

THE LEGISLATIVE ASSEMBLY OF MANITOBA
9:30 o'clock, Saturday, July 24, 1971

Opening Prayer by Mr. Speaker.

MR. SPEAKER: Presenting Petitions; Reading and Receiving Petitions; Presenting Reports by Standing and Special Committees.

REPORTS BY STANDING COMMITTEES

MR. SPEAKER: The Honourable Member for Gimli.

MR. JOHN C. GOTTFRIED (Gimli): Mr. Speaker, I beg to present the Ninth Report of the Standing Committee on Law Amendments.

MR. CLERK: Mr. Speaker, the Standing Committee on Law Amendments begs leave to present the following as their Ninth Report?

Your Committee has considered Bills:

No. 65 - The Manitoba Mental Health Research Foundation Act.

No. 96 - An Act to amend The small Debts Recovery Act.

No. 98 - An Act to amend The Manitoba Evidence Act.

No. 109 - An Act to amend The Expropriation Act.

No. 112 - The Statute Law Amendment Act, 1971.

No. 118 - The School Tax Reduction Act.

No. 119 - An Act to amend The Insurance Act.

and has agreed to report the same without amendment.

Your Committee also considered Bills:

No. 62 - An Act to amend The Public Schools Act (3).

No. 97 - The Change of Name Act.

No. 99 - An Act to amend The Highway Traffic Act (2).

No. 103 - An Act to amend The Municipal Assessment Act.

No. 104 - The Legal Aid Services Society of Manitoba Act.

No. 105 - An Act to amend The County Courts Act (3).

No. 114 - The Communities Economic Development Fund Act.

No. 115 - An Act to amend The Provincial Police Act.

No. 116 - An Act to amend The Labour Relations Act (2).

and has agreed to report the same with certain amendments, as agreed to by the Committee.

All of which is respectfully submitted.

MR. SPEAKER: Ministerial Statements; Tabling of Reports; Notices of Motion, Introduction of Bills; Oral Questions; Orders of the Day.

THIRD READINGS

MR. SPEAKER: The Honourable House Leader.

HON. SIDNEY GREEN, Q.C. (Minister of Mines, Resources and Environmental Management) (Inkster): Mr. Speaker, would you call the bills on the Order Paper for third reading starting with Bill No. 27, the first bill on which an amendment is being put, and I note that the people putting the amendments are here, so we can adopt the new procedure now.

MR. SPEAKER: The Honourable Leader of the Opposition.

MR. SIDNEY SPIVAK, Q.C. (Leader of the Opposition) (River Heights): Mr. Speaker, I guess for the first time we're really going to be applying the new rules. I would wonder if we can have an explanation of the procedure for it in terms of -- we're really dealing with the report at this point.

MR. GREEN: The question that the Speaker puts on Bill No. 27, and let's all see whether I'm correct, shall the report of the committee be received, and that then the amendment is put to the House by Mr. McGill, and when that amendment is voted on one way or the other, then the bill is put. I see the Clerk's here and I wonder if that is approximately right. He's nodding his head so I take it that that is the procedure.

MR. SPEAKER: But in other words the Honourable Minister of Finance was correct. We start on the report stage -- shall the report -- (Interjection) -- Right. Bill No. 51, shall the bill be reported?

MR. GREEN: Bill No. 27, Mr. Speaker, on the Order Paper, which is in the report stage and we are asking, shall the report of the committee be received, and we would then have an amendment by Mr. McGill.

MR. SPEAKER: I happen to be a little confused, because my Order Paper says the reports stage are on Page 3 -- 51 is the first one.

MR. GREEN: But I'm dealing with the bills in order of their appearance on the Order Paper.

MR. SPEAKER: Oh. I see. Shall the bill be reported? No. 27. The Honourable Leader of the Opposition.

MR. SPIVAK: Mr. Speaker, I intend to move an amendment for the report and I would like to move it now. Just on a point of order, Mr. Speaker, because this will apply to this amendment and subsequent bills as well where the basic amendment is the same and because the sections were not clarified at that time, we submitted to the clerk without the actual section number being included and, with leave of the House, I move the amendment, . . . to the appropriate place, and if the Clerk can give us the amended portion we can fix it in or it can be fixed in by him as to where it would be placed. -- (Interjections) --

MR. GREEN: my honourable friend is asking what number his amendment now refers to because of the newly amended bill? Is that correct?

MR. SPIVAK: Yes, that's right, yeah.

MR. GREEN: The Leader of the Opposition would like to know - when he put his amendment in he did not have the right number. Now if he could get the number from you, he will be able to move the amendment with the proper number.

MR. SPIVAK: Mr. Speaker, I move that Bill No. 27 be further amended by adding to the bill after section 17(6) the following subsections: 17(7), 17(8).

"17(7) Upon application to court pursuant to subsection 6, the Director or his authorized representative shall furnish the specific information as to the specific purposes of the investigation."

"17(8) The Director or his authorized representative shall report to the court from which he obtained the court order, within seven days of obtaining the order, the complete details of the results of the investigation." Seconded by the Honourable Member from Minnedosa.

MR. SPEAKER presented the motion.

MR. SPEAKER: The Honourable Leader of the Opposition.

MR. SPIVAK: Mr. Speaker, this is one of a series of five amendments proposed to five separate acts, I believe, in which we have asked for the approval of the House of two additional subsections to the amended provisions which have been referred to in the past as "the amended snooper clauses." The intent here is to try and make the legislation that is now being proposed to work better than it has in the past and as it was originally proposed in the legislation that was first brought forward.

Mr. Speaker, the provisions in this section before they were amended applied to many other statutes that were on the books in the Province of Manitoba, and probably in many other statutes that were on the books of many of the other provinces. We recognize this. What really highlighted the necessity of concentrating and focusing attention on this was the fact that there are a number of bills in which the provisions, although not necessarily worded in the same way, basically were provided in which some regulatory body, or some body given some basic control, was given the opportunity for the right of inspection and review without notice, without the obtaining of a court order, and basically for the purpose of investigating a specific complaint, or investigating something that they felt was in the interest of the public and in the interest of the consumer. We are happy with the fact that the government was prepared to consider the change in amendment and basically accept some of the recommendations that have been made by this side.

But the two recommendations that are contained in the proposed amendment to the report which would amend the Act, were not accepted by the government. Now our intention is very obvious, Mr. Speaker. Our intention is to try and limit the ability of the person who is doing the investigating to the specific area of concern and to the specific complaint. It doesn't necessarily follow that the documents that would have to be examined would be known by him, but there should be on the application some particular reference to the information that's desired and to the nature of the investigation, to the scope of the investigation, and to the documents that are to be examined, to the access that's required; and further there should be a report back, Mr. Speaker, by the Director or someone on his behalf, by the Board or someone on their behalf, as it may apply in the other cases. My purpose in presenting it in this way, Mr. Speaker, is not to be repetitious when we deal with the particular amendment in the other bills

(MR. SPIVAK cont'd.) but to present our case at the first occasion, which would be on this bill, and hope that the government would see the wisdom of this.

Mr. Speaker, these provisions are taken from The Combines Act. We have introduced this on the basis of the specific provisions that apply in the Combines Act, and we feel that the Federal Government has been able to operate under this kind of restriction and the Provincial Government should be able to operate as well.

And, again, I recognize that there are many other statutes, and many other provisions in statutes which may not confine the policing authority, the regulatory authority, in the same way as this is proposed. However, if we're going to be able to arrive at something that is proper in striking the balance between the necessity for government inspection and investigation, and the rights of the civil liberties of individuals in the '70s, then we might as well do it right. It would seem to be that rather than simply reject this proposition, rather than reject it, that there should be an acceptance of it because it accomplishes two things. It means that the application for the permission to the court - the application to the court for permission to investigate must come within some control of the bounds; and further that the information is then supplied to the court and the court has the judgment to make on that basis as to whether the application was warranted, as to whether the information itself obtained was justified for the course of action that has been undertaken. While it may not in one particular case be that significant, if there's a repetition of a number of applications, or a repetition of similar situations in which there is essentially fishing expeditions being undertaken by, in this particular case, the Consumers Branch or the Director, then the court would be in a position to have that information in front of it in a direct manner and would be able to make its judgment.

One other comment, Mr. Speaker, and I assume that in moving the amendment I would have the ability to talk on the bill itself, because we are under Rule 46. -- (Interjection) -- Well, Mr. Speaker, I'm assuming that I'm dealing with the amendment in the reporting stage, I can talk on the bill in the reporting stage. -- (Interjection) --

MR. SPEAKER: The Honourable House Leader. Order!

MR. GREEN: I'm sure that the honourable member has the ingenuity to relate this amendment to the bill. In a moment, there's going to be a motion that the bill be received and I would say that the rules of debate are, you discuss things as they come and we are now discussing your amendment. You would be in the same position as if we were in Committee of the Whole House discussing the amendment.

MR. SPEAKER: The Honourable Leader of the Opposition.

MR. SPIVAK: I'll leave the comment for the motion that the bill be received.

I would seriously request the government to consider this proposal and this amendment. It will not add an undue burden on the Director of the Consumer Branch. It will, in fact, enhance the amendment that's been proposed, and it will logically present a further check and balance on the manner in which the government departments carry out their responsibility and it would be, I believe, a greater protection for the individual without in any way basically interfering with the ability of the Director in this particular case, or on the Board in the other case, to carry out their logical and legislative function.

MR. SPEAKER: Are you ready for the question? The Honourable the Attorney-General.

HON. A. H. MACKLING, Q.C. (Attorney-General) (St. James): Mr. Speaker, what I have to say can be said in but a few words. The Honourable Leader of the Opposition has indicated that he feels that notwithstanding the amendments that have been made, a further amendment is necessary in order to provide for a report back to the court as to results of any seizures or investigations that have been made. But the weakness in that is that, if that procedure were to be followed, then a report to the court of all the details would expose all of the information which according to the principles of the Act are to remain confidential, and would therefore vitiate the purposes of the Act. And it would be impossible to change the principles of the operations of the court. Those documents and reports that are filed in court are public knowledge as of precedence and practice, and we wouldn't want to change that. So that the Honourable Leader of the Opposition in presenting the suggestion that he is, is presenting something that he would not agree with if he recognizes the over-all considerations of the Act.

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

HON. BEN HANUSCHAK (Minister of Consumer, Corporate & Internal Services) (Burrows): Mr. Chairman, just a few comments on the Honourable Member's amendment, and perhaps what I'll be saying with reference to Bill 27 would most likely also apply to a number

(MR. HANUSCHAK cont'd.)of other bills wherein there'll be a similar amendment produced as per notice received by the House from the Honourable Leader of the Official Opposition.

I just wish to make a few brief comments on the nature of the application that the Honourable Leader of the Official Opposition feels, the specific details, the accuracy of it, preciseness of it, and the question of seven days in reporting back to the House.

But before I mention that, the Honourable Leader of the Opposition made some reference to the fact that the government accepted the recommendations of the other side of the House in a number of instances in the bill. Well, I wish to remind you, Mr. Speaker, that it's true we considered proposals made by the other side of the House, but there were also other people who made recommendations, which recommendations we did take into consideration. And there were the recommendations made by the various delegations that appeared before Law Amendments Committee. And that, I suggest to you, Mr. Speaker, is even more significant that we did take those recommendations into consideration. And, Mr. Speaker, you can go through this bill, you can go through the amendments that were proposed by the government, you can compare them with the briefs submitted by the delegations, and you will find many of the recommendations made by the delegations which the government saw fit to incorporate into legislation.

So, this is our way, Mr. Speaker, of indicating to you, and to the public, that Law Amendments Committee is not an exercise in futility but that we do listen to a delegation and that we do take their recommendations under advisement. And if it's found necessary, practical and advisable, the recommendations do become law.

Now in respect to the suggestion made by the Honourable Leader of the Official Opposition in the first part of his motion, that the application should furnish specific information as to specific purposes of the investigation, and I suppose it's the Honourable Leader's hope that if the application furnishes specific information then the order of the court will be as specific in terms of the documents to which the Director should have access and so forth.

May I suggest to you, Mr. Speaker, that this could present problems. Let's say a person has a complaint against a certain business operation; now as to stating the precise documents that may be necessary, it may be impossible since the director may not have information as to the exact type of document that may have been used in the transaction. Was it a sales slip, a conditional sales contract, chattel mortgage, a variable credit agreement, or was it a combination of two or more of these. So therefore I suggest to you, Mr. Speaker, that the director cannot ask for specific information. He cannot go to court and say that I wish a copy of the conditional sales contract between Mr. Smith and the ABC Company, because he doesn't know whether it in fact is a conditional sales contract or is it some other document. In what form does a business maintain its record of customers accounts. In some cases it may be a computer print-out where the whole record is maintained only on a master tape; it may be a separate account card or as in many cases it may be a record of the account on the back of an agreement form. It's evident therefore, Mr. Speaker, that the requirement that specific documents and records for the purposes of investigation of a specific complaint is impractical.

Now it has been mentioned it is possible to identify specifically the parties to a complaint that is under investigation but it's possible also, Mr. Speaker, that from time to time the Director will be required to conduct investigations of the practices of a business in more general terms. If several complaints have been received against the company wherein they are found to be in error in the calculation of rebates on credit agreements, it may well be necessary, Mr. Speaker, and fully justifiable, to ask for a court order to review a series of rebates that have been calculated to assure that the complaints are in fact isolated incidents of error and that the company is not ignoring the act in the simple hope that they will not be caught. Similarly, it may be necessary to review the records of a collection agency to assure that they are conducting their business in a proper manner and that they are not contravening any of the requirements of the act or abrogating the rights of debtors by virtue of the debtors' ignorance of those rights in law.

Now these are only a couple of illustrations, Mr. Speaker, of numerous ones that could be cited, which would indicate that it would be most undesirable to call upon the applicant to furnish specific information as to the specific purposes of the investigation.

With respect to the second part of the motion that the administrator or the director be required to report the results of his investigation back to court within seven days. The

(MR. HANUSCHAK cont'd.) Honourable Attorney-General has dealt with this and I only wish to repeat very briefly and emphasize the point that he has made, that in most cases it would be impossible to complete the investigation within seven days; and secondly, if the investigation substantiates that there has been a breach of the law, the matter will go to court by way of prosecution and perhaps ultimately by way of a civil action on the part of the aggrieved person or persons or obtain their rightful revenue.

And thirdly, Mr. Speaker, we have incorporated into the statutes in question confidentiality clauses for the very good reason that where an investigation is conducted and the subject of the investigation is not found to be at fault they will not be subject to public suspicion and censure merely because an investigation was conducted. We think this is fair, Mr. Speaker, and should be so. On the other hand, if such a result was reported back to the courts, now would this not then become a matter of public record? If so, the provisions of confidentiality would be negated and some businesses may suffer unnecessarily.

So for these reasons, Mr. Speaker, I wish to indicate that we cannot support the motion of the Honourable Leader of the Opposition and as I have also indicated previously it is not my intention to speak on subsequent motions because they are very similar to the ones we are dealing with, they're dealing with a very similar principle.

MR. SPEAKER: Are you ready for the question? The Honourable Leader of the Opposition does not have an opportunity to speak a second time according to the new rules. The Honourable Leader of the Opposition then.

MR. SPIVAK: Just let me understand this. You are saying that we are not in a similar situation, as in the committee stage, we can only speak once on this?

MR. SPEAKER: When the debate is permitted, section 9 of 68(a) on amendment, "No member shall speak more than once or longer than 20 minutes during the proceedings on any amendment at that stage, except the Premier, the Leader of the Opposition, a Minister of the Crown or other member sponsoring the bill and the member proposing an amendment may speak for more than 40 minutes, but just once."

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

MR. SPEAKER: The Honourable Member for Rhineland.

