

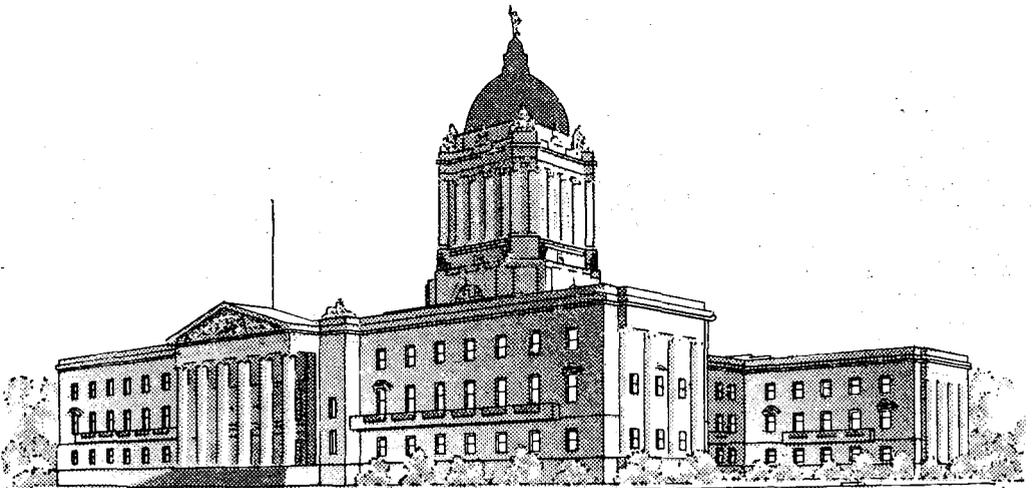


Legislative Assembly Of Manitoba

DEBATES and PROCEEDINGS

Speaker

The Honourable A. W. Harrison



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March 24, 1959

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THE LEGISLATIVE ASSEMBLY OF MANITOBA

2:30 o'clock, Tuesday, March 24th, 1959.

OPENING PRAYER BY MR. SPEAKER.

MR. SPEAKER: Presenting Petitions
Reading and Receiving Petitions

MR. CLERK: The Petition of Manitoba Health Service praying for the passing of an Act to Amend an Act to Incorporate Manitoba Health Service.

MR. SPEAKER: Presenting reports of Standing and Select Committees.

MR. M. E. RIDLEY (Pembina): Mr. Speaker, I wish to present the first report of the special committee appointed to prepare a list of members to compose the Select Standing Committees ordered by the House.

MR. CLERK: Your Special Committee appointed to prepare a list of members to compose the Select Standing Committees ordered by the House beg leave to present -- the following is their first report.

Law Amendments -- Hon. Messrs. Roblin, Willis, McLean, Lyon, Johnson, Thompson, Boulic, Carroll; Messrs. Alexander, Cobb, Juba, Cowan, Groves, Lissaman, Martin, McKellar, Scarth, Shewman, Stanes, Strickland, Ridley, Bend, Campbell, Greenlay, Hryhorczuk, Jobin, Miller, Prefontaine, Roberts, Trapp, Tanchak, Shuttleworth, Hillhouse, Lucko, McDonald, Molgat, Wagner, Paulley, Orlikow, Swailes, Gray, Wright, Peters, Reid and Stinson.

Agriculture -- Hon. Messrs. Roblin, Willis, McLean, Lyon, Johnson, Thompson, Boulic, Carroll; Messrs. Alexander, Cobb, Corbett, Lissaman, McKellar, Shewman, Stanes, Strickland, Ridley, Campbell, Shoemaker, Tanchak, Trapp, Roberts, Prefontaine, Shuttleworth, Clement, Guttormson, Lucko, McDonald, Molgat, Wagner, Schreyer, Swailes, Wright, Stinson, Paulley and Gray.

Industrial Relations -- Hon.

MR. D. L. CAMPBELL (Leader of the Opposition) (Lakeside): I hesitate to interrupt but I was just wondering if inasmuch as the names composing the various Select Standing Committees will be printed in the Votes and Proceedings, could we not save the Clerk the trouble of reading all the names and I think the Chairman of that Committee would bear me out when I say that I am sure that the representative of the C. C. F. group as well, that we had a most amicable meeting and that all requests made, I think, were granted and that the lists as they appear are as the various Whips had them with the single exception perhaps of some minor adjustments in the numbers of the committees. I am sure it would be correct to say also that if any one finds that his name is not on the committee that he expected to be on, if he would check it with the various Whips that likely that could be arranged by someone else giving way, because I think the idea there was to have numerical representation according to the strength of the parties in the House. So if that's satisfactory, Mr. Speaker, perhaps we wouldn't need to -- and I suppose I've talked as long as it would have been to read the list.

MR. L. STINSON (Leader of the C. C. F. Party) (Osborne): Mr. Speaker, I support my honourable friend in this and I may just add that perhaps the reason the meeting was an amicable one was because I was not present but was represented by the Honourable Member for Radisson.

MR. SPEAKER: Does the House agree to dispense with the reading of the report?
Agreed.

MR. RIDLEY: Mr. Speaker, I beg to move, seconded by the Honourable Member from Brandon that the report be adopted.

Mr. Speaker presented the motion and after a voice vote declared the motion carried.

MR. SPEAKER: Notice of Motion.

Introduction of Bills.

The Honourable Member from Logan.

MR. S. JUBA (Logan): Mr. Speaker, I move, seconded by the Honourable Member for Pembina that leave be given to introduce a Bill, No. 72, an Act to Repeal an Act to Incorporate the Kirkfield Park Jockey Club and that same be now received and read the first time.

MR. RIDLEY: Mr. Speaker, as the Honourable Member from Logan has used my name

(Mr. Ridley cont'd.) in seconding this Bill, it no way commits me to vote for the Bill. As the Honourable Member from Logan has something to present to this House, and I think it is quite proper that the Bill should be presented and I didn't hesitate at all about seconding it, but it in no way commits me to be supporting the Bill.

Mr. Speaker presented the motion and after a voice vote declared the motion carried.

MR. SPEAKER: The Honourable Minister of Utilities.

HON. J. B. CARROLL (Minister of Public Utilities) (The Pas): Mr. Speaker, I beg to move, seconded by the Honourable the Provincial Secretary, that leave be given to introduce a Bill, No. 16, An Act to amend The Highway Traffic Act, (2), and that the same be now received and read a first time.

Mr. Speaker presented the motion and after a voice vote declared the motion carried.

MR. SPEAKER: The Honourable the Minister of Health and Welfare.

HON. GEORGE JOHNSON, M. D. (Minister of Health and Public Welfare) (Gimli): Mr. Speaker, I beg to move, seconded by the Honourable the Provincial Secretary that leave be given to introduce a Bill, No. 25, An Act to amend The Hospitals Act, and that the same be now received and read a first time.

Mr. Speaker presented the motion and after a voice vote declared the motion carried.

DR. JOHNSON: Mr. Speaker, I beg to move, seconded by the Honourable the Minister of Education, that leave be given to introduce a Bill, No. 6, An Act to amend The Health and Public Welfare Act and that the same be now received and read a first time.

Mr. Speaker presented the motion and after a voice vote declared the motion carried.

Committee of the Whole House.

HON. GURNEY EVANS (Minister of Mines & Natural Resources) (Fort Rouge): Mr. Speaker, I beg to move, seconded by the Honourable the Attorney-General, that Mr. Speaker do now leave the Chair and the House resolve itself into a Committee of the Whole to consider the resolutions standing in the name of myself and the Honourable the Minister of Education.

Mr. Speaker presented the motion and after a voice vote declared the motion carried.

MR. SPEAKER: The House do now resolve itself into a Committee and would the Honourable Member for St. Matthews take the Chair.

MR. CHAIRMAN: ready to receive the resolutions.

Resolution No. 1 -- RESOLVED that it is expedient to bring in a measure to provide for the Safety of Persons using Water Recreational Resorts and to provide therein, among other matters, for the provision at Crown operated resorts of safety equipment, the employment of inspectors and other staff, and the making of agreements with organizations and societies for the promotion of safety measures at such resorts.

