration and has to be considered not only with respect to policemen, but to other essential services. And in fact if we're going to deal with this, I think I would have to repeat again the words of the Member from Emerson when he talked in terms of teachers who have, within the Act, a specific provision for compulsory arbitration which the government is not prepared to introduce either because it does not believe in the principle or because it's not prepared to proceed on that basis. But what they are now asking, effectively is something which in our opinion could effectively destroy -- well, let me put it another way. Not effectively destroy but could impinge on the effectiveness of the police force and the degree of confidence that the people of this province want with those areas in which they have to be serenely confident that action will occur in the event of danger. And, Mr. Speaker, this is what we are talking about: the recognition that we have to be confident that those people who are charged with the essential services will execute them and that we are not going to be in a position where there could be a paralysis in which the community would suffer. Now the argument would be that in that kind of situation -- (Interjection) --

MR. SPEAKER: The Honourable House Leader.

MR. GREEN: Agricultural Committee would meet at 3:00 o'clock and perhaps if he is intending to go on for some time . . . - (Interjection) -- Oh well then . . .

MR. SPEAKER: The Honourable Leader of the Opposition.

MR. SPIVAK: My intention is not to go on and I would like to again repeat the last point. Our position essentially is this, that there are essential services which, if they are allowed to deteriorate, will have a very real effect on paralysis in our community and the police force is one, and that in effect to leave the power to control that situation up to the Cabinet, at this point I think is in error. And so therefore, Mr. Speaker, on that basis we cannot support the legislation. We agree that probably something more than what is in the present legislation is required. We agree that the matter has to be debated and discussed further. We do not believe that this kind of legislation, again introduced at the end, should have to be considered in the rush to complete our legislation, and for that reason we will not support the bill on second reading.

MR. SPEAKER: The Honourable Member for Rhineland.

MR. FROESE: I just have a few remarks . . . I don't know whether the Minister . . .

-- (Interjection) --

MR. SPEAKER: The Honourable Member for Rhineland.

MR. FROESE: Well, Mr. Speaker, if the Minister insists that we want to go into committee then I'll adjourn debate at this time. -- (Interjection) -- Well okay. I've been interested in the remarks made in connection with the Labour Relations Act and Bill 116 which is amending it. I also notice that the case of the declaration is made by the Lieutenant-Governor-in-Council and that if this is expired, or before it expires, it's supposed to be confirmed by the Legislative Assembly. I'm just wondering whether the legislation that we have on our books in connection with calling the Assembly, whether there is enough time given. -- (Interjection) -- Well, if this can be done and if that's the real intent, I was wondering whether this was more or less superficial on the books and whether we really could accommodate the people concerned in this way within a short matter of time.

MR. SPEAKER: Are you ready for the question? The Honourable Minister of Labour.

HON. RUSSELL PAULLEY (Minister of Labour)(Transcona): Mr. Speaker, I beg to move, seconded by the Honourable the Minister of Mines and Natural Resources that the debate be adjourned. I'll close the debate this evening.

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

MR. SPEAKER: The Honourable the House Leader.

MR. GREEN: Mr. Speaker, I understand that another bill is wanted to be put forward to Agricultural Committee for which delegations are here, and I understand that it will probably be dealt with in less than two minutes. So I'd like to call that bill, Bill No. 120.

MR. SPEAKER: The Honourable Member for Rock Lake.

MR. HENRY J. EINARSON (Rock Lake): Yes. Mr. Speaker, I am going to be very brief on this bill. I just want to say, Mr. Speaker, to the Minister and to the members of this House, that this is a subject matter that has concerned many farmers in the production of livestock in the province of Manitoba for quite a number of years. I'm not going to make any introduction as my colleague from Lakeside did - I think he did that sufficiently well this morning; but I am concerned about this particular matter and I must repeat again on this particular case, I hope there are sufficient representations here, Mr. Speaker, this afternoon, that we're going to be able to hear from the interested parties in expressing their views as to how they feel about this particular bill. I think this is very important and I just want, for the record, to make it clearly understood insofar as our party is concerned, that we're dealing with the matter that concerns, as I said, farmers and particularly the farmers in the production of dairy products, where they don't have their own sire and they depend on the technician to serve their purpose. And this has been a real problem over a number of years that we have not been able to solve, Mr. Speaker, and while I have questions on some of the parts, I think particularly the principle of this bill, I am interested in listening to what outsiders are going to have to say in this particular matter, and having said those few words, Mr. Speaker, I am prepared to let it go to the Agricultural Committee.