MR. JACOB M. FROESE (Rhineland): Mr. Speaker, I move, seconded by the Honourable Member for Assiniboia that Bill No. 27 be amended by striking out the words "At an annual salary in excess of eighteen thousand dollars per year" as they appear in lines 2 and 3 of section 2 (e) (i).

MR. SPEAKER: Order, please. There is one other indication I would like to make to the House, probably because this is the first time I didn't receive all these amendments, but sub clause 10 says the Speaker may select or combine amendments or clauses and I haven't had the opportunity to do this, therefore we'll have to go through each one as if I'm . . .

MR. SPEAKER put the question.

MR. SPEAKER: The Honourable Member for Rhineland.

MR. FROESE: Mr. Speaker, the amendment that I propose deals with the matter of exemptions under the Personal Investigations Act and we find under this particular section that there are a number of entities exempted, we find that the government municipal corporations and police officials are exempted. We note also, however, that there is another special group being exempted, namely those that receive a salary over and above, or \$18,000 and over. Mr. Speaker, this is . . .

MR. SPEAKER: Order, please. The Honourable Minister of Consumer and Corporate Affairs on a point of order.

MR. HANUSCHAK: I am sorry, Mr. Speaker, that I hadn't caught this point earlier but may I suggest to you that there is a slight inaccuracy in the amendment, because the amendment refers to "reducing \$18,000 to some other figure." Well \$18,000 does not appear in the amended bill, Mr. Speaker.

For the benefit of the honourable member may I repeat myself again. The figure of \$18,000 does not appear in the amended bill.

MR. SPEAKER: In that case I would find the amendment invalid since it refers to something that is non-existent. The Honourable Member for Rhineland on a point of order.

MR. FROESE: The point of order I want to raise is that we don't have those amendments before us and I was not aware of the amendment being made in committee, therefore how was I to know that this amendment was made, otherwise I would have put in the proper figure of \$12,000 instead of the one of \$18,000.

MR. SPEAKER: The Honourable House Leader.

MR. GREEN: Mr. Chairman, I don't think there is any intention not to accommodate my honourable friend but the fact is that amendments have to be made to the bill as reported from committee and it would be his responsibility to find that out. If an accommodation can be made immediately to make the amendment valid, I don't think that anybody would object to it. Would it be \$12,000 instead of \$18,000? Fine.

MR. SPEAKER: Agreed.

MR. FROESE: We'll change it from eighteen to twelve.

MR. SPEAKER: Let me put it to the honourable members this way. Any amendment can be made except by the honourable member himself to an amendment, but if we assume that it was a typing error then we can proceed without calling it an amendment. (Agreed) The Honourable Member for Rhineland.

MR. FROESE: Mr. Speaker, coming back to the amendment then, I take exception to having a distinction made between people who earn a certain salary and others who'll earn more and that this investigation section will be applicable to some. Are we creating laws for the rich and different laws for the poor? This is a factor that has been commented on and the Minister of Transportation or Highways has been one of them and they took very strong exception to this, that we should have class distinction or that we should have different laws for the rich and another type of law for the poor and certainly when we -- (Interjection) -- this has come from that side of the House not only once but repeatedly. I also feel that if we pass a law it should apply equally to all people and not just to those that earn less as the case is under this particular provision here. -- (Interjection) -- Well eliminate the figure altogether as I'm proposing so that it will apply equally to all. Then, too, how was the figure set? This is a point that I debated on second reading. A figure of \$18,000 was then in the bill; it was set arbitrarily. Now we have a figure of \$12,000; it, too, is an arbitrary figure. On what basis was the figure of \$12,000 reached? And again, I'm just wondering whether this particular section is embarrassing to the professional people and that they do not want to be investigated, whereas you want to investigate those of lower incomes. I rather suspect that type of thing happening right here and . . .

MR. SPEAKER: Order, please.

MR. FROESE: We note, also, in another bill, in Bill 99, The Traffic Act, there the fines are quite heavy, in my opinion, very heavy and that those people who will not be able to pay are supposed to stay in jail and the deduction will only be made \$1.00 per day. Well I feel there again we are making class distinctions; those that have the money to pay the fine pay it, those others will have to work for \$1.00 a day, be in jail for \$1.00 a day and on that basis we are really drawing a distinction, and is this justice? Are we doing justice here? I claim we are not; that this is an injustice to many people and that we are also investigating into many peoples' lives whereas we are not going to do the same in others; in this way you'll have a record of the more or less fortunate but not of those who are the well to do and earning higher incomes.

Mr. Speaker, I take very strong exception to this provision in the Act and I'm therefore moving this motion to have it removed.

MR. SPEAKER: Are you ready for the question? The Honourable Leader of the Opposition.

MR. SPIVAK: Mr. Speaker, I had hoped that there would be a response from the Minister. It may be that he is of the opinion that this has really been discussed in the law amendment stage to the point where the government's explanation has been satisfactorily given; but, Mr. Speaker - I gather I now have to exhaust my opportunity of speaking and I'd like to make one comment to the Minister.

There really is no justification that I can see for this exclusion and I think that the Honourable Member for Rhineland should be listened to in this respect. There doesn't seem to be any justification for the apparent discrimination in the application of the Act, because surely if the principle of the Act is correct, and surely if what we are trying to do is protect the individual, then realistically the salary range that's being offered should not be a factor in determining who it will apply to and who it will not apply to.

MR. SPEAKER: Are you ready for the question. The Honourable Minister of Consumer and Corporate Affairs.

MR. HANUSCHAK: Mr. Chairman, the explanation, the justification for this section I

(MR. HANUSCHAK cont'd) believe was explained in Law Amendments Committee, therefore I see no reason to dwell upon this section at length. I think I can explain this in a few simple words. The salary of \$12,000 - the purpose for setting a figure is to in some way point toward executive and administrative positions which may commence at about that salary level, and in looking for administrative and executive personnel it's quite common, it's quite customary for a manager, for a president, to shop around, to consider prospective employees without having first contacted them, and it's also very customary in seeking out personnel of this type to obtain a credit report on them and that type of thing. One may make enquiries about a number of people before extending an invitation to an individual to apply and therefore to protect and also to make it unnecessary in cases of that type, for the person seeking out an administrative management type of his business, that under this section he can make enquiries of that type and he is not compelled to give that person notice; a person who may not even know that he is being considered for a certain appointment. So the explanation is as simple as all that.

MR. SPEAKER: Are you ready for the question?

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

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

MR. SPEAKER: Does the member have support? Call in the members.

Order, please. The question before the House, report stage of Bill 27 and the proposed amendment by the Honourable Member for Rhineland.

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

YEAS: Messrs. Bilton, Enns, Ferguson, Froese, Graham, Henderson, F. Johnston, McGill, McGregor, McKellar, Patrick, Spivak, Weir and Mrs. Trueman.

NAYS: Messrs. Adam, Allard, Barrow, Borowski, Boyce, Cherniack, Desjardins, Evans, Gonick, Gottfried, Green, Hanuschak, Jenkins, Johannson, McBryde, Mackling, Malinowski, Miller, Pawley, Petursson, Shafranksy, Toupin, Uskiw and Walding.

MR. SPEAKER: Yeas 14; Nays 24.

MR. SPEAKER: The Nays have it and I declare the amendment lost. Bill be reported. The Honourable Leader of the Opposition.

MR. GREEN: I take it that the position now is that the bill is moved. There are no longer any amendments. The bill on third reading is moved like any other bill.

MR. SPEAKER: If I may be of assistance, Section 12 says -- (Interjection) -- Well, before that, Section 11 indicates that after a division on an amendment, 12 says; when proceedings at the report stage on any bill have been concluded, a motion that the bill as amended be concurred in, or that the bill be concurred in, shall we put and forthwith disposed of without amendment or debate. So therefore it should be moved. It should be moved that the bill be concurred in since there are no amendments to it.

MR. GREEN: . . . I think that what is indicated is that on this motion that the bill be concurred in, its yeas and nays immediately without debate, but then there has to be a motion that the bill be - third reading of the bill on which there will be debate.

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

MR. HANUSCHAK: Mr. Speaker, I . . . -- (Interjection) --

MR. FROESE: . . . that the bill be concurred in.

MR. SPEAKER: Well, that's what the Honourable Minister is going to do.

MR. HANUSCHAK: Mr. Speaker, I wish to move, seconded by the Honourable Minister of Municipal Affairs, that Bill No. 27 be concurred in.

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

MR. SPEAKER: The Honourable House Leader.

MR. GREEN: Mr. Speaker, would you call Bill No. 27 on third reading.

MR. SPEAKER: Well, I wonder if we could proceed through the report stage first and then go to third readings.

MR. GREEN: . . . Mr. Speaker, I specifically wished to proceed on the basis that we deal with the bills as they appear on Page 1 of the Order Paper, and have the report of each one of them as they come up. Now that the report is received we want the bill moved on third reading . . .

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

MR. HANUSCHAK presented Bill No. 27 The Personal Investigations Act, for third reading.

MR. SPEAKER presented the motion.

MR. SPEAKER: The Honourable Leader of the Opposition.

MR. SPIVAK: Mr. Speaker, I have a few observations to make on the bill - and with the encouragement of government it may be more than a few. Mr. Speaker . . .

MR. SPEAKER: Order, please. The Honourable Leader of the Opposition.

MR. SPIVAK: Mr. Speaker, it's been indicated by the Minister of Consumer Affairs that the contribution changes that come from public presentations, and it may very well be that influenced the decision. But, Mr. Speaker, it should be pointed out that the Personal Investigation Act was passed in Law Amendments without the provisions that ultimately were brought forward in the report of the committee and we had an opportunity, by leave, to open that Act as a result of the debate and discussion that occurred a week ago, Friday night. On that occasion we indicated that the Act provided for, the Act provided that it would be an offence in the event there was a refusal on the part of a person to provide the information, or produce the records, to the Director whether he had or did not have a Court Order. And we indicated that that was an infringement on their civil liberty, and we are happy that the government accepted our recommendation in this respect and that the changes occurred. So, Mr. Speaker, we can take some pride in the fact that we influenced the actual amendments that were brought forward, and that it really reflected the amendment that had been proposed by ourselves.

Now the Honourable Member from Crescentwood is leaving but I would like to make one remark, Mr. Speaker, because I think it is probably the first occasion in which the Honourable Member from Crescentwood by supporting the government on the motion by the Honourable Member from Rhineland, has in fact provided for discrimination in favour of those people who earn over \$12,000. And while the Honourable Member from Crescentwood may not be aware what he did, because he assumed that caucus solidarity meant that he should be supporting the position, I point out the anomaly which states that in this particular Act there should be protection, there should be a requirement and an obligation for the application of this Act for all those whose salary is under \$12,000 but not for those whose salary is over \$12,000. And I suggest to you in terms of the investigation by user without the knowledge of the subject with respect to employment, and I think that the inconsistency of this is something that is rather amazing, Mr. Speaker, notwithstanding any kind of justification that the Honourable Minister may provide.

Mr. Speaker, I would point out one other thing. We on this side suggested initially when the bill was proposed that the Provincial Government and municipal governments could not be excluded, and that if it was to apply to the private sector, it should apply to the government as well. And we're happy again that this representation made first, I believe, by the Opposition, was accepted by the government and the fact that this is a better Act because it applies both to the government sector as well as the private sector.

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

MR. SPEAKER: The Honourable the House Leader.

MR. GREEN: Bill No. 26, the report stage, Mr. Speaker.

MR. SPEAKER: Bill be reported. The Honourable Leader of the Opposition.

MR. SPIVAK: Mr. Speaker, I move, seconded by the Honourable Member for Souris-Killarney, that the following subsections be added to Bill 26 after Section 6(6).

"Section 6(7). Upon application to the court pursuant to Section 6(6) the Director or his authorized representative shall furnish specific information as to specific purpose of the investigation."

"Section 6(8). The Director or his authorized representative shall report to the Court from which he obtained a court order within seven days of obtaining the order the complete details of the results of the investigation."

MR. SPEAKER presented the motion.

MR. SPEAKER: The Honourable Leader of the Opposition.

MR. SPIVAK: Mr. Speaker. I have no intention of speaking in support of this as I did in the Personal Investigation Act, but I would like to use this opportunity simply to answer an objection that has been raised to this principle being introduced in the various Acts. And I think it's important, Mr. Speaker.

The objections that have been raised are, first, that the information would become public if it was investigated - the documents and information supplied would become public knowledge, and therefore would in fact breach confidentiality and therefore be a possible invasion of privacy, or be a possible source of embarrassment to the individuals being investigated or the concern that's being investigated.

(MR. SPIVAK cont'd)

Mr. Speaker, I recognize this and this is one of the reasons why the provision is being placed before the House because the action by the director, the consumer, the board, as it may be in any case should not be one that is either frivolous or without some substantive basis for proceeding because we are dealing in a quasi criminal matter, and we're dealing with a policing power, and for that reason because it is not entirely in the criminal area but in the quasi criminal area, for that reason there should be a further check and balance and there should really be the provision and the opportunity for whatever documents are to be made available by the result of investigation to whoever will be doing the investigating, to be public knowledge to be available to those who may very directly be affected and who should be in a position to be able to deal with the information.

Mr. Speaker, the question of seven days has come up and I again suggest to the Honourable Minister and to the government on the opposite side; if, in fact, the seven day provision is onerous in some particular investigation, there would be nothing that would make it impossible to apply to the court for an extension of that time on the basis of the investigation and study. But what we are really concerned with is action which is quick, and action which is decisive, action which is not a harassment, action which is in the nature of really trying to determine as quickly as possible the answer to a specific complaint by applying to the court and by being in the position to be able as a result of that to properly obtain whatever information is required. I do not think that this is such a burden and as I've indicated before this particular section comes from the Combines Investigation Act. It's been able to be applied by the government in that particular situation; the question of confidentiality apply equally as well there and the documents are just as important to the private sector in respect of that particular situation and it has not been a burden. The purpose of bringing this amendment at this time and the purpose of trying to bring it forward is because we are really at this point not pioneering a new area, but we are really being concerned in the 70s with the attempt to try and strike that balance between government's power to control and police and the rights of the individual.

MR. SPEAKER put the question . . .

MR. SPEAKER: The Honourable Member for Fort Rouge. I'm sorry, I didn't see her. Would all the members sit so that I could see who's standing up once in a while.

MRS. INEZ TRUEMAN (Fort Rouge): Mr. Speaker, I'm delighted to see that the re-printing of Bill 26, the reprinted bill is now before us. I was rising in support of the amendment by the Honourable Leader of the Opposition because I felt that Bill 26 in its original form was an outstanding example of repressive legislation, and that it was an over-reaction to perhaps some abuses, abuses of a position of trust between hearing aid dealers and those who had impaired hearing.

There's still much room for improvement in this bill. I think that it's unfortunate that greater use was not made of the model bill which is available as a guide.

MR. SPEAKER: Order, please. I should like to indicate to the honourable member that when debate is permitted on an amendment, it is only on the amendment and not on the bill itself. The Honourable Member for Fort Rouge.

MRS. TRUEMAN: I wasn't sure whether the motion had actually been passed before you recognized me and whether I was speaking on the bill.

MR. SPEAKER: Well, may I indicate to the honourable member if the motion had passed there would have been nothing before the House, there would have been no opportunity for debate on the bill.

MR. GREEN: Mr. Speaker, on the point of order. So the honourable member will not misunderstand, there will be a motion that the bill be passed on which she will be able to make the very eloquent speech that she was just making.

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

MR. SPEAKER: The Honourable House Leader.

MR. GREEN: Now will you call third reading on Bill No. 26, Mr. Speaker.

MR. SPEAKER: Well, I must first of all ask for a concurrence motion on them at the report stage. The Honourable Minister of Health and Social Development.

HON. RENE E. TOUPIN (Minister of Health and Social Development)(Springfield): Mr. Speaker, I beg to move, seconded by the Minister of Highways and Public Works, etcetera, that Bill 26, The Hearing Aid Act be concurred in.

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

MR. SPEAKER: The Honourable Minister of Health.