MR. EVANS: Mr. Chairman, just for the record I think I should register the fact, before the reading of this resolution and of naturally the resolution to be read by the Minister of Education, that His Honour the Lieutenant-Governor, having been informed of the subject matter of the proposed resolutions, recommends them to the House.

The purpose of this resolution, Mr. Chairman, is to provide for the establishing in Manitoba of safety regulations in connection with swimming at water resorts. The legislation -- the bill itself will provide power for the government to make regulations to be enforced at public swimming places; to arrange for the classification of places to which the public resorts for swimming; to license them; and to cause inspection of those places to be carried out on a regular basis.

MR. R. TEILLET (St. Boniface): Mr. Chairman, perhaps I should at this moment give a word of explanation to the Minister. He was good enough to answer a question for me the other day and I've not had the opportunity of seeing him. On this question of limiting the power plant on Lake Falcon -- I do not have any special information -- the result of the question was the result of requests that were made to me. I believe the Minister's answer would clear the air as to the questions that were addressed to me. I would suggest, however, that the fact that the questions are being asked might indicate that something should be looked into in that regard. I have no opinion, of course, because I have no special information but I do suggest it might be worthwhile taking a look at that situation on Falcon Lake.

MR. R. PAULLEY (Radisson): Mr. Chairman, I would like to comment on this. I think it is a step in the right direction and I would like to ask the Minister whether or not in addition

(Mr. Pauley cont'd.) to safety appliances and the safety -- I don't know whether it's in the mind of the Honourable the Minister -- safety only pertains to the preventing of drownings and also the availability of equipment in the event of near drowning, or does it also include the provision for the inspection of some types of resorts that have been built up in the last recent years whereby the water itself may be contaminated due to the fact of not too great an inflow into the pools. I have had it drawn to my attention on one or two occasions that particularly over a very hot week-end where some of these resorts -- some of them in the likes of gravel pits where there isn't sufficient change of the water to assure that the water itself is safe for bathing, and I'm wondering or not whether in this proposal of the Minister that those factors have been taken into consideration because, apart of course from the prevention of drowning, I think that with many of these pools being opened around that there should be some provision also that the water itself is safe enough for individuals to take part in swimming in the likes of that. We realize, of course, quite fully that in the metropolitan area of Greater Winnipeg that unless the people are prepared to go a considerable distance to some of the larger bodies of water, many of them are taking advantages of the situation of utilization of these pools and the likes of that, and I would like to hear a comment from the Minister on that.

MR. R. S. CLEMENT (Birtle-Russell): Mr. Chairman, with regard to this resolution where it is expedient to bring in a measure to provide for the safety of persons using water recreational resorts. Now in the rural parts of Manitoba there are many small resorts that are maybe operated by a game and fish branch, might be a municipality -- I am not particular of that -- but I do know we have one in our area. Does it mean that the person or persons who are operating this small resort will have to provide a lifeguard and pay for his services out of their own pockets, or is there some measure where the government are intending to sort of help these men in this regard? You may know of small resorts where really it's only on a Saturday and a Sunday or a Wednesday afternoon when there are large crowds that gather at these resorts, yet it is there all summer long and it would be rather expensive for an individual to provide a lifeguard on his own for these short periods. That might not be too bad but the resort is there and if somebody goes out and swims on a Monday morning when there isn't a lifeguard around, would it be the responsibility of that owner of the small resort, or would he simply have to close the resort down for swimming purposes and swim at your own risk, with the exception of maybe Wednesday afternoon, Saturday and Sunday. I was just wondering if you could enlighten me a little in that regard.

MR. A. J. REID (Kildonan): What about resorts that have boating facilities? Is there any measure taken in this bill to provide safety as to boating facilities in resorts?

MR. E. GUTTORMSON (St. George): Mr. Chairman, this question has been asked before. Will beaches, such as the government sponsored one at Rocky Point -- would that require a government-hired lifeguard, and who would pay for it and what hours would he work if he does have to look after the beach?

MR. EVANS: Are there no further questions, Mr. Chairman? With respect to the power of the motors that are attached to boats at any -- I wonder if the Honourable Member for St. Boniface -- the matter of controlling the power on boats, I find it a matter under Federal jurisdiction. It's not intended within this particular bill, or act, to take any power of control over boats or boating, and that might answer also the question of the Honourable Member for East Kildonan.

With respect to the question from the Honourable Member for Radisson, the matter of health is, of course, under the jurisdiction of the Minister of Health and Public Welfare. Swimming resorts are in fact inspected for this purpose by the inspectors from the Department of Health and Public Welfare and that, of course, continues under another act.

The Member for Birtle-Russell asks whether the small resorts will be held responsible for the costs, I gather, of such protection as is required from that class of resort. It is expected that the amount of protection to be provided will vary according to the size of the resort; its nature; the number of people that are expected there or accommodated at any one particular time. Certainly it will be the responsibility of anyone holding out the opportunity to swim to provide the protection at their own cost, particularly a commercial operation or one that charges revenue will naturally be expected to provide these things at their own cost. When it comes to a resort on Crown land it is the responsibility of the government -- in answer to the

(Mr. Evans cont'd.) Honourable Member for St. George -- it then becomes the responsibility of the government to provide according to the regulations in the same way that anyone else. That, perhaps, is one of the main reasons that we have the message from His Honour because some expenditure is required in that regard to provide the equipment that will be necessary at the Crown resorts. Those, I think, are the questions that were asked and I don't believe I've skipped any, Mr. Chairman.

MR. CLEMENT: but supposing there is no revenue, there is no charges made. For instance, I have in mind a little resort just north-east of Rosburn -- I think it's the Rosburn Game and Fish have gone to a great deal of trouble in the last three or four years. They have built camping sites and various facilities, yet it is the organization that have set this up primarily for their own local people, and there is no fee, there is no charge. You go there and you swim and if you have a boat you go fishing -- there's good fishing -- it would be very difficult for a game and fish organization supposing somebody does get drowned and then they sue the game and fish organization for this. They are going to be -- I could visualize some very severe hardships and those are the sort of -- I can realize where a man is running it and he is making money out of it that may be a little different, but this other is not so.

MR. EVANS: Mr. Chairman, I think there is one point that I hand't understood before. If this is a private club among the members of a game and fish association and it is operated purely for their own membership, then they do not come within the classification of a public swimming resort. If, however, they hold out the opportunity to the public to swim, then if they are under such expense it seems to me it will be necessary for them to charge and make provision to secure revenue in order to pay for whatever the cost may be.

MR. CHAIRMAN: Shall the resolution be adopted? Passed.
Resolution No. 2 -- Mr. McLean.

HON. S. E. McLEAN (Minister of Education) (Dauphin): Mr. Chairman, this relates to what is called The Public Schools Act (2) -- that designation is used to distinguish it from one other act that will be brought in dealing with The Public Schools Act. This act, or this bill provides that the collective agreement provisions of The Public Schools Act shall apply to school divisions. There is no new principle involved in that -- it simply makes those provisions of the act applicable to school divisions.

Then the new material in the bill - the new principles in the bill relate to the transfer of school districts from one school division to another. Provision is made, and this in effect is a provision for the possible alteration of school division boundaries -- the provision is that the board of a school district or the board of two or more school districts, the council of a municipality, or ten or more resident electors in a school district may apply to what is called a Board of Reference for a transfer of the school district from one division to another. Provision is further made that there may be an appeal from the decision of the Board of Reference - an appeal to a County Court Judge and in that connection certain provisions of the act are made applicable. The bill further provides for cases where a board of a division receives an application for the alteration of ward boundaries within a division or an alteration in the number of division trustees, that any person -- any group of people or a school district, feeling themselves aggrieved by the refusal of the division board to make the requested change, may appeal from that decision to a Board of Reference. The Board of Reference, as established by the act, may be a board designated by the Lieutenant-Governor-in-Council and special provision -- there is a section -- a provision which particularly allows the appointment or the designation of the Municipal Board as the Board of Reference.

The final part of the bill deals with respect to budgets for the year 1959. This is a special provision, to take care of the situation for this year only, providing that school districts not in a school division are required to submit their requirements to the municipalities not later than the 15th of April and requiring school districts within school divisions to forward their budgets to the secretary of the division board not later than the 15th of April and the school division to notify the municipalities of their requirements not later than the 15th of May of this year. As I say, these are provisions which are applicable only to the year 1959.