MR. SPEAKER: Are you ready for the question? The Honourable Minister of Agriculture.

MR. USKIW: Mr. Speaker, I had assumed that the Honourable Member from Rock Lake was going to talk a little longer. I apologize for not paying attention.

I want to make a few comments in answer to some of the points that were made earlier today on this question. The Member for Lakeside, of course, expressed a great deal of concern about the need for this kind of legislation, and he tried to suggest that this was some sort of another philosophical approach on the part of the government for reasons only known to the government, and I don't want to leave that unchallenged, Mr. Speaker, because it is not true. I think that the Member for Lakeside is rather sensitive about this legislation because he appreciates the kind of mess that we have in the industry and that was largely created because of the way in which he administered the program when he was the Minister of Agriculture.

As members who have been here since 1966 would know, we had a substantial amount of representation made to a committee of the Legislature in each of those years, and in fact it was one of the heaviest sessions we ever had in the Law Amendments Committee or - no it wasn't, it was the Agricultural Committee - out in Room 254 during one of our sessions, where there was very heated debate over the policies of the then government of Manitoba and over the fact that they were truly scuttling any possibility of developing a sound A-1 industry within the province, that their policy was tantamount to a sellout to outside interests. These were the kinds of charges that were made during those committee hearings, and therefore I have to

(MR. USKIW cont'd) challenge the remarks that were made by the Member for Lakeside, knowing that he is only trying to defend the erroneous position which he maintained all along and does not want to admit that mistakes have been made which have resulted in complete chaos in the A-1 industry in Manitoba. -- (Interjection) --

Mr. Speaker, just to indicate to the House that this is not simply a matter of government philosophy, I want to say that the Economic Advisory Board was brought into play some months ago and they did a thorough study on the question for my department, and I want to give to the House some idea as to how we understand the A-1 industry performs in Manitoba at the present time.

At the present time, the government allocates technician licenses with a view to providing each technician with a territory large enough to provide a reasonable living to each technician. Technicians are free to purchase semen from any source in response to consumer requests; thus on the surface the consumer does have complete freedom of choice. It's estimated, however, Mr. Speaker, that upwards of 75 percent of the farmers using A-1 rely on the recommendations of the technician as to what semen to use. We estimate, further, that about 35 percent of the semen used on dairy cows in Manitoba is from unproven bulls. One practical limitation on consumer choice is the effective monopoly each technician has in the area for which his license has been granted. In practical terms, the consumer is substantially limited to choosing from the technician's inventory at any given point in time. Technicians have no effective means of promoting progeny testing since they are in no position to keep the necessary records. At the same time, progeny testing and substantial program of herd improvement are basic to the success of any A-1 industry in Manitoba.

The conclusions we have arrived at, Mr. Speaker, on the basis of evidence provided by technicians and consumers, is that technicians are geared to maximizing their incomes, that quality improvement is of necessity secondary, and Mr. Speaker, this is an indictment of the present structure. There is even a question as to whether there are not fraudulent practices occurring from time to time under the present setup.

The conclusion of our review, Mr. Speaker, is that stringent controls are required over technicians, and that this control should be consumer control; in other words, the users of the product must have the complete authority to make sure that they are being serviced as they require and not as some outside interests may wish for their own reasons. Technicians should be regarded as vendors, subject to the performance requirements of their customers. Now, Mr. Speaker, that is a very important consideration. It's obvious, Mr. Speaker, that an effective A-1 system demands that technicians receive fair and adequate compensation for services rendered and all licensed technicians should have free and easy access to the basis upon which sire evaluation committees within the province arrive at their appraisals of sires accepted or rejected by a central semen marketing organization in the event that that is established. Technicians will play a key role, and they should play a key role, Mr. Speaker, in an effective scientifically advanced program of A-1 in Manitoba. But to do so, they must be kept fully in the picture by all concerned.