MR. TOUPIN: Mr. Speaker, I beg to move, seconded by the Minister of Highways and Transportation and Public Works, that Bill No. 26, The Hearing Aid Act, be now read a third time and passed.

MR. SPEAKER presented the motion.

MR. SPEAKER: The Honourable Member for Fort Rouge.

MRS. TRUEMAN: Mr. Speaker, I'm going to assume that everyone was listening intently to my remarks earlier and simply go on from there. I think that many improvements were made in this bill but it still is going to be a little difficult for people in the industry to live with. There have been provisions made which protect a dealer from an arbitrary entry on to his property and so on; there still are some problems, I think, in relation to the period of time that a person may be testing a hearing aid and still be able to return it and get all his money back.

It has been brought to my attention that the Federal Government is considering bringing in some legislation concerning this industry and in case that happens I expect that there should be uniform legislation which would apply across the country. The appeal procedure has certainly been improved and I think - as I said before, it was really not necessary to be pioneering to the extent that the government was in the preparation of this bill because of the model bill which was available.

So, Mr. Speaker, I think that in giving approval on third reading to this bill, that we all recognize the fact that next year it may be necessary to bring in further amendments to the act as people discover whether or not they can live with it.

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

MR. SPEAKER: The Honourable the House Leader.

MR. GREEN: Mr. Speaker, would you call Bill No. 49, at the report stage.

MR. SPEAKER: Bill No. 49 be reported in. The Honourable Leader of the Opposition.

MR. SPIVAK: Mr. Speaker, I beg to move, seconded by the Member from Souris-Killarney, that the following subsections be added to Bill 49 after Section 85(a): "85(9) Upon application to a court pursuant to Section 85(a), the rentalsman or his authorized representative shall furnish specific information as to the specific purposes of the investigation. 85(10) The rentalsman or his authorized representative shall report to the court from which he obtained the court order, within seven days of obtaining the order, the complete details of the results of the investigation."

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

MR. SPEAKER: Motion will be concurred in?

MR. HANUSCHAK: Mr. Speaker, I wish to move, seconded by the Honourable Minister of Agriculture that Bill No. 49 be concurred in.

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

MR. HANUSCHAK: Mr. Speaker, I wish to move, seconded by the Honourable Minister of Transportation, that Bill No. 49 be now read a third time and passed.

MR. SPEAKER presented the motion.

MR. SPEAKER: The Honourable Member for Rhineland.

MR. FROESE: Mr. Speaker, just before passing Bill 49, I raised objection to certain matters on the bill on second reading and a number of these have not been corrected. I think the act is giving too much leniency toward the renter and is taking away too much in the way of rights from the landlord. I think we're going overboard in the legislation that is being passed here and therefore I cannot support it.

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

MR. SPEAKER: The Honourable the House Leader.

MR. GREEN: Mr. Speaker, would you call Bill No. 40, The Statistics Act; the report of the committee?

MR. SPEAKER: The Honourable Leader of the Opposition.

MR. SPIVAK: On a point of order. In terms of the procedures, if in fact more than one amendment is to be moved by the same individual, does he have to move all the amendments at one time or can he move . . .

MR. GREEN: . . . Mr. Speaker, when the rule was discussed that a person would be able to speak to each amendment the same way as he used to in Committee of the Whole House.

MR. SPEAKER: The proposed motion of the Honourable — Bill 40 at the report stage.

MR. GREEN: Mr. Speaker, I'm sorry, I missed Bill No. 50, just by inadvertence. Bill No. 50, an Act to amend The Consumer Protection Act, the report stage.

MR. SPEAKER: Report stage of Bill 50. The Honourable Leader of the Opposition.

MR. SPIVAK: Mr. Speaker, I move, seconded by the Honourable Member from Souris-Killarney, that the following subsections be added to Bill 50 after Subsection 73(6): "73(7) Upon application to a court pursuant to Section 73(6), the director or his authorized representative shall furnish specific information as to the specific purposes of the investigation. 73(8) The director or his authorized representative shall report to the court from which he obtained the court order, within seven days of obtaining the order, the complete details of the results of the investigation."

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

MR. SPEAKER: Bill be concurred in?

MR. HANTSCHAK: Mr. Speaker, I move, seconded by the Honourable Minister of Agriculture that Bill No. 50 be concurred in.

MR. SPEAKER presented the motion and after a voice vote declared the motion carried. BILL NO. 50 was read a third time and passed.

MR. SPEAKER: Bill 40. The Honourable Member for St. Vital.

MR. DONALD W. CRAIK (Riel): Riel, Mr. Speaker.

MR. SPEAKER: Oh, I'm sorry. True. Riel.

MR. CRAIK: Mr. Speaker, I move, seconded by the Member for Brandon West that Section 9(1) of Bill 40 be amended by inserting the word "reasonable" before the word "information" in the third line thereof.

Mr. Speaker, can I go on -- they're all pertaining to the same topic, different sections.

MR. SPEAKER: The Honourable House Leader.

MR. GREEN: On a point of order. If the honourable member feels that all the amendments can be spoken to at the same time, that is perfectly acceptable.

MR. SPEAKER: Let me also suggest that our rule indicates that the Speaker could have done the same if he had had them; since I didn't have them therefore we may as well allow the honourable member to do the same. The Honourable Member for Riel. The Honourable Member for Rhineland.

MR. FROESE: I don't think that that decision is completely in the hands of the mover of the amendment. I think it's a matter for the House and whether individual members want to speak to certain amendments and not on others.

MR. SPEAKER: The Honourable House Leader.

MR. GREEN: On the point of order, Mr. Speaker. I think that you yourself put it very well. You could have grouped the amendments and asked them to be spoken to. When we were speaking to this on Rules Committee we undertook to honourable members who wished to do these things that we would adopt an attitude that they could, if they wished to, separate their amendments and speak to them. If the honourable member doesn't wish to do so; the Speaker has indicated that he could have grouped them; we have indicated that we have no objection and to date I have not heard an objection.

MR. SPEAKER: The Honourable Member for Riel.

MR. CRAIK: Further, that Section 14 subsection (a) be amended by inserting the word "reasonable" before the word "question" in the first line thereof.

Further, that Section 14 subsection (b) be amended by inserting the word "reasonable" before the word "information" in the first line thereof.

That Section 15 subsection (a) be amended by adding the word "reasonable" before the word "information" in the third line thereof.

MR. SPEAKER presented the motion.

MR. SPEAKER: The Honourable Member for Riel.

MR. CRAIK: Mr. Speaker, this essentially does not attempt to change the penalty or access clauses in the bill which were the main points of contention in the bill. It tends to modify the meaning of the word "information" and leaves it then open to - in the case of a dispute leaves it more open -- I should say in the case of a dispute over what information should be granted by an individual or a private organization to the new Bureau of Statistics and then allow a degree of interpretation to be put on it by whoever had to do it in the case of a dispute over it, and presumably it would be the courts that would have to decide this. So the amendment, Mr. Speaker, does nothing more than add the modifier "reasonable" information that

(MR. CRAIK cont'd) may be requested or demanded by the Bureau of Statistics.

MR. SPEAKER: The Honourable House Leader.

MR. GREEN: Mr. Speaker, I'm sure that there is no objection to the intent of what my honourable friend is suggesting, but where a statute deals with a question of this kind and leaves to the court the decision as to how it will be decided, the court adopts the standard of reasonableness and therefore the addition of the word "reasonable" would be a redundancy and wouldn't change the meaning of the act.

MR. SPEAKER: The Honourable Leader of the Opposition.

MR. SPIVAK: Mr. Speaker, let us understand specifically what the act contains. The act contains the sections that are now in the Dominion Bureau of Statistics which provide access to the government for documents and for information and with the provision that there will be a penalty in the event the information is not presented. In effect, the government has asked for the same procedure. We have already indicated that we have no objection to the act itself dovetailing into the federal act so that all the information that is gained by the Federal Government through its Dominion Bureau of Statistics would be made available to the Statistical Branch here so that in turn the government would be able to have the benefit of all that information, to be able to use statistics properly and to be able to have the breakout statistics that are required for the Manitoba scene and probably for the scene for western Canada.

Having said that, Mr. Speaker, the government intends as well to not only set up a statistical branch as a statutory authority to get the information from the Federal Government but to be in a position to then go out and get the information itself, information that the Federal Government may not have obtained; and we feel that there has to be some, again, some basic restraint or check that has to be applied to this action. We, again, are not suggesting that there will be an abuse, but because of the fact that the Lieutenant-Governor-in-Council under this act can basically ask the Statistical Branch that's now being set up to do anything they desire to gain information, there should be some basis on which there is some check and balance as to the request for information and the ability of the individual to be able to resist the government if it is an incorrect procedure; and notwithstanding the remarks that the Honourable Member for Inkster has presented, Mr. Speaker, the redundancy of expressing reasonableness in the act, whether it is or it is not in terms of a legal interpretation, it is far better to place that in the act because then it would indicate that what is really intended, which is, I believe, what the government is really intending in any case, is the ability to be able to get reasonable statistical information and not to abuse that mechanism to obtain information that would be considered unreasonable and would be foreign to the intent and purpose for which the act was proposed here. So therefore because this is a reasonable approach, we would hope that the government would accept "reasonable" in the amendment that we are bringing forward.

MR. SPEAKER: The Honourable Member for Rhineland.

MR. FROESE: Mr. Speaker, I'm not sure at this point just whether all the amendments were grouped together or not. If they are then we're also dealing with the matters in connection with the fines. Okay.

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

MR. FROESE: Ayes and nays, Mr. Speaker.

MR. SPEAKER: Call in the members. Order, please. The motion before the House is the amendment by the Honourable Member for Riel on Bill 40. All those in favour of the motion please rise.

A STANDING VOTE was taken the result being as follows:

YEAS: Messrs. Bilton, Craik, Einarson, Enns, Ferguson, Froese, Graham, Henderson, F. Johnston, McGill, McGregor, McKellar, Moug, Patrick, Spivak, Weir and Mrs. Trueman.

NAYS: Messrs. Adam, Allard, Barrow, Borowski, Boyce, Cherniack, Desjardins, Evans, Gonick, Gottfried, Green, Hanuschak, Jenkins, Johannson, McBryde, Mackling, Malinowski, Miller, Pawley, Petursson, Shafranksy, Toupin, Turnbull, Uskiw and Walding.

MR. CLERK: Yeas 17; Nays 25.

MR. SPEAKER: In my opinion the Nays have it, I declare the motion lost.

MR. SPEAKER: There is one other problem that arises. All I have before me is that the Honourable Member for Riel - his name appears once on the Order Paper, consequently I am not aware of how many amendments he does have, whether to call him again. The Honourable Member for Riel.

MR. CRAIK: One more, Mr. Speaker. I move, seconded by the Member for Lakeside, That section 14 be amended by deleting the word "five" in the last line and substituting the word "one"; and further, That section 15 be amended by deleting the word "two" in the last line and substituting the word "three" and by inserting following the word "dollars" in the last line the words "and not less than fifty dollars."

MR. SPEAKER presented the motion.

MR. SPEAKER: The Honourable Member for Riel.

MR. CRAIK: Mr. Speaker, this makes the numbers in the bill the same as the penalties in the Dominion Bureau of Statistics Act of the Federal Government. Since the bills are supposed to be parallel bills, the question arose at committee stage as to why the fines on the individuals either disclosing information or refusing to give information were not the same and I understood at the time that the government was in agreement with reviewing this and making the necessary changes.

MR. SPEAKER: The Honourable Member for Rhinelan

MR. FROESE: Mr. Speaker, when we dealt with this bill in committee I also had an amendment on 13 in connection with the fines as well, to lower them. I feel that the fines, the penalties listed in this bill are too heavy and the motion before us is to reduce the fines and therefore I will support the motion. I feel we are going overboard in penalties, not only in this act but in so many of the other acts that are coming forward from the government this session, where the penalties are far too high in my opinion.

MR. SPEAKER: Are you ready for the question? The Honourable Minister of Industry and Commerce.

HON. LEONARD S. EVANS (Minister of Industry and Commerce)(Brandon East): Mr. Speaker, I'm not sure where honourable members get their information from, but the fact is that the Canada Statistics Act, section 29 which is the parallel section to our section 14, requires a maximum fine of \$500 or a maximum imprisonment of three months, or both, for respondents who refuse to give information or who give false information; and our particular Act merely states that if one is found guilty of an offense, in the court, he is liable to a conviction of an amount not exceeding \$500, so I think that we are much easier on such respondents. Therefore, I would suggest that this particular section stay as it is in the bill.

With regard to section 15, the comparable section in the federal act is section 30 and that federal act provides a maximum fine of \$1,000 or six months imprisonment, or both, for failure to yield access to records. In our case, we are simply saying that if one is found guilty of such an offense he may be liable on summary conviction to a penalty not exceeding \$200.00. So I think that we are quite reasonable in this question; I don't think it's unduly harsh at all, and therefore suggest that we vote the amendment down.

MR. SPEAKER: The Honourable Leader of the Opposition.

MR. SPIVAK: I wonder if the Honourable Minister would permit a question. I wonder whether he would indicate, Mr. Speaker, whether the information he is supplying from the Dominion Bureau of Statistics indicate that with respect to the penalty provisions for imprisonment, that the provisions of the Manitoba Act are less; is he suggesting that the fine provisions in the Manitoba Act or proposed act are equal to or less than the Federal Government?

MR. SPEAKER: Order, please. The Honourable Minister can answer at the next stage of the bill; we have two more stages. Are you ready for the question? The Honourable Leader of the Opposition.

MR. SPIVAK: Mr. Speaker, we are in the reporting stage and I would enter the debate. My purpose is to obtain the information from the Minister because it's relevant and this would be the opportunity because this is the only amending stage that we have with respect to a particular section. And on that basis, if we can't have that information furnished, I'm not in a position to - the amendment could be presented and the information may not be correct and and this is why it's relevant to have a Minister make presentation of that information.

MR. SPEAKER: Well, we are entering these new rules and it's the pleasure of the House what you may do. I'm only trying to follow the rules as they have been outlined and it indicates only one speech during the report stage, for twenty minutes. Now if we are going to have a crossfire of questions, then we are back to where we were in the committee of the whole.

The Honourable House Leader.

MR. GREEN: Mr. Speaker, we respect that there are not more than one speech, but I

(MR. GREEN cont'd) don't think that the procedure now being followed is any different than the procedure during regular debates. That a person gets up and makes a speech and he's asked to clarify and he can answer without debating twice.

MR. SPEAKER: The Honourable Minister of Industry and Commerce.

MR. EVANS: Well, Mr. Speaker, while we use the Canada Statistics Act as our guide in many respects, including these two particular sections, I didn't think we ever indicated that we had to have it exactly word for word or that penalties or particular provisions had to be identical. In this particular section with regard to penalties we decided not to make it as severe, to make it in line but not severe, and it's certainly much less severe than the federal legislation.

MR. SPEAKER: The Honourable Leader of the Opposition.

MR. SPIVAK: Mr. Speaker, I think our proposal is an eminently reasonable one, because what we are suggesting is that we agree that the imprisonment provisions should not be as severe as the Federal Government's, and we accept the government's position on that, but the fine provisions should be at least equal or less than the Federal Government's on the assumption, on the basis that what is intended is not intended as a punitive measure on the part of government for the purpose of obtaining reasonable information, whether reasonably defined in the Act or defined by the court, and for that reason there should be no objection to the attempt here to at least tie the actual fine as opposed to the imprisonment portion to the Federal Government position.

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

MR. SPEAKER: We concur in the report of the bill? The Honourable Minister of Industry and Commerce.

MR. EVANS: Mr. Speaker, I wish to move, seconded by the Honourable Minister of Health and Social Development that the report on the Bill 40 be concurred in.

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

BILL NO. 40, The Statistics Act was read a third time and passed.