MR. W. C. MILLER (RHINELAND): Did I understand the Minister to say that the Boards of Reference which he proposes to establish under this resolution have the powers to alter the boundaries of the divisions?

MR. McLEAN: If there are no further questions, Mr. Chairman, -- yes, that would be the case upon application by, as I have indicated, the board of a school district, a municipal council, or ten resident electors in a school district, the Board of Reference could be asked to transfer a school district from one division to another which, in effect, if it were carried out would be the alteration of the boundary of a division and their decision -- that is either to approve or not approve the request, would be subject to appeal to a County Court Judge as provided in the bill.

MR. MILLER: Under the legislation which was passed at the last Session, my understanding is that under Section 442 (1), (2), (3) and (4), the Boundaries Commission had powers to alter or the Minister, on the recommendation of the Boundaries Commission, has power to alter. Will he amend this section?

MR. McLEAN: Yes, Mr. Chairman, if that is necessary. I don't think there is any conflict but if there is then that will be amended because it is the intention that these matters will be now dealt with by a Board of Reference under the provisions of this bill.

MR. MILLER: And will the Boundaries Commission be dissolved?

MR. McLEAN: Not necessarily, Mr. Chairman. The Boundaries Commission may in fact -- for applications that are made the Boundaries Commission may be designated as the Board of Reference. I would expect, however, that the Boundaries Commission within a reasonable time, would cease to exist and in that event would not be available for to be designated as a Board of Reference.

MR. MILLER: Does this bill also contemplate the people who are about to be transferred -- the resident electors -- will they have to give their consent?

MR. McLEAN: I'm sorry. What was that again?

MR. MILLER: In Section 442 there is a provision that the area to be added or altered can only be altered or added if the people in that particular area by vote indicate that they want to be. My question is -- does the same procedure apply under your proposed bill?

MR. McLEAN: Mr. Chairman, the honourable member is referring to the situation where a school district is not in any division at all and they wish to join themselves to an existing division. In that case the procedure is as he has indicated and the district is only added to the division after a vote by the resident electors of the district which wishes to be added to the division. This, however, deals only with the transfer of a school district or school districts from one existing division to another existing division and the Board of Reference, by the terms of the bill, is required to hold public hearings both in the division from which the district is likely to be transferred and in the division to which the district is likely to be added and at which -- during which time the views of those concerned would be presented to the Board of Reference and it, of course, is within the terms of the provision that the Board of Reference could carry out such other investigation or enquiries as they would consider advisable for the purpose of making their decision.

MR. MILLER: May I suggest to the Honourable the Minister that the provisions in 442, namely the consent of the electorates, did he consider that as well? I think we should remain as democratic as we can, and while I have no objections at all, I think it is a move in the right direction but I do think that the resident electorates in the areas affected should give their consent.

MR. REID: Mr. Chairman, is it the intent of this bill to put that Boundaries Commission on a permanent basis?

MR. McLEAN: No, Mr. Chairman, it is not the intention to put the Boundaries Commission on a permanent basis. The board of what we call a Board of Reference, which may be a board designated by the Lieutenant-Governor in any of the existing boards of the Province of Manitoba, may be designated as the Board of Reference. It may be, as I have indicated, the Boundaries Commission but I do not expect -- would not expect that the Boundaries Commission will continue in existence indefinitely. In fact I'm reasonably certain that they will go out of existence within a relatively short time.

MR. STINSON: Did the Royal Commission have a recommendation on this particular point?

MR. McLEAN: No, Mr. Chairman, there was no recommendation made by the Royal Commission with respect to the alteration of the boundaries of divisions. There have been,

(Mr. McLean cont'd.) . . . however, several hundred requests to the Minister of Education to set up some machinery for handling such requests.

MR. STINSON: Mr. Chairman, will the Minister then be setting up several hundred boards of reference?

MR. McLEAN: No, Mr. Chairman, a Board of Reference will be designated and will handle all applications until such time as another board has been designated. I think that any board of reference established would take and deal with all applications.

MR. STINSON: Mr. Chairman, in what way would this differ from the Boundaries Commission? Just another name for the same function?

MR. McLEAN: That is correct in a sense but it allows us to have the Boundaries Commission cease to exist when its main function has been completed and to make use of the services of another board, as for example the Municipal Board, and not require a separate board for this particular purpose.

MR. G. MOLGAT (Ste. Rose): Mr. Chairman, did I understand the Minister correctly to say that there were several hundred applications for changes in the boundaries?

MR. McLEAN: Well, perhaps I was using poetical license there a little bit; there are several applications; I would say that there probably were several requests.

MR. CHAIRMAN: The resolution.

MR. N. SHOEMAKER (Gladstone): Mr. Chairman, here is a specific instance of what could happen, and I would like to have the answer. In the Beautiful Plains division and the Pine Creek division, the Pine Creek division presently takes in all of Ayr school district. Now, the Whitemud River flows down near to the boundary of the two divisions, and does cut off a couple of farmers on the west side of the river. Now, I understand that there is provision in The Municipal Act to take away from, or add to, school districts. Now that can be done, but, by the same token, you would be taking away from one division and adding to another. Is that permissible to do that?

MR. McLEAN: Yes, Mr. Chairman. There have been no change in the present law with respect to changing the boundaries of school districts and that can continue as it has done in the past. It would, of course, involve the change of the boundary of a school division to the extent that might affect the school district lying along the boundary line between two divisions.

MR. SHOEMAKER: But no application would have to be made to this Boundaries Commission or the other board?

MR. McLEAN: Well, Mr. Chairman, I would like to say that no application would have to be made. I must say that perhaps that possibility hasn't been taken care of and I would have to look into that before saying whether or not some further formality would be required in order to officially change the boundary line of the division.

MR. MILLER: would still have power to change the boundaries of a school district within their municipality.

MR. McLEAN: Either is correct, yes.

MR. MILLER: Either a council or a board of arbitrators?

MR. McLEAN: That is correct, yes.

MR. CHAIRMAN: Shall the resolution be adopted? Do we wish that the Committee rise and report?

Mr. Speaker resumes the Chair.

DR. W. G. MARTIN (St. Matthews): Mr. Speaker, the Committee of the Whole House has adopted certain resolutions and directed me to report. Mr. Speaker, I beg to move, seconded by the Honourable Member for Winnipeg Centre, that the report of the Committee be received.

Mr. Speaker presented the motion and following a voice vote, declared the motion carried.

MR. EVANS: Mr. Speaker, I beg to move, seconded by the Honourable the Attorney-General, that Bill No. 75, An Act to Provide for the Safety of Persons using Water Recreational Resorts be now received and read a first time.

Mr. Speaker presented the motion, and following a voice vote, declared the motion carried.

MR. McLEAN: Mr. Speaker, I move, seconded by the Honourable the Minister of

(Mr. McLean cont'd.) Agriculture, that leave be given to introduce a Bill, No. 74, An Act to amend The Public Schools Act (2) and that the same be now received and read a first time.

Mr. Speaker presented the motion, and following a voice vote, declared the motion carried.

MR. SPEAKER: Orders of the Day.

HON. ERRICK WILLIS, Q. C. (Minister of Agriculture and Immigration) (Turtle Mountain): Mr. Speaker, before the Orders of the Day are reached, I desire to make an announcement which was asked for by some of the members. I beg to announce that in connection with the new Manitoba Agricultural Credit Act, the rate of interest to be charged on standard loans will be 5 1/2%, and the rate of interest to be charged on loans to young farmers will be 4%.

Mr. Speaker, may I also lay on the table of the House the Annual Report, 1958, of the Milk Control Board of Manitoba, together with the Report of the Co-operative Promotion Board for the year ending March 31st, 1958, and the Annual Report of the Department of Agriculture and Immigration for the year ending March 31st, 1958.

MR. S. ROBERTS (La Verendrye): Before the Orders of the Day, I would like to direct a question to the Honourable the Minister of Mines and Natural Resources. What action has the Department of Mines and Natural Resources taken with a view to having employees of the Department becoming eligible to contribute to, and be eligible for, benefits from or under the National Unemployment Insurance Act. As an example, I refer to the employees of the Forest Nursery Stations.