Mr. Speaker, it's obvious that in the past we have not had as much utilization of A-1 on the part of some of the beef people; the dairy people are far ahead in this business; but I want to say to you that our study indicates to us that that is a thing of the past, that there is a great deal of interest on all sides within the industry, in the beef-producing areas and the dairy industry, insofar as the utilization of A-1 is concerned. All organizations representing both dairy and beef producers have committed support to a modern A-1 program. This is based on the study. And of course we have, Mr. Speaker, the new interest of the swine industry and I think that we must make sure that we provide the kind of well-rounded program which will serve that industry as well.

It's obvious from the studies that have been undertaken over the last number of months that little or no opposition exists to facilitating the formation of a consumer-controlled central marketing and distribution organization. -- (Interjection) --

MR. SPEAKER: Order, please. Order!

MR. USKIW: It's obvious that the majority of organized consumers of semen regard this as extremely urgent at this time and we have canvassed a goodly number of them, Mr. Speaker, and I simply want to indicate for members opposite who are well acquainted with some of the personalities in the industry, that we have spoken to the following people, within the department and outside the department, but I'm going to only name people outside the department that

(MR. USKIW cont'd) have been canvassed for opinions, and I think they're important opinions; one of them being Mr. Shellborn from Minnedosa, Mr. T. . . . , Skip Keeley, which is the head of your technician group, Keith Robson, Rod Bailey, Reg Forbes, Tom Bruce, who was mentioned earlier this morning as having a concern in this area - mentioned by the Honourable Member for Lakeside, Harold Ross, Vic Lund, Albert Van Walleghem, Jim Holtman, DePape, Canning, Batho, the Cattle Breeder's Association, Marvin Seale, Norris Murray of Herd Builders, and many others, and I'm not going to go all the way -- Bob Douglas, the National Farmers Union, the whole group were involved in the discussions that were undertaken over the last three or four months; and it's obvious from this particular study, Mr. Speaker, that there is a great deal of support for what we are doing and that I would commend the legislation to members opposite, not allow the warfare that has prevailed within this industry over the last five years to continue, and indeed to take hold of the A-1 system in Manitoba for the benefit of Manitobans.

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

MR. ENNS: Ayes and Nays, Mr. Speaker, please.

MR. SPEAKER: Call in the members. Order, please. The question before the House is second reading of Bill 120.

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

YEAS: Messrs. Adam, Allard, Barrow, Borowski, Boyce, Burtniak, Cherniack, Desjardins, Doern, Gonick, Gottfried, Green, Hanuschak, Jenkins, Johannson, McBryde, Mackling, Malinowski, Miller, Paulley, Pawley, Petursson, Shafransky, Toupin, Turnbull, Uskiw, Uruski, and Walding.

NAYS: Messrs. Barkman, Bilton, Einarson, Enns, Ferguson, Froese, Girard, Graham, Henderson, McGill, McGregor, Patrick, Spivak, Watt, Weir, and Mrs. Trueman.

MR. CLERK: Yeas 28, Nays 16.

MR. SPEAKER: In my opinion the Yeas have it and I declare the motion carried.

The Honourable House Leader.

MR. GREEN: Mr. Speaker, I wish to move, seconded by the Honourable the Minister of Labour, that the House do now adjourn.

MR. SPEAKER: Before I place the question, I wonder if the Honourable House Leader would indicate when he wishes to have the House meet again.

MR. GREEN: Mr. Speaker, I left it blank because of the rule - 8:00 o'clock tonight.

MR. SPEAKER presented the motion and after a voice vote declared the motion carried and the House adjourned until 8:00 p.m. Thursday.