MR. FROESE: I do not intend to let this bill pass without final comment . . .

MR. SPEAKER: Order, please.

MR. FROESE: . . . because I know the resentment that is presently in the rural communities against having questionnaires come to their home so often, asking them to fill out a form here, fill out a form there; and now we are going to have the Province of Manitoba doing the same thing. This is very aggravating to many people and I don't see the need at the present time for having the province do the same thing. For that very reason, first of all I don't see the need; secondly, I know the disagreement, among the farm people at least, and I think this applies to many other people, to having to file reports on this and that and so often.

And then, also, I oppose the penalty sections, because actually it's not the penalties that they are really legislating, it's revenues, they are looking after revenues for the province and in this way they are trying to get the revenues that they need, the monies to run the government and the various departments. This is what is being done throughout the legislation and much more so in the Highways Act that we will be discussing later.

Mr. Speaker, for those reasons I oppose the Bill No. 40.

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

MR. SPEAKER: The Honourable House Leader.

MR. GREEN: Mr. Speaker, would you call Bill No. 54 please, which I omitted. The report stage.

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

MR. EARL McKELLAR (Souris-Killarney): Mr. Speaker, I move, seconded by the Honourable Member for Riel, that Bill No. 54 be amended by renumbering sections 31 to 42, as sections 32 to 43 respectively, and by adding thereto after section 30 thereof, the following section, No. 31. Section 163 of the Act is repealed.

MR. SPEAKER presented the motion.

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

MR. McKELLAR: Mr. Speaker, I'd just like to say a few words on this amendment. Mr. Speaker, during the last two years we've had many amendments to the Liquor Act and they have been major changes in the Liquor Act and the change from the original Act was brought in, recommended by the Bracken Commission. One of the recommendations at that time, I think it was 1957, was that food and liquor must be balanced out in all outlets, beverage rooms,

(MR. McKELLAR cont'd) restaurants, cocktail lounges with dining rooms. A year ago, in fact about three years, I guess it was - actually it was our government that made the first change, because we at that time approved a section where they would permit Legions to serve liquor in their various establishments without any reference to food. And three years ago changes were made so the beverage rooms could serve liquor, hard liquor, without reference to any food, too. So these changes were very major in our Liquor Act.

Mr. Speaker, there's some outlet in rural Manitoba where there is only a cocktail lounge with a dining room and a restaurant, that where they have to balance food with liquor are having problems because in the various towns extra numbers of chairs in beverage rooms have been located in various establishments without reference to food. Now what this means, Mr. Speaker, that the beverage rooms as we knew them in the past are now actually not what you would call a high-class cocktail lounge but a low-class cocktail lounge, for serving all types of liquor. While it might be true they don't serve the fanciest drinks, they do serve the drinks that I think meet the requirements of about 90 percent of the liquor consumed in the various beverage rooms.

Mr. Speaker, I'd like to say to the members of this Legislature, this year in the Province of Ontario changes were made in the Liquor Act with no reference of food to liquor for cocktail lounges and the dining rooms. There's no reference between food served in dining rooms and liquor served in cocktail lounges. And this now makes it so in the Province of Ontario that food is no longer a requirement with liquor consumed.

Now I know that the government are not going to accept this amendment and I'm not going to call for a vote. But I'm just bringing this to the attention of the various members of the government because what is happening, what is happening, you'll find that there'll be no longer any need for a cocktail lounge in rural Manitoba. I would say there will be a need for cocktail lounges in the city because of the expense accounts of the various people, travelling salesmen, who go into these various establishments and they can charge this up. But the average person on the street - there is no requirement or any need for him to go into a cocktail lounge to get the type of liquor that he might wish, that he used to get. He can go into the beverage room and get the same type of liquor.

Now Mr. Speaker, I don't think I can dwell on this any longer because I know the government are not going to accept it but at the next session if there are no amendments, I'm going to bring in amendments to the Liquor Act next year again it's going in a bill that will - we'll have a debate on this bill, and we'll see what the government's action is. I hope that they review the Ontario amendments that were brought in this year because if it's good for Ontario, it should be good for the people of Manitoba. It should be good for the people. Because all through this session, Mr. Chairman, the Minister of Transportation is riled that Ontario has got the legislation that he's bringing in, he's following in line with Ontario. Then we are out of line, it's us that's out of line. So if it's good for Ontario, Mr. Minister of Transportation, it's good for the people of the Province of Manitoba. -- (Interjection) -- I'll vote for what? The Highways 99? Traffic . . . 99. If you'll guarantee you'll vote for the changes in the Liquor Act, I'll vote for 99. I'll make the deal right now.

Mr. Speaker, I have to go to Souris and be in Souris at 3:00 o'clock; otherwise I would have spoken for 40 minutes.

MR. SPEAKER: The Honourable Member for Charleswood.

MR. ARTHUR MOUG (Charleswood): Mr. Speaker, with the change of the rules I guess I would have to have leave of the House to move this amendment. I just -- (Interjection) -- Oh.

MR. SPEAKER: The Honourable the Attorney-General.

MR. MACKLING: Mr. Chairman, I'm delighted at the amendment that's been moved because it gives me an opportunity to give a dissertation no longer than about 20 minutes on the high principles that are enshrined in the Liquor Control Act, and I am sure that I can talk at length on that, and I am sure the honourable member would be very pleased to hear me talk at some length. And his indication that he has moved this motion without intent that he call for the vote on it strikes me as extremely strange. I think then that indicates that it's an act of frivolity on his part and I intend to expose that by calling for the ayes and nays on the motion, and we'll see how the honourable member wishes to vote. Because what the honourable member seeks to do is destroy the entire basis upon which the Manitoba Liquor Control Act is founded. Mr. Speaker, the entire basis of the Act as it pertains to licensed premises, and to the drinking habits of Manitobans, revolves around and emanates from Section 163, therefore

(MR. MACKLING cont'd) to repeal Section 163 is to destroy the basis upon which Manitoba has achieved such an enviable status for sound, progressive liquor legislation, and has been the building block upon which this province has developed the most outstanding food and accommodation industry in all of Canada, if not in all of North America.

But, Mr. Speaker, anyone who wishes to consume alcoholic beverage without food in licensed premises may do so at more conveniences than is available to the people in all other provinces. For example, one may visit a cocktail lounge which are more available per capita in Metro Winnipeg, and in our larger cities, than one finds anywhere else in Canada and across the province. One may go to a beverage room of which now more than 200 provide spirits, as well as beer and wine. But, Mr. Speaker, those people wishing to have an alcoholic beverage with their meals may attend at any one of a great number of licensed dining rooms or restaurants, which again are available in Manitoba at a greater number per capita than in any other province. Evening entertainment is available nightly in most cocktail lounges, beverage rooms, cabarets, and many licensed dining establishments. It is obvious therefore that service to the public cannot be a factor in any desire on the part of anyone to repeal Section 163.

We're all aware of the social, cultural, and health penalties paid by the citizens of countries whose liquor legislation, or lack of it, pays undue attention to the freedom to booze. I mention -- (Interjection) -- Oh, I'm quoting extensively from some notes - the Member from Riel is concerned. And this research I would like to draw to his attention because I think it's worthy of his attention. I mention France for the highest alcoholism rate in the world, and the United States which has the second highest alcoholism rate in the world. I think we're all aware of the social and other costs involved where premises are licensed as one would license a candy store, and I assume that's what the Honourable Member from Souris-Killarney is interested in and I expect that he'll vote in that way.

On the other hand, countries which have been unduly restrictive have also suffered social, cultural, and physical miseries because liquor legislation did not meet the needs of the people. And in this regard I can mention such countries as Sweden, Norway and Denmark of several years ago whose high rate of alcoholism was not too far behind that of France and the United States. And I draw to the attention of the honourable members the historic problem that was associated with an attempt to prohibit the sale of alcoholic beverage in North America some many years ago. Here in Manitoba, thanks to the guidelines, philosophy and principles handed down by the Bracken Report recommendations, we have not had, and do not adhere to heavy-handed control, nor do we flirt irresponsibly with excessive freedoms in our liquor legislation. Rather, Manitoba following the guidelines of the Bracken Report has travelled and is travelling the civilized route, employing the common sense attitude in making successive liberalizing changes to the Act, culturally and socially acceptable to the public. We attempt to make Liquor Act changes compatible and complementary to changes in society generally in our province. No other province of Canada or state in the United States has met with such success as Manitoba has in this very important area. That is why Manitoba has been, and still remains, the guideline to other provinces and even to certain jurisdictions across the line in regard to sound progressive liquor legislation.

Now I know that the honourable members have some amusement at that very strong and eulogistic phraseology, but it is true, Mr. Speaker, that our liquor legislation, and our licensed premises are the envy of many of our sister provinces, and many of the administrative people in the liquor control industry and other provinces have studied our legislation, studied our licensing provisions, and have learned much from them and have adapted to them. And the Province of Ontario continues to learn from us and we hope that they will eventually achieve the high standards that we have in Manitoba, which are the envy of most of the residents of Ontario who happen to find their way here to spend their dollars as tourists, and we welcome them.

Now, Mr. Speaker, I could go on at great length, and I'm sure that the honourable members realize that that is the case, and I will conclude my remarks by saying to the honourable member that I will welcome any constructive, critical change that he can make in respect to The Liquor Control Act but to suggest the repeal and amendment to Section 163 is something that is irresponsible; irresponsible because he doesn't understand the principles on which the Act is based, and he doesn't appreciate the nature of the amendment that he moves. And I will welcome his participation when he stands on his feet when we have a formal vote on this matter.

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

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

MR. SPEAKER: Call in the members. Order, please. The motion before the House is the amendment by the Honourable Member for Souris-Killarney to Bill 54.

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

YEAS: Messrs. Einarson, Ferguson, Graham, F. Johnston, McGregor, McKellar and Mrs. Trueman.

NAYS: Messrs. Adam, Allard, Barrow, Bilton, Borowski, Boyce, Chernlack, Craik, Desjardins, Evans, Enns, Gonick, Gottfried, Green, Hanuschak, Henderson, Jenkins, Johansson, McBryde, McGill, Mackling, Malinowski, Miller, Moug, Patrick, Pawley, Petursson, Schreyer, Shafransky, Toupin, Turnbull, Uskiw, Walding and Weir.

MR. CLERK: Yeas, 7; Nays, 34.

MR. SPEAKER: In my opinion the Nays have it and I declare the motion lost.

Report bill be concurred in. I need a motion. The Honourable Member for Charleswood.

MR. MOUG: Mr. Speaker, I think I need leave of the House to introduce this amendment . . .

MR. GREEN: Mr. Speaker, . . . indicate that if there was a problem the first year arising from inadvertence, we would accept an additional amendment. I believe the member made the amendment yesterday and the House has notice of it but it's not entirely in accordance with the rules but it's acceptable.

MR. SPEAKER: The Honourable Member for Charleswood.

MR. MOUG: Mr. Speaker, I beg to move, seconded by the Member for Gladstone, that Section 131, subsection (3) be deleted. Bill 54.

MR. SPEAKER presented the motion.

MR. SPEAKER: The Honourable Member for Charleswood.

MR. MOUG: Mr. Speaker, I just wanted to make one or two brief remarks. Anybody that was listening to the Attorney-General speaking a few minutes ago in regard to the other amendment, I am sure feels justified in supporting me in this amendment. Anybody that's raising a family or have young children, I think I'll also get their support. If you look at the facts that the Attorney-General brought out about France being in first place in the high rate of alcoholism, the United States being second, we know what the European liquor laws have been in the past years, how lax they were, especially with the youth. The United States has been the very same way. I realize now that the Province of Manitoba is probably leading with ideas but I think we'll also notice that the younger group by far is drinking today than what there was ten years ago before this lax type of law come in that we have today. So for that reason, Sir, I think that 131, subsection (3) should be struck from the act.

MR. SPEAKER: The Honourable Member for Rhineland.

MR. FROESE: Mr. Speaker, I'm fully in support of the amendment. I don't feel that we should start to allow matters . . .

MR. SPEAKER: Order, please.

MR. FROESE: . . . of drinking. Once we allow this amendment, or this section to go in, next year they'll be back with further and widening it up further, and I certainly will not support it. Then, too, who's to say that bunch of minors, and probably one other with them that is just above that age could be grouped together and in this way get all the liquor they want and be served. I certainly feel that this section will open up and will be abused extensively, and I certainly cannot support this section in the bill and therefore will vote for the amendment.

MR. SPEAKER: The Honourable the Attorney-General.

MR. MACKLING: Mr. Speaker, I won't speak at any length except that I would like to make a couple of observations. What the proposed amendment does is undo what I think has been attempted to be achieved in providing, or enshrining at the earliest possible date the relationship of alcohol with food within the spirit of The Liquor Control Act and the Bracken Enquiry Commission Report; and rather than undoing what was voted on earlier, this is to associate in the minds of the young people a proper understanding of the use of alcoholic beverage. Now in France, it's a different situation altogether. You have your booze shops there where there's no food relationship, strictly booze, as you can south of the border, where you can go into a bar or a tavern and it's strictly alcoholic beverage and there isn't that association with food. Here in Manitoba that is not the case, and . . .

MR. SPEAKER: Order, please.

MR. MACKLING: . . . The honourable member is indulging in some mutterings

(MR. MACKLING cont'd) which are not too intelligible from this distance, whether they are in his immediate environs is still questionable. But, Mr. Speaker, what is proposed here is extremely enlightened, and if the honourable member is not aware of the relationship that has existed, then he's under grave misunderstanding. What's involved here is the exercise of parental responsibility, and I think that we want to put back on to parents the responsibility for determining the standards that their children ought to follow. You'll remember, Mr. Speaker, or at least honourable members will remember, Mr. Speaker, that when some of the members of the Opposition indicated that this right should not be extended merely to places where there are licensed premises but they should be extended to places where there are social gatherings, occasional permits, that I resisted that sort of argument vehemently because there parental responsibility and control breaks down and it's only where the family unit is gathered together that this permission will be available. To suggest that it's going to create a great problem, I think, and blur the lines of proper control, is irresponsible. In my opinion it is most progressive and enlightened legislation.

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

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

MR. SPEAKER: Call in the members. Order, please. The question before the House is the amendment proposed by the Honourable Member for Charleswood.

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

YEAS: Messrs. Bilton, Craik, Einarson, Enns, Ferguson, Froese, Graham, Henderson, F. Johnston, McGill, McGregor, McKellar, Moug, Weir and Mrs. Trueman.

NAYS: Messrs. Adam, Allard, Barrow, Borowski, Boyce, Cherniack, Desjardins, Evans, Gonick, Gottfried, Green, Hanuschak, Jenkins, Johannson, McBryde, Mackling, Malinowski, Miller, Patrick, Pawley, Petursson, Schreyer, Shafransky, Toupin, Turnbull, Uskiw and Walding.

MR. CLERK: Yeas, 15; Nays, 27.

MR. SPEAKER: In my opinion, the Nays have it and I declare the motion lost.

Concurrence in the report. The Honourable Attorney-General.

MR. MACKLING: Mr. Speaker, I move, seconded by the Honourable Minister of Agriculture, that the report of the committee in respect to Bill 54 be concurred in.

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

MR. SPEAKER: The Honourable the Attorney-General.

BILL NO. 54, An Act to amend The Liquor Control Act (2), was read a third time and passed.

MR. SPEAKER: The Honourable the House Leader.

MR. GREEN: Bill No. 48, at the report stage, Mr. Speaker.

MR. SPEAKER: The Honourable Member for Charleswood. Bill No. 48.

MR. MOUG: Mr. Speaker, I beg to move, seconded by the Honourable Member for Gladstone, that Section 9 of the bill be amended in the following way:

"Sections 40.1, subsections (1), (2), (3), (4) and (5) be deleted, and the following section substituted therefor; and that Section 40.1, subsection (6) be renumbered as Section 40.1, subsection (2).