MR. EVANS: Mr. Speaker, I wish to thank the honourable member for his courtesy in giving me notice of this question. The benefits have been available to these employees since December 1st, 1958.

MR. J. TANCHAK (Emerson): Mr. Speaker, before the Orders of the Day, I would like to direct a question to the Honourable the Minister of Public Works. Is it the intention of the government, and if so when, (1) to construct a connecting road from Provincial Trunk Highway No. 75 to St. Joseph; (2) to reconstruct the connecting road from Provincial Trunk Highway No. 75 to Emerson; (3) to construct a connecting road from Morden-Sprague highway to Ridgeville. And also, when will the Letellier bridge be open for traffic? They are concerned about it now because there is practically no ice and there is no way of getting across the river and the business men are very much concerned about it, and they say that at the present time there are only about three or four men working and have been for the past four or five weeks.

MR. WILLIS: Mr. Speaker, the answer to the first three questions is that the three projects named are now under active consideration, but no decision has yet been arrived at. In regard to the Letellier bridge, it will be open on Thursday night so that you will be able to worship on Friday. There will be, from time to time, short temporary repairs for the deck repairs on the bridge, which shouldn't greatly interfere with traffic at any time in the future. But it will definitely be open on Thursday night.

MR. STINSON: A supplementary question. What does the Minister mean by active consideration?

MR. WILLIS: Active consideration means that you report it to your engineers and ask them for a recommendation.

MR. MILLER: What is sympathetic consideration?

MR. STINSON: Very good, Wally!

MR. P. WAGNER (Fisher): Mr. Speaker, before the Orders of the Day, I would like to direct a question to the Minister of Utilities. Whether or not steps are taken to extend better service or reception on T. V. in the Interlake country.

MR. CARROLL: Mr. Speaker, I will take that as notice.

MR. A. A. TRAPP (Lac du Bonnet): Mr. Speaker, before Orders of the Day, I would like to direct a question to the Honourable the Minister of Mines and Natural Resources. In the latter end of the year 1956 and the year 1957, construction of a road east of Bird Lake in eastern Manitoba, was commenced and completed some time later. The construction was started by mining firms interested in development of our bodies in eastern Manitoba and western Ontario, and these mining firms employed contractors, who did the necessary work. I am informed that at least one of the mining firms went bankrupt and there is an amount

(Mr. Trapp cont'd.) . . . outstanding to the extent of somewhere around \$70,000.00 on the work performed. The road constructed in that area, in my opinion, is a continuation of the plans of the Department of Mines and Natural Resources in development of our area there, regarding tourist facilities and mining developments, and I'm sure that it fits in well with the Minister's plans. The question I ask is this: Is this now accepted as part of the system of access roads, development roads, in Eastern Manitoba, and if so, do the contractors who have money coming for the work that they performed in this connection, do they have any hope at all of being reimbursed for the work that was done?

MR. EVANS: Mr. Speaker, the honourable member was good enough to give me notice of his question and I thank him for it. It will not be possible, at this time, to give a definite answer as to whether we will consider doing as the honourable member suggests or not. I will say this, however, that the department will give careful study to the suggestion made in the question, and if it does fit into the road pattern there, there is no reason that we cannot go ahead, but I suggest that the engineering studies and other matters in that connection cannot be made while the snow is on the ground, and it may be some time before the matter is determined.

MR. C. L. SHUTTLEWORTH (Minnedosa): Mr. Speaker, I would like to direct a question to the Minister of Agriculture. Would he tell the House what the definition of a young farmer will be under The Agricultural Credit Act? We would like to know.

MR. WILLIS: It will be covered by regulations.

MR. WAGNER: Mr. Speaker, before Orders of the Day, I would like to direct a question to the Honourable Public Works Minister. How can a farmer appeal to the valuator if the farmer is not satisfied with the amount being suggested by the valuator in connection with extending the width of the highway?

MR. WILLIS: Sorry, I couldn't hear that.

MR. WAGNER: How can the farmer appeal to the valuator on extending the width of the highway? For example, maybe I can elaborate a little bit more for more information. One farmer is approached, -- would you give the highways department so much land, at \$40.00; the other farmer will gladly sign it for nothing; the third farmer will say, I want \$100.00 per acre. Where do we come to a limit here, and the valuator is now out in the country, I understand, and how is he valuating it now under the snow?

MR. WILLIS: Well, that's not difficult, because engineers see the property when it hasn't got snow on it about once a week, as far as that's concerned. As far as the valuation is concerned, our valutors put a valuation on it; very often then if they are not satisfied they come to the Deputy Minister. And if they don't like his decision they come to the Minister. And if they don't like the Minister's decision, they go to court, and they often go to court.

MR. McLEAN: Before the Orders of the Day, the Honourable Member for Rhineland directed a question to me the other day when we were discussing the School Districts Debenture Interest Guarantee Act, and I am sorry that I didn't fully appreciate the question he asked me. It was this: "What is the amount now loaned under the present act?" The answer is: There is no money loaned under that act. I undertook to give him the answer to that question.

MR. E. PREFONTAINE (Carillon): Mr. Speaker, before the Orders of the Day, may I ask a question to the Minister of Agriculture. May a woman qualify under The Farm Credit Act? And the second question is: If so, will the ages be the same for her as for the men?

MR. WILLIS: The answer to the first part is yes, and the second part is, all women are young.

MR. MILLER: Mr. Speaker, arising out of the answer of the Honourable the Minister of Education, what I meant to ask, if I didn't ask it, was the amount of money guaranteed under that act.

MR. SHUTTLEWORTH: Mr. Speaker, before the Orders of the Day, may I direct another question to the Minister of Agriculture? Can he indicate to the House when his regulations defining a young farmer will be prepared?

MR. WILLIS: Very soon indeed.

A MEMBER: Before the election?

MR. WILLIS: When is the election?

HON. STERLING LYON (Attorney-General) (Fort Garry): Mr. Speaker, before the Orders of the Day, I would like to lay on the table of the House a copy of the Annual Report of

(Mr. Lyon cont'd)... the Chairman of the Liquor Control Commission for the fiscal year ending 31st March, 1958. A copy of the report of the Comptroller-General, showing a statement of Assets and Liabilities, Profit and Loss Accounts, for the fiscal year ending 31st March, 1958. A report showing details of Expenditure by the Liquor Commission for liquor law enforcement for fiscal year 31st March, 1958. A report covering The Operation and Enforcement of Liquor Laws in Manitoba for the year ending 31st December, 1958. And the Annual Report of Gaols for the fiscal year ending 31st March, 1958.

MR. R. W. BEND (Rockwood-Iberville): Mr. Speaker, before Orders of the Day, I would like to address a question to the First Minister. Has Ottawa agreed to the tabling of the correspondence I asked for, and if so, when can I expect to have it?

HON. DUFF ROBLIN (Premier) Wolseley): I have yet to get their reply, Sir.

MR. SPEAKER: Orders of the Day.

MR. BEND: A supplementary question. Has the Honourable Minister written them, wired them, or phoned them?

MR. ROBLIN: We have used the usual means of correspondence, and I expect an answer shortly.

MR. BEND: Mr. Speaker, I wish to address a question to the Honourable the Minister of Health. Has he granted a license to the Glendale Nursing Home, sometimes referred to as the Glendale Sanitarium?

DR. JOHNSON: I'll take that as note of motion, Mr. Speaker.

MR. BEND: That's fine.

MR. STINSON: Mr. Speaker, I'd like to ask the Honourable the Attorney-General if extra copies of the Report on the Gaols are available.

MR. LYON: I left eight copies with the Clerk of the House, Mr. Speaker.

MR. SPEAKER: Orders of the Day. Address for Papers. The Honourable Member for St. George.

MR. GUTTORMSON: Mr. Speaker, I move, seconded by the Honourable Member for LaVerendrye, that a humble address be presented to His Honour the Lieutenant-Governor praying for copies of all correspondence between the Government of the Province of Manitoba and the Government of Canada with respect to projects covered by Manitoba's \$85,000,000.00 flood control programme announced by the Premier in the Legislature March 18, 1959.

Mr. Speaker presented the motion.

MR. ROBLIN: Mr. Speaker, subject to the usual reservations about the consent of the Government of Canada, we will be glad to accept the motion.

MR. SPEAKER: Orders for Returns. The Honourable Member for Minnedosa.

MR. SHUTTLEWORTH: Mr. Speaker, I beg to move, seconded by the Honourable the Member for Carillon, that an Order of the House do issue for the Return standing in my name.

MR. SPEAKER: It has been moved by the Honourable Member for Minnedosa, seconded by the Honourable Member for Carillon, that an Order of the House do issue for a Return showing:

1. The number of employees hired by the government from July 1, 1958 to March 1, 1959,
 - (a) In the Civil Service;
 - (b) In boards and commissions created since July 1, 1958.
2. The number hired in this same period from July 1, 1957 to March 1, 1958.

MR. TRAPP: Mr. Speaker, I move, seconded by the Honourable Member for Gladstone, that an Order of the House do issue for a Return showing, the number of motor vehicles owned by the Government of Manitoba, excluding the Manitoba Power Commission, the Manitoba Telephone System, the Manitoba Hydro-Electric Board, and the Liquor Control Commission, as of July 1st, 1958, and the number of the above as of March 1, 1959.

Mr. Speaker presented the motion, and following a voice vote, declared the motion carried.

MR. SPEAKER: Adjourned debate on the proposed motion of the Honourable Member for Inkster. The Honourable Member for Winnipeg Centre.

MR. J. COWAN (Winnipeg Centre): Mr. Speaker, I would like leave of the House to let this motion stand.

MR. SPEAKER: Stand. Adjourned debate on the proposed resolution of the Honourable Member for Fisher. The Honourable Minister of Agriculture.

MR. McLEAN: Mr. Speaker, in the absence of my colleague, and with the leave of the House, I would ask please to have this stand.

MR. SPEAKER: Stand. Adjourned debate on the proposed resolution of the Honourable Member for Elmwood. The Honourable Member for Assiniboia.

MR. D. SWAILES (Assiniboia): Mr. Speaker, when my colleague, the Honourable Member for Elmwood, introduced this resolution, he showed first of all that the cost of living had gone up by about 26 points; he showed that wages in general had gone up; he showed that a national minimum wage would eliminate a good deal of the competition between the provinces and would eliminate in particular the unfair competition of the low wage areas of Canada. And it happens that Manitoba, and Greater Winnipeg in particular, is one of those low wage areas. Now, our own Minimum Wage Act as passed, should have been thrown into the ash can years and years ago. There's one section in particular where it indicates the factors that should guide a Minimum Wage Board in determining what the minimum wage will be, and this is one of the things that the Board shall be guided by: It said "The Board shall be guided by the cost of maintaining life and health". Well, Mr. Speaker, a person may maintain life and health by living on a handful of carrots or peanuts a day, or by sleeping in a dog kennel. He could still do that and maintain life and health. But if we had many persons living on that standard, certainly they would be no asset to the economy of this particular part of the country. And it certainly wouldn't be a very healthy society if we had people living under those conditions. And it's just about time, Mr. Speaker, that that particular section of the act was thrown away, and that we dispensed with that medieval verbiage in our legislation. But on our present minimum wage, the present minimum wage of 60¢ an hour, a person couldn't do very much better. He'd be living on a very low standard indeed, and if any of you have any doubts about that I would suggest that you try this business of living, maintaining life and health, on the present minimum wage of 60¢ an hour. And I might point out, Mr. Speaker, that that is the maximum minimum wage, because there are a great many people who are working below that minimum wage, the people in the rural areas, learners, handicapped persons, and so on. And again, I'd like to point out, that don't let any of you think that only a few people are working in this area at that minimum wage. There are a great many people who are working and being forced to live on that minimum wage or less than that minimum wage, and that's one of the reasons why the average wage level in Winnipeg is as low as it is, because we have so many on that low wage. The Leader of our group said that Winnipeg was 22nd down the list; as a matter of fact, Winnipeg is 24th down the list of cities as far as average wages are concerned. I would just like to give you a few of those wages, and here is the average wage in Winnipeg, according to the Labour Gazette of January. The average wage in Winnipeg is \$64.00. Just keep that in mind. In Sydney it's \$75.00; \$11.00 a week more. Peterboro - \$78.00. Oshawa - \$86.00. Niagara Falls - \$75.00. St. Catherines - \$77.00. Toronto - \$74.00. Montreal - \$69.00. Hamilton - \$75.00. Sarnia - \$94.00. Windsor - \$77.00. Fort William - \$72.00. Just compare those average wages with the average wages in Winnipeg of \$64.00.

MR. JUBA: What is the average wage in Regina and Saskatoon?

MR. SWAILES: I can get the honourable member that information. It is, if anything, about the same level or perhaps a bit lower than that here. It isn't on the higher level. It isn't higher than that of Winnipeg, a little bit below the Winnipeg level. Now then, compared with those other areas, the average wage is from \$10.00, \$20.00 and even \$30.00 a week lower than the average wage in those cities.

Now we come to the matter of the minimum wage - the 60¢ an hour - and that comes to, with a 48 hour week, \$26.80 per week. And incidentally, our Minimum Wage Act violates our own Equal Pay for Women Act because under the minimum wage regulations we provide a lower wage for women, doing the same kind of work, as for men. The pay is 58¢ for women and for men 60¢ an hour.

Now the average number of wage earners in a family in Winnipeg is 1.34 so that if they were living on that minimum wage and 1 1/2 people working, the combined earnings would only come to about \$2,000.00 a year. Now again, according to the latest D.B.S. figures, the average annual family expenditure was \$4,400.00. We see that our minimum wage for one individual is \$1,300.00 -- about 1/3 of what is needed for the average annual expenditure. And incidentally, Winnipeg's average annual expenditure is lower than the national average -- it's

(Mr. Swailes cont'd.) . . . \$4,100.00. Edmonton's is \$4,400.00, Vancouver - \$4,400.00 and Toronto \$4,600.00.

So that, as things are at present, if the recommendation of the resolution were put into effect, Winnipeg would be one of the areas that would benefit greatly as a result. The increasing of the minimum wage would have an immediate impact on retail sales, and I might point out that the Federal Minister of Finance, the Federal Minister of Industry and Commerce, the Governor of the Bank of Canada, and the presidents of quite a number of banks in their annual reports have pointed out that it is the consumer purchasing power which has been a most important factor in not only preventing the recession from going deeper than it did go but has been quite an important factor in helping to turn the trend upward. I don't think anyone will contest that particular fact. The consumer purchasing power is really a most important factor in our economy. And if the recommendations of the resolution are put into effect -- I say again, it would have an immediate impact on retail sales, for this reason, that if people in the low income groups don't put their money in the bank, they spend it almost immediately -- it goes into food, into clothing, into household equipment and so on, so that there would be quite a stimulation in retail trade. Then of course, there would be stimulation for those who are supplying the retail trade as the manufacturers and so on, all down the line. But then we come to the argument that's often used when we speak of the matter of increasing wages, that if we do this, if we introduce on a national scale a minimum wage of \$1.25 an hour, we will be pricing ourselves out of the world market.

I would like to point out, Mr. Speaker, that the total of our export trade is only about 16%, the total of our gross national income, and of that export trade 39% are manufactured goods, 35% partially manufactured goods and 26% raw material. And those manufactured goods, such things as paper and paper products, the copper, zinc, aluminum, iron ore; the raw materials -- iron ores, the lead and the nickel, asbestos, petroleum and so on, they would not -- I'll come to wheat later on -- they would not be affected in the least by an increase in the minimum wage because already in those industries the wage rates are higher than the minimum wage we are suggesting.

Now, grains, mind you I pointed out that the total export is about 16% of the gross national product and the total of grains is about 10% of the total exports. Now, as far as the costs of farmers are concerned, that is the people who are supplying the farmers with their equipment and so on, they would not be affected by this increase in the minimum wage because they too are paying more than this \$1.25 an hour; so that it would not affect the manufacturers of those things that the farmers buy, but it would have some effect on the actual labour were employed by the farmer. There would be some effect there. But again, as far as the grain position is concerned, we've had all the discussion with respect to deficiency payments showing that the price received as a result of the overseas market is not sufficient to pay the farmer for his work. And we are seeking to have the rest of the community subsidize the farmer by means of deficiency payments in order to make up that difference. And the deficiency payments would be higher under those circumstances so that it would have some effect on the operating costs of farmers because they are not paying the \$1.25 wage at the present time.