40.1, subsection (1): No person shall operate, or cause, or permit to be operated a snowmobile that is, or is required to be, registered under this Act and the regulations unless he holds in respect of that snowmobile, a minimum amount of liability insurance as determined by the Lieutenant-Governor-in-Council pursuant to Section 50.

That Section 12 of the bill be amended by adding thereto immediately after clause (m) the following clause: (n) respecting a minimum amount of liability insurance as prescribed under this act."

MR. SPEAKER presented the motion.

MR. SPEAKER: The Honourable Member for Charleswood.

MR. MOUG: Mr. Speaker, it's very simple; it just makes insurance compulsory as will be with the automobile and I feel that they're just maybe looked as a plaything too much; there's always a possibility of serious accidents with them, therefore I believe that insurance should be compulsory.

MR. DEPUTY SPEAKER: The Minister of Transportation.

HON. JOSEPH P. BOROWSKI (Minister of Public Works and Highways) (Thompson): Mr. Speaker, one thing I could say about the Conservative Party, they're consistent where the free

(MR. BOROWSKI cont'd.) enterprise is concerned. They don't seem to mind a monopoly of the free enterprise but they hate government monopoly, and I could tell him, Mr. Speaker, that the people fear the free enterprise monopoly a lot more than they fear government monopoly, which in effect -- (Interjections) -- They seem to be in love with the words "free enterprise" and they want to apply it everywhere. They roll that word on their tongue and suck on it like a lollipop. They think it's so great and they want to continue, they want to continue the good old days of allowing the predatory insurance industry to lay their premium lash to the bare backs of the snowmobile operator. That's from Clarence Darrow, "attorney for the damned," and this is the type of amendment they're bringing in here.

The insurance industry in their blind arrogance and callous indifference have taken advantage of the people year after year; this government has taken away their imperial authority away from that industry and put it in the hands of the people, but those reactionaries want to turn the clock back, they want to give it where the snowmobile insurance is concerned, they want to place that in their hands.

And, Mr. Speaker, what is going to be the effect of that? Today under their version of the free enterprise system the insurance industry charges anywhere from 200 to 300 percent, not 15 percent like an auto insurance man, but 200 to 300 percent more than they charge for snowmobile insurance in Saskatchewan.

The effect of this bill, Mr. Speaker, is going to be that they're going to compel the snowmobile operators -- there's approximately 15,000 -- they're going to compel by this amendment to force them to pay 200 to 300 percent more for their insurance.

Now Mr. Speaker, there is no compulsion at the moment and they're doing that. What is going to happen when you get into compulsion? Is it going to be 300 percent? Is it going to be 400 percent? This is the last opportunity to force some party to bring in an amendment to help their friends in the insurance industry. And just to show you, just to show you, just to show you the inconsistent position they're taking from yesterday. Yesterday when I was asked by the Member for Lakeside, now you want us to pass this thing, why don't you have any figures? I said, "Well, we're not ready; when we have the figures we'll bring them in." Well, we can't accept it. We're not going to accept that section blindly with no provisions. But their section says that the rates and the amounts will be established by the Lieutenant-Governor-in-Council. Now how do you like that? Where the people are concerned, there's no confidence, but where the private industry is concerned, they're saying, "You guys set the rates." Well, Mr. Speaker, that's exactly what their amendment says. -- (Interjections) -- I don't know what Lawrence Welk says about it but I can tell you what the people think about it. And I can tell the members that they are going to have to vote on it, and the people of Manitoba are going to be told of what this party, what that Conservative Party have been attempting to do in this House today, and that they want to force the snowmobile operators of Manitoba to pay that outrageous sum to their friends in the insurance industry.

MR. DEPUTY SPEAKER: The Leader of the Opposition.

MR. SPIVAK: Mr. Speaker, it's late in the session and we are dealing with a principle that's worthy of discussion. Now let me say to the honourable members and the First Minister and the Minister of Finance who applauded so brilliantly, and the remarks of the silly Minister of Transportation. Now let me say to them if you are a part and are prepared to accept the confused, disordered logic presented by the Minister of Transportation, and you're prepared to be a part of that, then I may say that many who at least would respect the logic and intelligence of debate, we're going to have to lose a great deal of respect. Let's understand what the Minister of Transportation is talking about. -- (Interjection) -- Yes, we are going to deal with the bill; and we are going to deal with the confused and hypocritical presentation that he made. -- (Interjections) -- The presentation is hypocritical. -- (Interjection) -- It's a hypocritical presentation. Let me say this. What is being proposed . . .

MR. DEPUTY SPEAKER: Order, please. Order, please. It has been pointed out on several occasions to all members, and I think that the hypocritical presentation is approaching direct aspersion on the individual who made the presentation. I would ask that the member couch his presentation in better terms.

MR. SPIVAK: Mr. Speaker . . .

MR. DEPUTY SPEAKER: The Minister of Transportation.

MR. BOROWSKI: Mr. Speaker, I don't know if the word is parliamentary or not, since he refers it to me, you know, I expect this type of thing from an empty caricature . . .

MR. DEPUTY SPEAKER: Order, order please. The Leader of the Opposition.

MR. SPIVAK: Mr. Speaker, if I really thought the Minister of Transportation understood what he was talking about, I'd have some respect for him.

Mr. Speaker, let me say this to you, what we are proposing is that it be made mandatory to have insurance on snowmobiles, that's all we've proposed. What the government is suggesting, what the Minister is saying, is that we are doing this so the predatory insurance companies, predatory insurance companies are going to be able to take advantage; that in effect we are forcing an additional cost on the people. That's what we're saying. Well, Mr. Speaker, let me say this, the basis on which the Minister makes his presentation follows the supreme logic of the First Minister in Law Amendments when he suggested that if it's mandatory, it must be supplied by government. If it's mandatory, it's written somewhere, and I suggested whether he could give it from the Bible, or even from the TED Commission I'd accept it. Where he could say that if it's mandatory, it must be supplied by government. -- (Interjection) -- That's your policy. Then why don't we get the Minister of Transportation to stand up and say, our policy is that if it's mandatory it must be supplied by government. And if that's the case, let's be consistent and change the law throughout, because if it's mandatory under the Securities Commission to provide a bond, then the government better start providing a bond. And if it's mandatory for other provisions, mandatory -- (Interjection) -- if it's mandatory under government legislation for other conditions, let the government supply those conditions, not private enterprise; and not provide for the monopoly to private enterprise. That's an interesting feature. The fact that we suggest that it should be mandatory means that, for the mind of the Minister of Transportation, which appears to be accepted by the government, that's a monopoly for the industry, we give them a captive market; a market that could be a voluntary market, but now becomes a market complete for anyone who has to, in this case, use a snowmobile.

So, Mr. Speaker, we are dealing with something pretty fundamental. -- (Interjection) -- The more I think of it, the more I approve of it. Let me suggest, Mr. Speaker, that if in fact the First Minister is prepared to accept the logic, the reasonableness of the presentation of the Minister of Transportation, as the declaration of government policy, and is prepared to say this is our government policy, and he's expressed it properly, then I wish we would have had this presented in Bill 56 of last year. Because in Bill 56 of last year, the indication was that there had to be a compulsory feature, mandatory feature, that it was in fact put on the basis of a utility service to the people, and therefore on that basis it had to be supplied by government because it could be supplied cheaper. Today we bring this amendment forward because the government indicated that they did not know at this point, nor would they know for approximately six or eight months, what rates would have to be provided, and so therefore until they were able to figure out their rates, even though private industry could, it could not be made mandatory because it can only be supplied by government, and it would only be supplied officially by government. But at this point, because government doesn't know what it's doing and hasn't any information and can't produce its rates at this stage, because they are now in the process of trying to figure out how they are going to be able to justify the rate they first introduced in auto insurance, because they are in this whole confused . . . we can't make it mandatory, and we can't supply the protection for the consumer, and for the motoring public, and for the people who may be affected by a snowmobile, because it can't be supplied by government. Now, Mr. Speaker, that whole argument's hogwash. And the Ministers on the front bench know it, and the Minister of Transportation knows it. He would like to mix it up in his great appeal on the fact that we stand up and say that it could be supplied by private enterprise and if the government so feels inclined, let the government compete, so that the public will have the opportunity of being able to at least buy it at its cheapest rate. -- (Interjection)

Well, Mr. Speaker, there is nothing the government wishes to vote against making snowmobile owners obligated and mandatory to have certain minimum limits of insurance. I don't care how they want to rationalize it; I don't care how they want to try and tie themselves into the illogical presentation of the Minister of Transportation, they are basically saying to the people of Manitoba, we do not think that snowmobiles should be insured at this point. We do not think they should be insured; we do not think that they should be compelled to be insured. Mr. Speaker, how opposite this is to the position of last year in Bill 56, and is the principle really any different because the snowmobile is a different kind of vehicle?

The point is that when I talk in terms of a hypocritical presentation or a point of view,

(MR. SPIVAK cont'd.) there is no other way of describing it. And if they are worried about hypocritical, then I suggest to the Minister, the First Minister in his own language, you are basically, intellectually dishonest. And let me repeat again, you are basically, intellectually dishonest. You, your ministers, the Minister of Transportation, in suggesting today, in suggesting today that the compulsion that comes as a result of an amendment that says that snowmobile operators should have a minimum of insurance, which may very well be supplied in time by the government, but at this time can't be supplied by the government because they are not in a position to do it, because they don't know what they're doing, but you're basically prepared to vote against this, then, Mr. Speaker, there was no foundation in logic, in reason upon which the whole rationalization of the auto insurance government monopoly that was introduced by the government was made, and the whole argument falls, and all that can be said is that the argument is only equal to the rather stupid and the illogical presentation that has been made by the Minister of Transportation, who attempts in all ways to confuse the situation and not to present any basis in fact, or in reason, for the proposal.

Mr. Speaker, let the government vote against this proposal, and let the government say to the people of Manitoba, we do not think it is mandatory that insurance be placed on snowmobiles, and if that they are prepared to do, then I suggest, Mr. Speaker, as I have before, that all the arguments that were advanced by the Opposition during the Bill 56 debate have been proved, have been justified because in effect, as we indicated before, the government moved into an area that they knew very little about on the assumption that they were going to be able to gain great political gains; they have now found they have bought something they didn't know the cost of; they are going to cost the people of Manitoba a great deal; they have disrupted people's lives, and they have that as their legacy and a legacy that's going to haunt many of them for the rest of their lives.

MR. DEPUTY SPEAKER: The First Minister.

HON. EDWARD SCHREYER (Premier) (Rossmere): Mr. Speaker, I think it is necessary to say a few words in response to the remarks by the Honourable the Leader of the Opposition. May I say at the beginning that I really believe that he was skirting on the thin line of parliamentary and unparliamentary procedure in the choice of words he used and the way in which he presented his attack. It's understandable that he should rise here and attack the government position with respect to Bill 48, but I think, Sir, that it ill behoves him to make his attack in a way that is as often as not on the wrong side of the line of parliamentary acceptability. He puts forward hypothesis and then he says if the First Minister doesn't agree with this hypothesis, then I have to say that he is intellectually dishonest. Of course, I can't rise to challenge his being unparliamentary because he has based it all on a hypothesis which may not be true at all. But I, Sir, my colleague the Member for Radisson has given me a list of expressions that one expects to be ruled out of order and I notice the word "intellectually dishonest" and "hypocritical" do appear on this list. However, let's deal with the Snowmobile Act, let's deal with the Act that's before us.

I find the Honourable Leader of the Opposition's position to be rather a confused one for this reason. Snowmobiles, snowmobiles have been around now as a, you might say a winter sports and recreation vehicle for about ten years, and I do believe that since about 1962 or 1963 the numbers have been greatly increased, so that any government that was concerned with safety in sports and recreation, must have been giving some consideration and some thought to the problem of snowmobile regulations, safety, insurance, etc. -- since about 1963 or '4 I would guess. Now for whatever reasons best known to them, the previous administration did not see fit to make any changes in the law with respect to snowmobiling and mandatory insurance on snowmobiles. I don't fault them for that, that much, but I do suggest to them that if they find that it is such an overriding necessity to have mandatory insurance on snowmobiles now, then why wasn't it as urgently required in 67 or 68, since the number of snowmobiles in the province was almost as great in the mid-sixties as it is now? It's a matter of degree of increase.

What the honourable members opposite fail to understand is that this government's policy is that we do not wish to cause additional problems in the issue of mandatory vehicle insurance and private sector sale of this insurance. We don't intend to take any course of action that would compound the problem. Now if, after ten years of snowmobiling, being a fairly widely participated sport, there has been no bringing forward of mandatory insurance, why start now at a time when in a matter of a few months we will be able to have ready to have prepared the

(MR. SCHREYER cont'd.) necessary regulations and administrative arrangements to take care of snowmobile insurance under the aegis of the Public Auto Insurance Corporation. The Honourable Leader of the Opposition, he would, after ten years of no law on this subject, he would have us bring in legislation to make it compulsory, and in the interval for a one year period, leave it entirely to the private insurance, private automobile insurance industry. Then I can tell you exactly what would happen: in a year or two, when the attempt would be made to integrate it with the auto insurance, there would be a hue and cry from the industry that they already had a prior and pre-existing involvement, and then there would be expectation of and talk of compensation -- and frankly if the industry had been involved for a period of years, I would say that they would have a valid claim to expectation of compensation, but we are not fools, we are not going to introduce law making snowmobile insurance compulsory in the full knowledge that it will be handed over to the tender mercies of the private insurance sector and then, two years from now, have to face all of the problems that attach to transferring a particular service from one sector to another. So I say very candidly, and very openly, and very unabashedly, and without the slightest trace of apology, the reason we are pursuing this course of action is that we do not intend to - walk by our own momentum; we do not intend to walk into a situation where we will be compounding the problems a year or two from now, when we do bring snowmobile insurance under public operation.

I say in conclusion, to the Honourable Leader of the Opposition, that if he wants to use the word "hypocritical" I will leave this for him to think about. Would not one agree that there is more than trace elements of hypocrisy in a situation where a government for eight years didn't bring forward any law on compulsory snowmobile insurance and in the ninth year brings it forward, and thinks that there is something greatly wrong because the government of the day doesn't accede to their request?

MR. SPEAKER: The Honourable Member for Sturgeon Creek.

MR. FRANK JOHNSTON (Sturgeon Creek): Thank you, Mr. Speaker, I am pleased to get up and speak on this amendment, especially after hearing from the Minister of Transport and the First Minister. As the Minister of Transport says he will hear from the "Chihuahua from Sturgeon Creek" and I might say to him that anything he calls me just gets me another hundred votes in my constituency, so I thank him very much. -- (Interjection) --

So let me say this, Mr. Speaker, this business of two years to transfer and then it starts all over again - that's something the First Minister has said. And now we have - that's the First Minister's statement. Then the Minister of Transport has said . . . right into the hands of private industry. So politically he uses rates when it's convenient, and then on the other side he will politically use safety when it's convenient - today he used rates. And now the Minister of Transport is going to stand up and he's going to vote against this after he has said it many times when we talk about car insurance and what have you, what about the people that have been hurt, maimed? What about the people in hospitals? What are we going to do about those people? Then going back to the First Minister again, he's going to say, what did you do about it? And I disregard his statements of that. I've heard them from 69. "What did you do?" he keeps saying. Well let me tell you. He says 63 there's snowmobiles been around, and in our community where I have been associated civically, it got worse and worse and worse, and then you come to a time that something must be done, and it's got to be done, and to say that we're going to put it off for two years because we can't get in the compulsory end of it, what about the two years while people are getting hurt? Are we going to continue to hurt them?