But taking it all in all, Mr. Speaker, the adoption of this resolution on a national scale and the member who introduced the resolution pointed out that it would hardly affect the leveling up, all across the country. It would be a shot in the arm as far as the economy is concerned. It would tend to improve our standard of living, to improve family life, to improve housing conditions; would tend to improve all along the line. And again it's another of these instances of cost benefits. It's one of these instances where the benefits would greatly exceed the costs. We know that in the lower income groups, people suffer more from illness, they can't get the medical care that they should have. We know that they are not able, that it's the low income that's largely responsible for preventing adequate education, that it would help to allow people to travel more, to get a greater enjoyment out of life. And in every way from the economic and the social and the moral positions, it would greatly stimulate the life of the people of Canada, and I join my colleague in urging you to support this particular resolution.

MR. J. THOMPSON (Virden): Mr. Speaker, I move, seconded by the Honourable the Minister of Health, that the debate be adjourned.

Mr. Speaker read the motion and following a voice vote declared the motion carried.

MR. SPEAKER: Adjourned debate on the proposed resolution of the Honourable Member for Assiniboia,

MR. MARTIN: Mr. Speaker, I beg leave of the House that the debates on the resolution stand.

MR. SPEAKER: Order stand. Adjourned debate on the proposed resolution of the Honourable Member for Rockwood-Iberville. The Honourable Member for Carillon.

MR. PREFONTAINE: Mr. Speaker, I think I should make a confession right at the start of this few minutes that I will speak. I would like to confess that when I approved this principle by which the Provincial Government would contribute a larger percentage for a larger school than for a smaller one -- secondary school -- I did not fully realize all the implications of that principle. The members would know that the report of the Royal Commission was handed to them, I know I got mine just a few days before the Session was called -- we were in quite a hurry, this bill was manifold, it brought many, many new principles and suggestions, and I did not realize fully the implications of this particular principle. But as the time proceeded and as we watched the Boundaries Commission in action and heard of the work that they were doing, and then when we were faced with the number of divisions, the few divisions that they were establishing, I began to wonder what would happen, in more ways than one. And later when the election took place with respect to the divisions themselves, I realized that this principle that had been adopted would work, in a sense, against those that it was supposed to help. I realized that it would work in favour of the more densely settled or populated parts of this province and against the districts where there were fewer people. I realize that some parts of the province would get the grants which were supposed to be, I believe, inducement grants, would get the grants without any efforts whatsoever because there was a population close at hand and that in spite of all the efforts possible in some other parts of the province, they wouldn't get the higher percentage at all.

I have in mind, at the present time, particularly one school division which takes in part of the constituency of Carillon, the school division of the Seine River. That division starts in the constituency of Morris, around the Village of LaSalle -- it goes in a north-easterly direction, takes in St. Norbert which might be in St. Vital provincial constituency -- crosses the river and goes down in a south-easterly direction, takes in the Village of Lorette which would be some 20 miles or 25 miles from LaSalle, that's in the constituency of Springfield -- carries on in the stretch of about 10 miles in width, takes in the Village of St. Annes which is in the constituency of LaVerendrye, takes in LaBroquerie which would be some 70 miles, I suppose, from LaSalle, and then gets into the constituency of Carillon by taking in the Village of Woodridge, and Sandilands, and Florze and St. Labre in the southeast part of the province and goes to the Ontario boundary. That division might be some 150 miles long by roughly 10 miles wide.

Now I maintain that however hard the division board will work to secure a 12 room high school around Woodridge, they will never be able to justify it on the basis of the pupils to attend that school. The whole population in the five school district in that locality would not be more than four or five hundred people; maybe enough to justify three or four high school rooms but not any more. It would be impossible, Mr. Speaker, to transport these pupils from Woodridge to LaBroquerie which would be 30 miles away without good roads -- roads are not open generally in the winter time. These pupils would have to be too long on the roads -- morning and night -- so that in spite of all the efforts of that school division, they could not justify, and I don't think that the government would agree to pay 60% of a six-room school when there would be not enough pupils to fill three rooms. So I say that this division would be penalized in spite of all its efforts and would not receive large assistance from the government whereas in the cities where there are lots of pupils, it's no question, they would get the increased assistance.

And I believe that the policy should be changed. I agree with the mover of the resolution. It's common sense. If it was put in the act for an inducement, and I agree possibly there should be some inducement, but we shouldn't go too far with it. We shouldn't go to the extent of penalizing districts because it is impossible to get more pupils within a certain distance because of the thinly settled district, sparsely settled districts, to get more pupils and they are just exactly those districts who need more assistance possibly. The Seine River division will be saddled with that most easterly part of their division because the land there is just straight sand, part of it is in the Sandilands Forest Reserve, the assessment is very low and it would

(Mr. Prefontaine cont'd.) . . . be a burden on the rest of the division where the assessment is much higher. So we plead with the government to change the policy -- the policy should be changed.

I would like to say to the Honourable Member for Brokenhead, who spoke the other day, that I, too, believe in a certain amount of centralization, but to my mind when we have transported pupils 15 or 20 miles that's about the limit. I appreciate the statement made by the Minister during the campaign -- he stated that we must bring secondary education to the boys and girls of this province. I agree with that -- we must bring secondary education to boys and girls; we must be sure that they get it not too far away from home. We have to think that the parents of these boys and girls do not like to see them spend hours, morning and night, in vans and buses. We must realize that. There is no compulsory school attendance after 14 years of age and I heard some parents say, "If my boy or my girl have to travel in vans and buses for 1 1/2 hours morning and night, I'll keep them home because they are needed to work around the chores". So I say that we should, rather than transport the pupils long distances, have more schools closer to the children. But not too close, I don't want to have high schools five miles apart unless there is a population sufficient for 12 rooms. And I would like to say to the Honourable Member from Brokenhead that he should not be afraid that the division board will go wild and construct high schools everywhere. They will be in favour of economy and we can trust them -- the Minister stated in St. Pierre, the Minister of Education, that we should trust the division boards, not to abolish too many high schools, close too many high schools in small villages -- I think we can trust the division boards not to construct or build too many high schools, so I

MR. E. R. SCHREYER (Brokenhead): Mr. Speaker, may I ask the Honourable Member a question?

MR. SPEAKER: Yes.

MR. SCHREYER: I would like to know where you got the impression that I was of the opinion that the division boards would go wild and submit to pressure to build these schools too close together and too small.

MR. PREFONTAINE: I haven't got your speech before me. I was listening to you very closely, Mr. Speaker, and I thought you stated that you favoured some centralization and there should be some incentive to assist centralizing. It led me to believe that you were afraid that there would be a danger of too many schools being built -- maybe I got the wrong impression and I'm sorry if I did.

I believe that's all that I want to say. I believe that all the members of this House will realize by now that what we did last fall, in good faith, possibly would not work in practice as we wanted it to work and I think that the government should adopt this resolution.

MR. McLEAN: Mr. Speaker, I move, seconded by the Honourable the Minister of Health and Welfare, that the debate be adjourned.

Mr. Speaker read the motion and following a voice vote declared the motion carried.

MR. SPEAKER: Adjourned debate on the proposed resolution of the Honourable Member for St. John's. The Honourable Member for Inkster.

MR. M. A. GRAY (Inkster): Mr. Speaker, this resolution, as it appears in the Order Paper, deals with a specific matter, namely, that this House approve in principle the passing of a Fair Accommodation Practice Act. My comment on this resolution will probably take in the general idea of a Bill of Rights which includes all the special problems. While the Resolution deals with one aspect, be it understood that I am dealing with the general problem.

We have already on the statute books introduced by the one-time Minister of Labour after years of demand by our group. I still recall when we asked the Minister of Labour at that particular time, the Honourable Member from Portage la Prairie, of his change in mind, and he justly answered that everyone is entitled to change his mind which indicates that there is still hope for governments to come to introduce a bill in the interest of all.

For years I have had the privilege of introducing a Bill of Rights on behalf of our group, copied off the Saskatchewan Bill of Rights, which works very effectively in that province. That Bill consisted of 18 sections, three of which have been approved by the late government during that period of time, and they are now on a statute books but the majority year after year have turned down second reading of the Bill which would establish the principle of a "Bill of Rights".