Are we going to continue? Are we going to continue, Mr. Speaker, to have a snowmobile come whipping across Woodhaven Park, over a bump, down through the park where kids are playing? What happens to those kids when they get hurt if you haven't got insurance? And are you saying also, Mr. Speaker, that the private industry will not compete with one another within this insurance? Is it going to be that bad? The Minister of Transportation says cost is nothing for safety of people; get people off the roads, and what have you; we're maiming people; we're putting them in hospitals. Is a person who is run over and hit by a snowmobile any different than somebody hit by a car? Well, you can buy insurance from private industry to insure them. We are saying compulsory protects the other person and you, you, the Minister of Transport, I won't use words, but one day politically gets up and uses rates because it's good for him and on the next day he gets up and uses safety because it's good for him - and you talk about consistency! You talk about consistency. Let's have the protection you

(MR. F. JOHNSTON cont'd.) keep talking about. Go ahead. Vote against it; and when some boy or girl or person gets run over or hit by a snowmobile, talk to me about safety then.

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

MR. FROESE: Mr. Speaker, I think I should make my views clear on this and also my stand, because I was personally responsible for removing a certain section of the Act in committee and then the government agreed to that, and then later on the government came in and removed the whole section. So now we are back to putting part of it back in and, while I don't disagree that people who would like to insure should be able to insure, but I didn't like the mandatory section for those people who probably just have a snowmobile on their own yard and doing it for joy riding, and a small unit at that, so on the basis of that I cannot support the amendment that is before us because I don't believe in compulsory insurance.

MR. SPEAKER: The Honourable Member for Assiniboia.

MR. STEVE PATRICK (Assiniboia): Mr. Speaker, I find myself in a real dilemma because I am not just sure what the amendment is intended to do. If the amendment means that anyone, or any snowmobile that is licensed and has the right to drive on the road or alongside the road and across the highways, or drive on parks, then I would agree definitely there should be liability insurance or some kind of insurance. On the other hand, if people drive on their own private property, I don't see why there should be a requirement for them to buy insurance. But I was somewhat surprised and almost couldn't believe it, that the First Minister said, well, you know, we're going to create a dilemma because in two years we will be faced with the same situation because we're going to place the snowmobile industry in the tender hands of the free enterprise system. Well, this is one indication that the First Minister definitely does not believe in the free enterprise system. -- (Interjection) -- Well, Mr. Speaker, I had a very hard time believing that this was what the First Minister was saying, but I believe this is what he said because he repeated it again. But my own belief is that any snowmobile that will be allowed to drive along highways, cross highways, drive on public property, I feel should carry some liability insurance because there is danger, and I think it's quite important that there is some provision, and on the other hand if this is the requirement of all the snowmobiles, of all the snowmobiles, if they're licenced or not, will require to carry liability insurance . . . -- (Interjection) -- Yes.

MR. SPEAKER: The Honourable First Minister.

MR. SCHREYER: Mr. Speaker, could the honourable member indicate what year it was that Manitoba brought in law to require people to have insurance on cars, on highway vehicles, hundreds of thousands of highway vehicles, accidents, deaths, great injury and cost, but when did the province bring in a law requiring liability insurance in the mandatory way?

MR. SPEAKER: The Honourable Member for Assiniboia.

MR. PATRICK: You mean compulsory insurance? Last year.

MR. SCHREYER: On the Manitoba highways for the first time.

MR. PATRICK: Mr. Speaker, I'm not against compulsory insurance. In fact, I stated on many occasions in this House that much of the problems that was created in the automobile insurance industry was created by the politicians in this House, that we did not have the gumption to legislate and say that insurance should be compulsory as far as the automobile insurance is concerned. Well that does not say it. -- (Interjection) -- Well, there are members on the front bench who say we did. But when the bill was before this House for \$25.00 Unsatisfied Judgment Fund they supported it, and I think it was a wrong judgment, as far as I'm concerned was the wrong judgment to do, and all the members supported it. In fact they should have said no, this will not solve the problem; it will duplicate and create a much more greater problem - which it did - and the \$25.00 Unsatisfied Judgment Fund that anyone can get a licence as long as he pays \$25.00, this created a great problem in the automobile insurance industry. It created a great problem.

So, Mr. Speaker, again, I am in a dilemma. I'm not quite sure -- I hope that the member would be able to have the opportunity to explain, or the Minister of Transportation, because I do believe if snowmobiles, the ones that will be driving on the highways, in the ditches, crossing highways, they should have some form of liability coverage. -- (Interjection) -- I believe they should. Yes, I believe they should. On the other hand, if it means that every snowmobile that's sold today will be required to have compulsory coverage - and I would say a greater percentage of these machines will not be used on highways; they'll be used

(MR. PATRICK cont'd.) strictly on private property - then I see no reason why there should be insurance coverage or why we should force these people to require or to be forced to buy liability insurance. I understand that all snowmobiles have to be registered if they're used on private property or not, it doesn't matter what. So then this amendment, what it would mean, that every single machine would have to carry liability insurance -- (Interjection) -- I see. Well then, under those circumstances, Mr. Speaker, I could not support it because I feel that there are many machines that never get out of their yard, never get out of the farm, never go on the road, but still the machine has to be registered, and in the meantime I see most farmers or many farmers will have to buy at an expenditure of \$25.00 or maybe \$50.00 or \$75.00, and I think it's a pretty big expense. -- (Interjection) -- Liability insurance? So under those circumstances I could not support the amendment.

MR. SPEAKER: Are you ready for the question? The Honourable Member for Birtle-Russell.

MR. HARRY E. GRAHAM (Birtle-Russell): Thank you, Mr. Speaker. You know, Mr. Speaker, it's amusing to watch the antics of the government over here on this particular thing. Just because they have not been able to get the machinery ready in their Crown corporation, they'll go to almost any length to protect the interests of their Crown corporation, and we find that even though we voted for compulsory insurance last year, they are willing to forget that at this particular time because they haven't got their machinery ready due to the fumbling and bumbling that went on in the setting up of their auto insurance business. But the interesting thing, Mr. Speaker, is that this amendment does not set the amount that has to be carried. That is left for the government. They can set an amount which could be used for those snowmobiles that are operating strictly on private property, if that is the concern of the Member for Assiniboia, and they could set another amount if they were used on public property. But that is left up to the government. They can do that. The strange thing is that we are only trying to comply with what was passed in this House last year, against our wishes, but it made compulsory insurance in Manitoba a fact and we now find that the government is not requiring compulsory auto insurance solely for the reason that they are not ready to supply it.

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

A MEMBER: Yeas and Nays, Mr. Speaker.

MR. SPEAKER: Call in the members. Order please. The amendment before the House is the one proposed by the Honourable Member for Charleswood.

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

YEAS: Messrs. Bilton, Enns, Ferguson, Graham, Henderson, Johnston (Sturgeon Creek), McGill, McGregor, McKellar, Moug, Spivak, Watt, Weir and Mrs. Trueman.

NAYS: Messrs. Adam, Allard, Barrow, Borowski, Boyce, Cherniack, Desjardins, Evans, Froese, Gonick, Gottfried, Green, Hanuschak, Jenkins, Johannson, McBryde, Mackling, Malinowski, Miller, Pawley, Petursson, Schreyer, Shafransky, Toupin, Turnbull, Uskiw and Walding.

MR. CLERK: Yeas, 14; Nays, 27.

MR. SPEAKER: The Nays have it. I declare the motion lost.

Before we proceed, I should like to request of the honourable members of the Assembly that they co-operate in respect to the divisions. The teller has a very difficult job if members don't get up on time, or get up and sit down before they've been noticed, so would they co-operate? It only takes about 30 seconds to stand up so the teller can watch who's going. Thank you.

Are you ready for motion of concurrence of the report? The Honourable Minister of Transportation.

MR. BOROWSKI: Mr. Speaker, I move, seconded by the Minister of Municipal Affairs, that Bill No. 48 be concurred in.

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

MR. SPEAKER: The Honourable Minister of Transportation.

MR. BOROWSKI: Mr. Speaker, I move, seconded by the Minister of Municipal Affairs, that Bill No. 48, an Act to amend The Snowmobile Act, be now read a third time and passed.

MR. SPEAKER presented the motion.

MR. SPEAKER: The Honourable Leader of the Opposition.

MR. SPIVAK: Mr. Speaker, never was there a greater example of intellectual dishonesty on the vote that was taken than the last, Mr. Speaker, and the manner in which the government

(MR. SPIVAK cont'd.) . . . went against the basic principles they presented last year.

MR. SPEAKER: The Honourable Minister of Finance.

HON. SAUL CHERNIACK, Q.C. (Minister of Finance) (St. Johns): Mr. Speaker, I'd become persuaded that I wouldn't personally react to what had been said during the earlier debate on this matter, but I can't help but comment that the Leader of the Opposition, whose style is his style but somehow has to be purgative every time he stands up, has to be provocative every time he says something - that's his style; that's to this party's advantage and I encourage him to continue. But aside from his style, I want to say that he has displayed this morning on the earlier debate on this matter, an abysmal ignorance of the experience on this continent on the whole question of compulsory insurance without the additional safeguard of the need to protect the purchaser of insurance insofar as the costs are concerned. An abysmal ignorance, which would indicate to me that he has made his speeches all along without listening to what was said here over a number of years - I'm not only speaking of last year - without a real recognition of the Wootton Report or all the other reports, and the result is that he shows just a lack of knowledge of what's going to happen when he says that what we are doing here will be something that we'll regret, or that we haven't really planned it out, and I'm happy always to be able to report that I have forgotten the language which he used because that's the amount of the impact it has; but to say this: that the trend has been, over the years, to compulsory insurance in various jurisdictions; the trouble that it's caused is going to make certain that in all these jurisdictions, over not too many years, in the end they'll end up with bills which will be modelled on the Insurance Act we have today and on the principles embodied in our legislation.

MR. SPEAKER: The Honourable Member for Sturgeon Creek.

MR. F. JOHNSTON: Mr. Speaker, and I'm going to be much briefer than I was before - I still would like to comment that the mercy of the private enterprise in rates is wrong; it's a difference of philosophy between the two parties, I guess. There is nothing wrong with private enterprise and competition to get the rates properly set. The style that the Minister has spoken about regarding my leader on the basis of this bill, he has his opinion; but my opinion is the House was running fine all morning until we got the style of the Minister of Transport which threw it into a complete turmoil.

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

A MEMBER: Yeas and Nays, please, Mr. Speaker.

MR. SPEAKER: Call in the members. Order please.

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

YEAS: Messrs. Adam, Allard, Barrow, Bilton, Borowski, Boyce, Cherniack, Desjardins, Evans, Ferguson, Gonick, Gottfried, Graham, Green, Hanuschak, Henderson, Jenkins, Johannson, Johnston (Sturgeon Creek), McBryde, McGill, McGregor, McKellar, Mackling, Malinowski, Miller, Moug, Patrick, Pawley, Petursson, Schreyer, Shafransky, Spivak, Toupin, Turnbull, Uskiw, Walding, Watt and Mrs. Trueman.

Nays: Nil.

MR. CLERK: Yeas, 39, Nays, nil.

MR. SPEAKER: The Ayes have it; I declare the motion carried.

MR. SPEAKER: The Honourable the House Leader.

MR. GREEN: Mr. Speaker, just before calling the next bill. I understand that there is probably general agreement that we continue this morning for another hour, or this afternoon for another hour, until 1:30. If I'm correct in that, I'll continue to call bills; if I'm not, then somebody . . .

MR. FROESE: What is going to be the situation in the afternoon and evening? I'm prepared if there's some general agreement . . .

MR. GREEN: Well, Mr. Speaker, there is no bargaining at this stage. The afternoon is a committee meeting at 2:30. We would hope that at the end of the day, I was going to say that this evening we could have the regular session at 8:00 or, if members wanted to, we could come back at 7:00 in order that we'd be able to close early, but we want to continue for another hour, then go to committee at 2:30 this afternoon, two committees, have a regular sitting this evening with the time to be at the will of the members, 7:00 or 8:00 o'clock.

MR. SPEAKER: Agreed? The Honourable House Leader.

MR. GREEN: Bill No. 52 at the report stage.

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

MR. McKELLAR: Mr. Speaker, I beg to move, seconded by the Honourable Member for Arthur, that Section 17 be renumbered Section 18 and the following Section 17 be added as Section 67 of the Automobile Insurance Act, being Chapter 102 RSM 1970. Section 67: There's nothing in this Act that regulations shall be deemed to prohibit any company from carrying on the business of automobile insurance under the provisions of the Insurance Act; nothing in this Act where regulations require that any person insured by a company authorized to carry on the business of automobile insurance under the Insurance Act obtains equivalent insurance from the corporation.

MR. SPEAKER presented the motion.

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

MR. McKELLAR: Mr. Speaker, I'll be very brief. We heard the First Minister this morning get up and make a statement that he trusts governments with monopoly but he doesn't trust free enterprise with a monopoly; and this was the most amazing statement that has ever been made in this Legislature in my 13 years. For a man who has the members of his family in business, I can't hardly understand how he can make that statement, and I hope that he lives to regret it, because the free enterprise system has served this province well, and it can be trusted. It can be trusted. And I want to say as far as the insurance industry in the Province of Manitoba, especially the Manitoba-based companies, Wawanesa Mutual, Portage Mutual and Canadian Indemnity, they have served their people well. They have been in business for many many years, and if you will check with the Superintendent of Insurance I doubt very much if you'll find very very many complaints from these three companies. So, Mr. Speaker, all I'm asking, monopoly provisions of this Act be removed; the compulsory provisions will remain; and it will be possible for the Wawanesa Mutual, Portage Mutual and Canadian Indemnity will be able to sell insurance in the Province of Manitoba.

I know the government aren't going to go -- they believe, as they have just voted on here, on the amendment passed by the Member for Charleswood, that they'd be out of the free enterprise system; you can't trust them; you can't make it compulsory for snowmobiles. And as far as snowmobiles, I want to say - because I've sat in my seat - all it calls for snowmobiles to insure them in the Province of Manitoba for six months, for a third party liability, is seven dollars and a half. And you people have the gall to say that you're quoting large figures, that you don't know what the rates will be. I've sold snowmobile insurance for over six years now. Seven dollars and a half; that's what it costs. They're making a big issue of it over there. That's what the private insurance companies have sold insurance for, for many years -- (Interjection) -- It is not hogwash. It is not hogwash. You don't sell insurance. You don't know what the facts of insurance are. You never will know, because you haven't got the ability to understand what insurance is all about, yet you, or the Cabinet over there, are going to set the rules for the Province of Manitoba. I don't believe that you can do a better job than Wawanesa Mutual have done. I don't believe it and I never will believe it, and for that very reason I'm in favour of taking out the monopoly provisions under Bill 52 and give it to Wawanesa and Portage and Canadian Indemnity - along with your company.

If your company is so good, why can't you compete? Why can't you compete? If your company's so good, why can't you come in and sell snowmobile insurance for seven dollars and a half for six months, third party liability? I'll tell you why. Because you don't want to get into business, because it's a little risky. You think it's a little - how can you rate for buses? How can you rate for semi-trailer trucks that are travelling all across Canada? And you say you can't rate for snowmobiles. Mr. Speaker, the private insurers have been selling all this coverage for many years; they've been providing a service. And I tell you I've been getting complaints day after day now - people who are insured with good companies who are pulling out and they can't get insurance. And what is the reason? What is the reason? Because the companies were told last year on the first day of July that the government would be in business and the companies were no longer required. Can you blame the companies for leaving? I can't blame them at all.

But we do have companies who are not going to leave for a day or two, until they are told they have to leave, and all they're asking, as Mr. Trites said out there that night in Law Amendments Committee, is for the right to sell and compete against the government and they would prove to the people of the Province of Manitoba they can do the job, as they have done the job for many many years - in the case of Wawanesa since 1896; in the case of Portage la Prairie since 1884. That's all these private companies are asking and I don't think it's too much to ask in a province where we've been raised on the free enterprise system. What

(MR. McKELLAR cont'd.) happens, what happens from now on I won't predict. That's all I'm asking, Mr. Speaker, in this motion here this afternoon, is that the government reconsider their position on monopoly, reconsider it. And the First Minister - I want to close with this - the First Minister when the statement, "You can't trust free enterprise with a monopoly," I can't believe it. I couldn't hardly believe it when the First Minister said that. It was just as much to tell the Wawanesa Mutual that their services are no longer required in the Province of Manitoba, and to the Portage Mutual, they're no longer required. It's unbelievable for a man whose family are in the free enterprise system, members of his family. Mr. Speaker, that's all I have to say this afternoon because I have to be in Souris at 3:00 o'clock. Thank you.