(Mr. Gray cont'd.) They have admitted that discrimination exists, that there is hatred between some of the nationalities living in Canada under the same flag but they claimed to eradicate discrimination and all evils that go with it by education only. My reply has always been that education is very helpful and necessary, but it takes a long time to bring about equality in a community by education only. I fully admit that education is extremely important, but education fortified by legislation is more effective. We have many laws on our statute books in which both "Education and Legislation" is applied, such as the liquor laws, juvenile delinquency, prison reforms, and many others.

There is no reason that there should be in Canada first and second class citizens. Close to six million immigrants arrived in Canada in the last 50 years with full permission of the Government of Canada. They have helped to build our economic and cultural life. They have taken the Oath of Allegiance to Her Majesty. They all have become naturalized citizens which carries equal opportunity and freedom of this country, and they are entitled to the full protection against discrimination and prejudice. And they are entitled to full protection against discrimination, the people who are being discriminated against, the effects known to everyone, cannot be thrown in the Red River overnight. They are here and we want to create a spirit of tolerance and co-operation in the interest of all of us.

We are very happy to note the Prime Minister of Canada has realized the necessity and has introduced a Bill of Rights. The Bill as worded does not meet the wishes of many who claim that there are many shortcomings, but the principle is established which is something this province has rejected many times, whereas the Province of Saskatchewan had a Bill of Rights for many years and it is working well. It fortifies the educational program for better understanding between different groups.

I hold in my hand a brochure on the Human Rights, dealing with that subject in Canada, and may I quote one sentence which can be found on Page 11:

"On December 10, 1948, the United Nations Assembly adopted the Universal Declaration of Human Rights as a goal for all mankind whatever their race, color, language, or any other distinction. It, too, is a significant document in the development of our human rights."

In the same booklet on Page 16, you will find where Mr. Diefenbaker introduced the Bill he said that "this Bill will give Parliament the benefit of their suggestions the ideas in the next few months so the Bill can be amended when necessary." In other words: the Bill may not be just perfect, but the principle of the Bill is definitely in the mind of the Prime Minister of Canada. The short text of the Bill reads as follows:

"1. This Part may be cited as the Canadian Bill of Rights.

2. It is hereby recognized and declared that in Canada there have always existed and shall continue to exist the following human rights and fundamental freedoms, namely,
- (a) the right of the individual to life, liberty, security of the person and enjoyment of property, and the right not to be deprived thereof except by due process of law;
 - (b) the right of the individual to protection of the law without discrimination by reason of race, national origin, colour, religion or sex;
 - (c) freedom of religion;
 - (d) freedom of speech;
 - (e) freedom of assembly and association; and
 - (f) freedom of the press."

You will find it in the library volumes of articles, brochures, and magazines, written by very prominent individuals in Canada supporting the principle of a "Bill of Rights". They may disagree with some technical sections of the Bill, but they are all in favour of the principle, and most of those are not suffering from discrimination.

Experiences in Canada with discrimination of employment, discrimination in access to public places, and discriminatory covenants restricting the purchase and use of land, is a small portion of the area of Human Rights and fundamental freedoms to whose protection the Universal Declaration has given eloquent expression.

The only way we can safeguard our own rights is to protect the rights of others. How can we do this? We can do this by routing out discrimination and refusing to give it a chance to take root. And God knows it is taking root, unfortunately.

(Mr. Gray, cont'd.)... I am taking the liberty of quoting a paragraph of the present Prime Minister of Canada when he introduced the Bill of Rights, and I do wish to do it, because the present Prime Minister of Canada has for years and years advocated a Bill of Rights. I just want to quote one paragraph of his address:

"As I agree that although Parliament can make charters, the nation can only achieve what is in those charters, if the heart and soul of man demands the achievement of those ideals. I realize that you cannot make mankind good by legislation, but on the other hand, by legislation you can set out the ideals to which you wish men to attain. What are civil liberties? The most sacred things of the human personality. They epitomize our belief in the dignity of the human being; they translate that dignity into rights which the individual can enjoy against the state or against other all-powerful individuals within the state. Civil liberties constitute the individual a sacred being. Civil liberties make him a sovereign in his dealings with the state, provided that he remains within the law."

I quoted this because this is words from a statesman, who's holding, at the present time, a very high position, or the highest position in Canada, and I thought perhaps by mentioning this some of our friends here will be inspired by his willingness and pass some resolution -- ideal resolution here so it would express our own wish for a Bill of Rights, which would help the present Bill of Rights which will likely be discussed in Ottawa shortly. I am supporting this resolution in the hope that the general problems will be covered by the Bill of Rights introduced by the Government of Canada. Meantime, however, it would help the Federal Government considerably if some expression of opinion was made, either on this Resolution or on the general principle of a Bill of Rights. My last words is that I do know, not reading from books, that discrimination of one kind or another exists, and the question is, 'why should I suffer?'

MR. W. B. SCARTH, Q. C. (River Heights): Mr. Speaker, I move, seconded by the Honourable Member for Morris that this debate be adjourned.

Mr. Speaker read the motion and following a voice vote, declared the motion carried.

MR. SPEAKER: Opposed Resolution standing in the name of the Honourable Member for Radisson.

MR. PAULLEY: Mr. Speaker, I beg to move, seconded by the Honourable Member for Fisher, that whereas each year finds an increase in the number of motor vehicles on our highways, and whereas each year also finds increases in accidents caused by motor vehicles involving injury and loss of life to persons, and damage to property, and further whereas many owners of motor vehicles do not carry insurance against injury and loss of life to persons, and damage to property, therefore be it resolved that in the opinion of this House, the Government should give consideration to the establishment of compulsory motor vehicle insurance in Manitoba, with the Government as the Insurer.

Mr. Speaker read the motion.

MR. ROBLIN: Mr. Speaker, a point of order before the honourable gentleman commences. He thinks he's left out the magic word, "give consideration to the 'advisability' of establishing," and that that would be desirable I think, if we asked him to insert that condition in his resolution so that it could then be classified as an abstract one, and not one that involves the expenditure of money. It's not much of a thing, Sir, but I think it might be advisable if my honourable friend would put the words "advisability of" in there.

MR. PAULLEY: I have no objections to that, Mr. Speaker, and if I have the permission of the House to have that added into the Resolution now, I've no objections whatsoever, and must humbly apologize for my omission.

MR. SPEAKER: Does the Honourable Member have the permission of the House?

MR. PAULLEY: At the off-set may I say, Mr. Speaker, that this Resolution or a Resolution of this nature has been introduced into this Legislature on two or three occasions before. But I think that the subject matter contained in the Resolution is becoming more and more one for which consideration must be given. When the Resolution was presented, I believe back in 1952, the motor vehicles in the Province of Manitoba had not reached the numbers which they have today. In addition to that they had not reached the same amount of power and horse-power that they have. It seems to me that in this mad rush to get places that we are exhibiting day from day in this world of ours, that we've got to more and more give consideration to those who may be victims of that rush. I appreciate very, very fully that at the present time under our Unsatisfied Judgment Fund that there are provisions whereby persons or individuals who have suffered loss as a result of accidents in which it appears that no person or individual can be found to obtain redress from, has worked out to some degree satisfactorily. But even under our Unsatisfied Judgment Fund, particularly in the case of individuals who are victims of hit and run drivers, the individuals affected are at a disadvantage in many respects to obtain redress for the death of their loved ones or injury to themselves. Because according to Section 156, or 157 of the Act, the applicant must prove conclusively to a Judge of the Court of the Queen's Bench that the action, or the accident was as the result of an injury incurred by a motor vehicle, and secondly too, that the person must prove conclusively that they have exhausted, to use the words in the Act, Section 3, Sub-section "B" of 157, that he has made or caused to be made the most thorough searches and inquiries to learn the identity of the owner and the driver of the motor vehicle and has been unable to do so, and is not aware of the identity of either of them, and that he is the person entitled to bring action.