MR. SPEAKER: The Honourable Minister of Municipal Affairs.

HON. HOWARD R. PAWLEY (Minister of Municipal Affairs) (Selkirk): Mr. Speaker, we have simply heard one more performance which we have heard repeatedly throughout the last year or 16 months, a performance which is characterized by a continued, rigid doctrinaire attitude towards economic and social issues that may arise from day to day; the desire to take a very simplistic method of dealing with issues rather than dealing with matters on their merits, discussing questions as to advantage or disadvantage of a particular course of action; to rather label things as strictly and rigidly as either being of a villainous socialistic nature or of a virtuous free enterprise nature. This is the method, of course, that is falling into more and more disrepute these days as more and more citizens are beginning to realize that you cannot deal in such simplistic methods. I think when history writes the tale of the Opposition, that they will certainly write the tale of the Opposition in respect to this particular issue in not too kind a light. I think that on this particular matter four or five years from now when those that come after us look back, they will look upon those that sat in the Opposition as taking the same type of negative and unprogressive kept service type of attitude as would have been referred to by the opponents of public education, workman's compensation, hydro, telephone and medicare and hospitalization and all the other worthwhile social reforms.

I would have thought that the Opposition would have wanted to have joined hands with the government in proposing the reforms that have taken place here. They have again demonstrated that they are not interested in reform, they are only interested in status quo and catering to the whims and desires of a few rather in the interests of the motorist in general in the province. The route that the Opposition would like us to take is a route which would simply ensure that the motorists in the Province of Manitoba would not have substantial savings, that the motorists in Manitoba would be required to subsidize a costly bureaucracy in order to enforce compulsory automobile insurance under the private insurance system, as is the case in other jurisdictions that have attempted that unfortunate experience, and I can refer Opposition members to New York, North Carolina, Massachusetts and British Columbia at this time. They all have failed. Ontario will fail when they bring in their program next year because again they are the kept servants of a particular doctrine and they are going to attempt to impose compulsory insurance under that particular doctrine. It won't work and the people of Ontario will suffer for it; and in the same way that the Opposition would have preferred that the people of Manitoba would suffer.

They also want to continue a system by way of this amendment that would insist upon the continued delay, arguments, litigation, dispute from lawyer to lawyer, plaintiff to defendant on property damage and collision claims because they are saying, turn it over to the competitive system. This means no other but that you would continue the system of costly delays, the lack of prompt settlements on claims. This is what the Opposition prefer.

Furthermore, they also wish to continue a system of preferential treatment in which certain companies would have the benefit of catering to the very preferred rating categories rather than to the general public at large. This is the system they want to see continue in the province.

All that I can say to the Opposition that this amendment should be defeated and I regret very much, again, that when history is written that it will have to tell this story of how the Opposition have performed on this vital issue.

MR. SPEAKER: The Honourable Leader of the Opposition.

MR. SPIVAK: Mr. Speaker, the Minister of Municipal Affairs mentioned progress and he indicated that this legislation is progress - the legislation of Bill 56 and 52 - and he made reference I think to social progress. Well, Mr. Speaker, we really have to look back on the

(MR. SPIVAK cont'd.) debate that's taken place over the last 12 or 16 months that he's indicated, have to examine where we are today, examine the information that's been supplied by the Autopac Crown Corporation and then have to determine whether we really have made progress or not.

We know that there was a problem and I would agree with the Minister of Finance when he suggests that it would be abysmal ignorance to suggest that there wasn't a problem; but I disagree with the Minister of Finance and with the members on the opposite side that it's abysmal ignorance to suggest that there are other solutions than the government solutions. Because, Mr. Speaker, the government predicated it's position on the assumption that auto insurance was a utility therefore it had to be in fact covered by a Crown Corporation; further, that it had to be a monopoly to be able to provide the best efficiency and the best pricing to the people and that's the only way it could be undertaken. Mr. Speaker, we wouldn't have a hope of presenting any kind of logical argument today against the government on the auto insurance position if in fact the rates that have been produced were in fact cheaper than the rates that have been offered by the private insurance companies.

Now, Mr. Speaker, the Premier can say 90 percent and the Minister of Mines and Natural Resources can say there's a \$4 million saving, and, Mr. Speaker, if there was some way in which we could take all this information and put it into a court of law and have someone investigate the charges and the counter charges and the estimates that have been made, and someone who would have the ability to be able to scrutinize all the information, to be able to draw it from the government, to be able to indicate the financial situation, Mr. Speaker, I have no doubt, without question, they would find that the representations that have been made by the government are misleading, they are not correct, that the savings that are being offered are not as promised. Because, Mr. Speaker, as we've said before, the government jumped into this, bought a bill of goods that they knew nothing about, they've now had to do the best they can to juggle it to be able to try and carry on; the savings are not there, the benefits to the public are not there, and, Mr. Speaker, the justification for this kind of an amendment now, more so, more so than last year is based on the figure itself.

Now the Minister of Municipal Affairs says "shocking", the First Minister says "incredible". You know, they're descriptive terms. It's very easy to say incredible, very easy to say shocking, but let's again recite the facts. Mr. Trites came forward in Law Amendments and produced his rates and said he was prepared at that point, if the Minister of Municipal Affairs or any government member was to call him a liar, to answer it; he asked them to call him a liar and say that his rates were not correct or that his explanation of those rates -- let's understand this, his explanation of those rates were not right -- he challenged the committee members, he challenged the government members, and he said now is the time. And, Mr. Speaker, that was the time. And what did the government say at that time, what did the Minister say? You're baiting me.

Well, Mr. Speaker, the object of debate, the object of the Law Amendments when people present information, is to try and establish the facts and that was the time for the government to have said to Mr. Trites "incredible", and that was the time for the Minister to have said "shocking", but they didn't. Because, Mr. Speaker, in an area that I admit is complex, in an area that I admit is sophisticated and requires a great deal of understanding, when there were personnel who had that kind of knowledge, the government couldn't meet it because they don't know. The Minister doesn't know. What they do believe is that somehow they are going to be in a better position to offer the people it cheaper because after all it will be a monopoly and it simply stands to reason if you've got a monopoly you should be able to do it. That's if you know what you're doing. But if you don't know what you're doing, then how the devil can you be sure that what you're promising will in fact be delivered.

Mr. Speaker, the interests of the public had to be protected and there had to be a control of the selling price with respect to auto insurance. As I've indicated before in the House, it is not unusual to have control of selling price of other commodities that are offered to the public and the interests of the public have been protected, whether it be taxicab fares, whether it be the price of milk, whether it be the price that one pays for a rail ticket or an air ticket or for transportation of goods one way or the other, They are in fact protected. We've reached a point where there's a recognition that there has to be a greater degree of consumer protection and a greater involvement of government in the regulation of that. But, Mr. Speaker, the essential philosophy in which the Minister of Finance stood up a few moments ago and said it was

(MR. SPIVAK cont'd.) abysmal ignorance, that essential philosophy applied logically, Mr. Speaker, means that the government should have properly entered into the food business, properly entered into the clothing business, properly entered into every major undertaking where there are essential requirements for individuals to be able to exist and to be in a position to provide the degree of protection. Because, Mr. Speaker, there is no regulatory body that controls, Mr. Speaker, the price of food, there is no regulatory body that controls clothing, there is no regulatory body that controls shelter. Yet in terms of the logic, terms of the logic of the words of the members opposite they should have entered in amass.

Mr. Speaker, I mention that because I want to now refer again to the famous words of the First Minister when he talked about intellectually your dishonest. Because, Mr. Speaker, it is intellectually dishonest to suggest that the public must be protected in this particular field and that monopoly and compulsion are the factors that are the degree of protection and the only way in which the protection can be offered; because if that is the case, if that is the case, then my God, the public have to be protected from those people who run the supermarkets and the stores, from those people who run the retail outlets, from those people who supply the other requirements that are essential to life. And the government is not prepared to do that. And they're not prepared to take it over; and they're not prepared to nationalize it and they're not prepared to enter into it, and we know why. So therefore, Mr. Speaker, that argument is intellectually dishonest.

Now again I repeat once again, Mr. Speaker, that there would be no validity to this amendment, there would be no way in which we could argue on any rational basis that there be competition if it wasn't for the fact that rates have been produced which are in fact cheaper - and they are cheaper than the government auto insurance. So we come down to one rationale, Mr. Speaker, one rationale and one rationale only, Mr. Speaker. If the government is interested in protecting the people of this province so they are going to get the best and most economical rate, let the private insurance companies compete with the government, because that's the only way the public is going to be sure, Mr. Speaker, that the rates that are going to be offered to them are the best rates, because once the government has a monopoly there is no way in which that can happen. And, Mr. Speaker, you know, there are other examples that we can cite. Let's cite as an example on the Federal scene, Air Canada. Air Canada had a monopoly for Canada with respect to air travel. Now not with respect to rates but with respect to service. What happened? Canadian Pacific were given the opportunity to compete, a private carrier, a private entrepreneur, a private corporation. And what happened? The service on Air Canada changed. The competition accomplished its objective and as a result the public is better off, and no one can suggest the opposite. Mr. Speaker, at this point, based on the information that has been presented to us, which has realistically not been contradicted no matter how confused the Minister of Municipal Affairs wants to make this matter to be, the truth of the matter is, Mr. Speaker, that given the basic proposition that the whole object of the game is to protect the interests of the public, that having provided certain ability to protect within the Act, the very obvious thing is to allow the private insurers to compete with the government auto insurance so that the people in Manitoba will get the benefit of the best rates; and none of the arguments that have been presented so far, and will no doubt be presented again by the Minister of Mines and Natural Resources and by the First Minister, of the savings that will be made and the efficiency that will take place and the necessity, wash. Because first of all they can't prove it with their figures; secondly, at this point they really are going again on the basis of their doctrinaire and dogmatic position rather than on our doctrinaire dogmatic position. And thirdly, at this point without having the kind of analysis and scrutiny that I indicated, someone who would be objective such as a judge of a Court of Queen's Bench who could then look at the facts and make a judgment, without that kind of ability, there is just no way in the complex presentation for the information to be properly analyzed; and the allegations will be made and the statements will be made and of course the public are going to have to decide. And on that, Mr. Speaker, to the First Minister, may I say I have no fear. I have no fear for a good reason, because the vast majority of Manitobans are going to be paying more and they know it. And the vast majority of Manitobans recognize that now that all the promise that was made by the government have not been met, that in effect an industry has been disrupted, that the degree of protection that was going to be provided them has not been provided and that the government have just floundered in this and disrupted and affected not only the insurance agents and their families and the lives of the people surrounding them, but has affected basically the total

(MR. SPIVAK cont'd) economic activity of this province, and they know it.

The First Minister can stand up time and time again and say, shocking and incredible but he is not going to be able to alter the basic attitude that has been formed by the vast majority of people in Manitoba who recognize that the government entered into this without knowing what they're doing, that they now had to bring in somebody else to try and put the thing together it's in such a hell of a mess and that in effect the people of Manitoba are going to be paying for it.

MR. SPEAKER: The Honourable First Minister.

MR. SCHREYER: Mr. Speaker, my colleague the Minister of Finance refers to the Honourable Leader of the Opposition's style as one which is purgative, I have my own way of describing the style of my honourable friend the Leader of the Opposition. It seems that on this issue, as on many other issues, that his style in this House is perhaps best described or characterizes one being analagous to verbal diarrhea.

My honourable friend the Leader of the Opposition rises in his place to make the very same tired old accusations as he did earlier this session and for most of last session with respect to the issue of public auto insurance. My colleague the Minister of Municipal Affairs says that the statements made by the Leader of the Opposition are shocking. I used the word incredible, I also use the word "confused". Because my honourable friends obviously are confused when they persist in believing that a majority of motorists of Manitoba will not experience a saving in automobile insurance premiums. What are they doing? They are taking the statement by an executive of one insurance company and trying to give that statement application to the totality of the motoring public - The Wawanesa Company's rates with respect to those class of drivers who might be called "Preferred Risk" drivers; it is true that the Wawanesa rates for that very select group are marginally, ever so slightly marginally lower than the rates that have been proclaimed under Autopac. And those rates, Mr. Speaker, let me say with all the clarity and emphasis I can muster, those rates apply to approximately five to eight percent of the motoring public of this province. The other 95 to 92 percent of the motoring public do not have - those rates do not have relevance to them and it is those 95 to 92 percent of the motoring public that will enjoy and experience rate reduction of some amount; whether it be slight or whether it be large, rate reduction of some amount.

Now if my honourable friend the Leader of the Opposition wants to try to leave the impression that because one company has preferred rates for a select group that applies to about five percent of the motoring public, and tries to leave the impression that this means that the public auto insurance rates are higher in a majority of the cases, then I cannot conclude other than that he is engaging in a game, an exercise of intellectual dishonesty.

Mr. Speaker, I have spoken on this issue in this session, last session; if one were to add it up, I suppose it comes to hours. I just want to take two or three minutes this morning, or this afternoon, to say once again that if my honourable friend thinks he can leave the impression and try to give it currency, that premium rates applying to a very select, preferred group of five percent of the motoring public, if he tries to give the impression that this small, small group somehow constitutes the majority of Manitoba motorists, then he is really, really mistaken. We have gone through this so many times, there is no question whatsoever but that looking at the operation in its aggregate, in its totality, in its global sense, that not just a majority, not just a large majority, but an overwhelming majority of Manitoba motorists will enjoy a degree of premium reduction, ranging all the way from one percent to fifteen percent and beyond, to twenty-five and thirty percent, aggregating to an average of somewhere in the order of fifteen percent. This is what we said a year ago; we still stand by it and we believe that the experience of first year operation of the plan will prove it out. And so when the Leader of the Opposition says that we got into this; there is confusion; we didn't know what our objectives were; we knew very well what our ultimate objective was and we are reaching it. I am very confident we are going to be realizing the ultimate objective we had in mind in this particular area of public policy.

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

MR. FROESE: Mr. Speaker, I don't know whether I should adjourn -- no, I intend to comment briefly on the motion before us, which is to the effect that the private insurance companies should also be enabled to compete. I believe in competitive enterprise - and there are some mutterings from the back of me - which because we have now set up a monopoly under the Insurance Act of last year and which we are now amending by Bill 52, and who's to say that

(MR. FROESE cont'd) administrative costs can increase year after year? We have no comparison with which to compare after this has been in effect. There is no onus on the people in the executive positions to keep costs down, because everyone has to insure and everyone has to come to their insurance company for their insurance, so why should they exercise to have the cost at a very low level for running their corporation? There is no onus put on them, and this is why we need competitive enterprise, so that there will be competition, so that people will have lower rates as a result. The Honourable Minister doesn't feel that way, and I'll let him come to debate that point, because surely enough, if we have companies and more companies than one in the same field, there will be competition for the insurance dollar. If they want to remain in business and if they want to maintain their business, they will have to put some effort forward to be competitive, otherwise they will not get the insurance; and I can't see why this government will not accept this principle, that we need competition. Competition is the life blood of trade, and unless we do have competition we will find that costs will increase, and under a monopoly situation we will not even be aware as to what extent the costs do increase; there'll be no check on it. So I have no alternative but to support the amendment before us, and I do believe in the principle of competitive enterprise.

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

MR. GREEN: Mr. Speaker, I referred to this matter before but I think it's worth referring to again. There is a society in England that is called the Flat Earth Society. It's a society that's dedicated to the proposition that the earth is flat. It's a society that is dedicated to the proposition that the earth is flat, and when the American scientists sent a rocket to the moon by circling the earth, by circling the earth and subsequently circling the moon, the Flat Earth Society apparently made a communication to the effect that the earth is still flat. And one would wonder, one would wonder how they get that way, and this afternoon there was a key to me as to how they do get that way. If one will only limit himself to the knowledge that he has in his head and what he can see about him, and listens to nothing else, and takes in, reads nothing, or listens to no evidence that has been stated by anybody else, one would come to the conclusion that the earth is flat, because if we look at the earth what we see is a flat earth, and therefore if one limits himself to only the observations that he can make, or only the observations that are already in his head, it is easily logical seeing him come to that conclusion. I wondered how the Flat Earth Society operates and I've come to the conclusion that what they do is not ready anything, not listen to anybody else's arguments, and ignore, put blinkers on, when any other observation is put to their attention.

Now, Mr. Speaker, we saw it yesterday — point of order?

MR. SPEAKER: The Honourable Member for Rhineland.

MR. FROESE: The Minister refers to people not reading anything and not hearing anything. I think we have heard all the arguments from both sides in this House.

MR. SPEAKER: That was no point of order.

MR. GREEN: Well, Mr. Speaker, I was just going to get to that point. We saw again an example of the Leader of the Opposition getting up, making his speech about what happened with the rates, what happened with Mr. Trites, what the people of Manitoba are saying, what arguments will or will not wash. We saw him make that speech, get out of the House, and not even have the courtesy to listen to the First Minister replying to what he had said. We saw him yesterday get up at committee; there was an explanation asked for with regard to the Labour Relations Act and I tried, with my limited capacity; to make an explanation. When I started to make the explanation - which he had requested - he walked out of the room; he walked out of the room at the beginning of the explanation. After the explanation was given, all of the members were satisfied with it, he walked back into the room at the end of the explanation, Mr. Speaker, and said, "How can we vote on this when there has been no explanation?" when all of the other members had been satisfied with the explanation that had been given. And one wonders, one wonders, and then one has an answer for the explanation as to how there can be a Flat Earth Society. There can just as well be a Flat Earth Society as there is a Leader of the Opposition who knows nothing and who insists that he will not learn anything, and will not listen to what anybody else has to say.

The Leader of the Opposition has said that the Wawanesa has demonstrated that their rates are lower than the people of the Province of Manitoba, and the First Minister has answered that, if this were so - and I suggest that it's not so - it would apply to a select customer list which almost nobody in Manitoba categorizes for; the people who buy automobiles

(MR. GREEN cont'd) but leave them in their garages and don't drive them, or things which are approaching that. But, Mr. Speaker, the Wawanesa has done something else that is interesting. It has been the regular case that motor vehicle rates have been rising in past years. I think it's significant that with the announcement of the Manitoba program, the Wawanesa rates did not rise; that furthermore, they are quoting last year's rates for next year's policies, and they didn't rise again, so that when the First Minister says, Mr. Speaker, when the First -- (Interjection) -- You heard that last week, yes; well you'll hear it again, because apparently you didn't understand. The fact is that apparently others in this House did not understand, and apparently if I can't make the Leader of the Opposition understand, at least the remarks will be recorded in Hansard, so it will not go on the record that they weren't stated. But the fact is, Mr. Speaker -- (Interjection) -- It is not against the rule. Well then, you make your point of order to the Speaker. Do you have a point of order to raise? If I'm offending the rules, I want to be brought to order.

MR. SPEAKER: Will the honourable member address himself to the Chair, please.

MR. GREEN: Mr. Speaker, the fact is that I had no idea - and when I spoke in Portage la Prairie last year, when we were introducing the plan, I said it may be that certain people getting very selective rates would not save money on this plan, that they would have to pay more than they were paying before, and that was quoted widely by Wawanesa and by the Leader of the Liberal Party - I had no idea at that time that we would be able to do as good a job as we are doing, because not only was I wrong at that time, as evidenced by the Wawanesa rates where the biggest divergence, I think, they showed was something like \$2.00, quoting last year's rates; what Mr. Trites has proven was not only that we were right, but that every single motorist, virtually every single motorist, on the basis of his statement, is going to save money on this plan, and that the exception would be so minimal as to fall into the legal maxim de minimis non curat lex, which means that the law does not concern itself with trifles, that there will be almost nobody, but virtually nobody, who will not save money on the rates alone, as indicated by Mr. Trites' statement. And it's not surprising to us, Mr. Speaker, that people now say that "we have seen your rates and that we can compete with you," because they have been saying that to the province of Saskatchewan for years, but the people of Saskatchewan have not bought that type of garbage and the people of Manitoba won't buy that type of garbage, because they know what they have seen happen in every other area of loss leader selling or bargain selling, that the chain stores, when they came in, decided that they could sell food at cheaper prices than the corner grocer until they were driven out of business, but after they were driven out of business, the prices didn't stay as they were - and this is true of every loss leader and every bargain seller. He is attempting to eliminate that market.

The people of Saskatchewan did not fall for that kind of claim that was made. Even the former Premier was not able to bring a competitive insurer into the province of Saskatchewan, because anybody who knows insurance, knows that competition in insurance is not based on rates; it's based on getting the good risks and not getting the bad risks; and if there was a competitive situation in the province of Manitoba, as was suggested by honourable members, what we would really be doing is doing the private insurers a favour, because every bad risk that they now want to get rid of and have to foist off on some private company, they know that the government would have to cover, so the government would be covering all of the bad risks and then the private companies would say, "Look at those stupid public enterprisers, the people who have the public company. They've got the highest rates. They've got the worst rates of all, which shows how inefficient they are."

Now, don't you think that the people of Manitoba can understand this, because when you keep on putting these arguments, you seem oblivious to the fact that there are people with intelligence in this province. The Leader of the Opposition says that you have to have something like a Queen's Bench judge and a big investigation to find out whether what we are saying is really so. Well where has the Leader of the Opposition been during the last thirty years? If he would look at what has been done in automobile insurance, he will see that there have been commissions conducted right across this country, and almost invariably they have come to the conclusion that there is no effective competition in automobile insurance, and the Wootton Commission, which consisted of a superior court judge and which spent several million dollars on a study, said that there was no serious competition in automobile insurance, that the Saskatchewan plan is the most efficient, most effective and fairest plan in North America - this is in the Wootton Commission report which the Leader of the Opposition says that we should

(MR. GREEN cont'd) have this kind of investigation - that the Saskatchewan records are the best, the most accurate, and the ones which tell the story most truly as to what they are doing, and that the information that they received from the private coverers was unreliable - and that's a kind word: unreliable.

So these commissions that he has talked about have been held, but just as the Leader of the Opposition did not want to hear the answer that the First Minister gave, just as he did not want to hear any of the evidence that has been stated, he has put blinkers on insofar as the Wootton Commission report is concerned and remains dedicated, unalterably a member of the Flat Earth Society, and that is his position. Well, Mr. Speaker, it will never be the case that there will be a scientific way of saying that one system is better than the other. In the last analysis, this becomes one of judgment and I say that that judgment I trust to the people of the province of Manitoba, just as the Leader of the Opposition does, and I'm grateful for that.

But there's another important evidence of how this judgment could be evaluated. Mr. Speaker, if what we were doing was going to be a bad system, was going to result in increased rates, I suggest to you we would not have the opposition of the private insurers, we would have their support, because we are talking about one million people in the province of Manitoba. This is not a problem that affects one million people; this is a problem that affects 200 million people, and if the private insurers knew that they could have a small little example in Manitoba that could prove their point to the 200 million, they would say by all means go into that program, because we then want to be able to show the people of Ontario, and we want to be able to show the people of New York, and we want to be able to show the people of California, that anybody who goes into a public insurance program is asking for trouble. Look what they have done, then we won't have to argue with the legislators. We will be able to take the two plans and save \$199 million worth of business -- 199 million people's worth of automobile insurance business, which is not 30 million, which is one million people, it's 30 million times 200, which I guess is six billion dollars; and to save six billion dollars I say the private insurers would like to encourage a bad plan which, as the Leader of the Opposition says, is going to cost the people of Manitoba more money, because by taking that example, they could go to these other jurisdictions and say, "Look what has happened to the poor people of Manitoba. You wouldn't want that to happen to you." But Mr. Speaker, they didn't do that. They fought this tooth and nail. They had their spokesmen in this Legislature saying that the Manitoba government is asking for a license to steal. How do they know? Because they have the license now. They are worried about an assignment of that license. But the fact is that they didn't do that, they fought it tooth and nail; and the reason they did it because the reverse is true; is because they know that if this plan is permitted to succeed, as it did succeed in the Province of Saskatchewan and succeeds in the Province of Manitoba, which it will succeed, that people all over North America will want the same advantages, and that's why they have opposed the plan; and I say that this is more proof than anything, any judgment that can be made . . .

MR. SPEAKER: Order, please. The Honourable Minister has five minutes.

MR. GREEN: . . . than any judgment that can be made as to whether what has been promised has been true. I repeat, when Wawanesa published their rates I was even more satisfied, because of the way in which they were published, because they had not been raised for a year, because they are talking about next year's coverage - which would go up, I say, if there wasn't a Manitoba plan. I didn't believe when we introduced this plan that we would be able to cover as many Manitobans with savings in rates that we have apparently done, and the proof is Wawanesa's figures.

MR. SPEAKER: Order, please. I believe we need about 30 seconds for the technician to change the master tape. Can we have that now? Order, please. Give him 30 seconds. The Honourable Member for Assiniboia.

MR. PATRICK: Mr. Speaker, the Honourable Minister of Mines and Natural Resources all of a sudden became a psychologist and gave us his discourse on the Flat Earth Society in England and took 15 minutes of the House to tell the members what the association is all about, and certainly he wasn't too relevant to the bill for at least 15 minutes.

I had no intentions to speak on it but I do feel that I should make just a couple of references and speak in support of the motion. My first point is, if my amendment to The Legislative Assembly Act would have passed in this House I'm sure that the bill, the auto insurance bill would have never gone through, because there are members and the backbenchers, and even some of the Ministers - that's my information that I at least had - they felt that automobile insurance was not the No. 1 priority and it could have waited.

(MR. PATRICK cont'd)

The other point that I wish to make, I understand -- I have no argument; I think there was much wrong with the automobile insurance, and I've said it before and I want to say it again, and I am prepared to say that there were some companies that were really not doing business the proper way. But I do understand that the First Minister did meet with the industry when he first came into office and gave a commitment that there would be no change, no drastic change made in the automobile insurance industry until he had proper consultation, and this is the commitment that he gave to the industry. And what happened? That's the last time they heard from him.

Mr. Speaker, I feel that it's the way that the government went about implementing the scheme that I have an argument against. I think that in the first year the government could have regulated, could have controlled, and see if the system was able to work, and if it wouldn't have been able to work then they could have moved in; and if they would have moved in, I think it could have gone into a no-fault concept which they didn't do. So what did they do, Mr. Speaker? They raped the industry and are operating it in the same manner that the companies were operating before. They advertised the no-fault concept but there is no such thing as no-fault concept; there's no such thing. There's a no-fault clause for personal injuries and compensation, which is available at the present time from all the private companies in the free enterprise system.

MR. SPEAKER: Order, please. I believe we are on an amendment. I realize I must allow a lot of latitude in regard to this debate, but if we're going to go over Bill 56 again, I'm going to have to step in. The Honourable Minister for Assiniboia.

MR. PATRICK: Thank you, Mr. Speaker, and I agree with you, but I'm trying to reply to some of the remarks that were raised by the Honourable Minister of Mines and Natural Resources, and I'm not even prepared to get into the sort of Flat Earth Society that he took 15 minutes of the House, but I do wish to reply to at least some of the remarks in respect to the bill.

The Minister mentioned that if the government hasn't got the total market, that's why he said he couldn't agree, the total market, and he made reference to the supermarkets, and the supermarkets is the big, bad wolf today; I want to ask him: when are you going to nationalize the supermarkets? If this applies to the insurance industry, should it not apply to the bakeries, and other industries as well? Why do you pick one and not the other? When are you going to move in? Tell us, you know, so the argument I don't think was that good. My concern is, I feel that what the government should have done, Mr. Speaker, tried to regulate, make insurance compulsory; change it, and if it didn't work then I think the government could have moved into a no-fault concept which they did not do. What they did, they expropriated or raped the industry and tried to operate at the same time.

The second complaint I have, I think that the Minister should have definitely met with the industry and resolve some problems and let them know what's going on, because up to the present time there is already, there is already or there has been already some 700 employees displaced in the industry, some 15 companies pulled out, and I don't know how many more will be pulling out and I think that the Minister should have had this information, how many are prepared to stay, how many will pull out; and I think it's important because surely, when you're displacing that much of employment, I think it's important.

Mr. Speaker, I do not wish to take the time of the House, my point is that I don't think this was the No. 1 priority of the government; in fact, this is the opinion of some of the backbenchers on that side. I understand this is even the opinion of one or two of the Ministers. The second point, if the regulations and changes in the insurance industry would have not solved their problems, then the government could have gone into a no-fault concept and not, what I have said, take over or rape the industry and operate the same scheme, the same system, which to me I don't think is the total solution. So with these few words, I will be supporting the amendment.

MR. SPEAKER: The Honourable Member for Sturgeon Creek.

MR. F. JOHNSTON: Mr. Speaker, I just want to say that after listening to the Minister of Mines and Natural Resources and his logic on the bill, that I'm just about convinced the world is flat.

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

MR. SPEAKER: Concurrence on the report?

MR. PAWLEY: Mr. Speaker, I beg to move, seconded by the Honourable Minister of Transportation, that the bill be concurred with.

MR. SPEAKER presented the motion and after a voice vote declared the motion carried, BILL NO. 52 was read a third time and passed.

MR. SPEAKER: The Honourable the House Leader.

MR. GREEN: Mr. Speaker, could you call Bill No. 108 at the report stage.

MR. SPEAKER: The Honourable Member for Arthur.

MR. J. DOUGLAS WATT (Arthur): Well, Mr. Speaker, it's now 25 after one, and I wonder if the House would be disposed to call it 1:30.

MR. GREEN: . . . five minutes is adequate, Mr. Speaker, we can adjourn until . . . I believe that there has been some discussion -- I believe that there has been some discussion, and the desire now is to come back into the House at 2:30 so that the Mace will be on the table in case we get back from committee, and likely then to come back at 7:00, but to come back into the House at 2:30.

MR. SPEAKER: The Honourable Member for Rhineland.

MR. FROESE: On that point of order, if considered one, I thought the agreement was that we would meet at 7:00.

MR. GREEN: Yes, Mr. Speaker, the only difference is that the Mace will be on the table while the two committees are proceeding - there's Agricultural Committee and Municipal Affairs Committee - and then to try and come back at 7:00, but to come into the House for the evening proceedings.

MR. SPEAKER: One order of procedure before the Honourable House Leader moves; are the honourable members agreed to waive the one-hour notice in regard to the Speaker in case of a motion to adjourn on a matter of urgent . . . because we only have one hour between now and opening and the thing is this, that there's no way I can get out of this building if that motion is made.

MR. GREEN: Is there anybody who is intending to make a motion on a matter of urgent importance?

MR. ENNS: Well, Mr. Speaker . . . these days, all kinds of things could break loose within the next 60 minutes and I regretfully accede to the Speaker's and the House Leader's wishes and waive that motion.

MR. SPEAKER: The Honourable Member for Radisson.

MR. HARRY SHAFRANSKY (Radisson): Mr. Speaker, I wish to make a substitution on the Professional Associations Committee: the Member for St. Vital in substitution for the Member for St. Matthews.

MR. SPEAKER: The Honourable the House Leader.

MR. GREEN: Mr. Speaker, I move, seconded by the Honourable Minister of Health and Social Development, that the House do now adjourn.

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