I know of a case of a few years ago, Mr. Speaker, of one of the residents of my town of Transcona, who could not prove that he had been a victim of an automobile accident to the satisfaction of a Judge, and by that and he was quite an elderly gentleman, and by that, though he tried by every conceivable means, by witnesses and other methods to state his case, because he could not produce a witness to an actual accident, he was not able to bring suit. And I might say incidental to that, that had he of been able to do that, that due to his financial circumstances he may have had difficulty in obtaining counsel in order to proceed with his case. The net result was that he footed the bill - I might say that he was an Old Age Pensioner - and his hospital bills amounted in the long run to some neighborhood of six or seven hundred dollars which he attempted, up until some of us drew to his attention the undesirability but he had attempted, being a very honest and capable individual, to pay his way.

Now, in the introduction of this Resolution, I want it clearly understood that I'm not attempting in any way, shape or form to put all of our insurance agents out of business. I'm sure that my Honourable Leader has no desire. I think there are ways and means by which this matter could be handled and at the same time, through agencies of the Government, some consideration

(Mr. Paulley, cont'd.).... could be given to those in business. And further to that, the purpose of the Resolution is one for consideration principally to have basic coverage in the event of accidents to persons, death, and also to property. I would like to assure my friend from River Heights - he's out of the Assembly Room at the present time - that he doesn't need to worry about the compulsory attitude that I am adopting in this because of the fact that we've just had quite a considerable discussion on the question of a compulsory hospitalization scheme in the Province of Manitoba. In that, of course, our objectives are to make ample provision on an insurance basis for the health of the people insofar as hospitalization is concerned. This, too, I think, has to essentially be a matter of compulsion to all of our motorists. I do not think that it would be any additional hardship on the individuals who are operators of motor vehicles if at the time that they were to take out their licences for their motor vehicles that an additional fee would have to be paid for the question of protecting victims of accidents. Some might say that at the present time that in our insurance policies that we have ample coverage - with those that are insured. But I would like to point out that - I have a standard policy before me, Mr. Speaker, standard insurance policy - that there are occasions in which in third party liability that the insurance company are enabled through the policy itself and the insurance agreement, to not be held liable for certain types of accidents. I would read one of the clauses dealing with bodily injury to, or death of any person, or damage to property; "the insurance company is not liable for the loss or damage resulting from bodily injury to, or the death of one, the son, daughter, wife, husband, mother, father brother or sister of any person insured by this policy, while being carried in or upon or entering or getting on to, or alighting from the automobile or any person insured by this policy." And also, I believe, that it's contained likewise that where gross negligence is charged on the part of the driver, or the insured person, that the insurance company is not liable. Also in the question of damage caused by a person who is driving a motor vehicle while impaired or drunk. Let me hasten to say, Mr. Speaker, that I think that we should do all in our power to clamp down on those who are contributing to the ever increasing number of drivers of motor vehicles that are in accidents through them being impaired. But I would suggest that under a proper insurance scheme that where victims are as a result of the driving of a car by an individual who is impaired that they should be amply covered. I might say that in the sister province of ours, in Saskatchewan, as I'm sure that the members of the House are well aware, they have a system of compulsory automobile insurance. And they found that in many cases the reasons that they brought into effect some years ago their automobile accident insurance Act that there were many cases in which there wasn't ample coverage or protection for innocent victims.

I suggest to you, Mr. Speaker, that in the case of a small child running out from behind a snowbank into the path of an automobile. In the Province of Manitoba, unless there is some amicable arrangement between the insurer of the motor vehicle whereby they will undertake to take under consideration a partial amount for the required finances in an accident of that nature, that there is no protection. Because of the fact that there may not be able to be proved to the satisfaction of a Court, that the driver of the motor vehicle was at fault. Under the plan that they have in Saskatchewan at the present time, irrespective of faults, under it's - I just forget the term - Personal Injury Coverage, that irrespective of the faults being with the driver of a motor vehicle, the injured person is covered for insurance so long as it involves a motor vehicle and that accident takes place within the confines of the Province of Saskatchewan.

MR. W. C. McDONALD (Dufferin):permit a question? You say that irrespective of fault that the injury would be covered. Would that be covered under Liability or an Accident Clause in the policy?

MR. PAULLEY: I might say in answer to that, Mr. Speaker, it is covered under a separate section of the Act of Saskatchewan, which they call, I believe, the Personal Injury Coverage under the Act. And I might say, for the - possibly the benefit of the honourable member who has just asked a question, that there are death benefits under this coverage to the extent, for the primary dependent, \$5,000.00, for each secondary dependent, \$1,000.00 up to a total of \$5,000.00 for additional dependents, or up to a total of \$10,000.00 in the case of one death. If the victim is a married woman and no benefits are payable to the dependents, \$2,000.00 is payable to her husband, and then there is a varying scale of payments for children from the age of one year to six years, being \$100.00, and then there is a gradual increase in the amount until

(Mr. Paulley, cont'd.)... a person of 15, 16 and 17 years qualifies for the \$1,000.00. Also under this particular clause in the Saskatchewan Act, Mr. Speaker, there are dismemberment benefits, reaching up to from \$500.00 for the loss of a thumb, to \$4,000.00 for the loss of both hands and both feet, and also supplemental allowances, and also include weekly indemnities if in the case the wage earner is involved in an accident. Now that is a peculiar thing, I admit quite frankly, to the Act as it is now in effect in Saskatchewan. And this also applies, as I mentioned previously, Mr. Speaker, in the case of an accident, where fault is not able to be determined. But let me go further than that, that if eventually fault is determined, then under the Third Party Liability Clauses of the Saskatchewan Automobile Insurance Plan, then further redress of greater amounts of money can be made to the extent of, I believe under the Legislation similar to ours, that is the basic coverage of \$10,000.00: \$20,000.00 and \$5,000.00 for property damage under their Act.

Now much has been said of the question of rates of insurance. I might say that on the basic universal coverage in Saskatchewan, for the basic coverage of automobile insurance in Saskatchewan, it appears to me that the rates are lower there for similar coverage here in the Province of Manitoba. But I'm not going to attempt to argue that the rates which we would have to adopt here in Manitoba would be any lower, or the same as those in Saskatchewan, because I realize quite fully that the conditions of highways and the centres of population in Saskatchewan are different than those which we have here in Manitoba. But I am suggesting this, that because of the fact that it is compulsory coverage for every motor vehicle in the Province and because the burden has been shared, or is being shared by every driver of a motor vehicle in the province, there is a tendency for the rates to be lower. So I say in introducing this, that while it appears to us that the comparative rates are lower in Saskatchewan, I'm not going to attempt to establish that as the case for this Resolution, because of the fact of the different circumstances which vary in the two provinces. I might say, too, that under the Saskatchewan Act, the Government being the insurer also in addition to the compulsory features of their insurance act have packed what they call Package Policy which extends the coverage that is under the compulsory feature.

And I think, too, Mr. Speaker, that there is another very important thing that is happening in Saskatchewan. That over the past three or four years, if memory serves me right, that they have been able to hold the line in their premiums or reduce them slightly or increase the coverage under their compulsory hospitalization in Saskatchewan. Whereas in the same period of time that we here in Manitoba have had to pay higher premiums. I might say too, that in Saskatchewan that there is a considerable amount of money paid out of the profits of the operation of their Automobile Insurance Plan to go directly to the education of proper methods of operation of our vehicles and also education into our high schools. Now at the present time, if my memory serves me right, in our public accounts, we have about \$400,000.00 which we have selected from the users of motor vehicles in the Province, and placed into our Unsatisfied Judgment Fund. No \$400,000.00 is not a great sum of money to have in a reserve for the innocent victims of hit and run drivers or those for which we cannot prove liability to any insurance company, or to a person who may have the necessary finances to pay for. But I would suggest that over the period of years that this additional amount of money that we in Manitoba, under our Unsatisfied Judgment Fund are requiring of individuals whether they be insured or whether they're not, should be taken into consideration on arriving on whether or not we in Manitoba should adopt a policy of compulsory automobile insurance. We have worked on criticism of the fact that the Saskatchewan plan has not paid for itself. But I would say that is entirely erroneous because the accumulated surpluses in the Automobile Accident Insurance Fund in Saskatchewan as of December 31st, 1958, is \$1,414,144.00. And in that same year, that is the accumulative surplus, but in the operations of last year alone, the net gain for the year in Saskatchewan amounted to \$427,000.00 which is comparable to the amount that we now have under the - in the Unsatisfied Judgment Plan here in the Province of Manitoba. So while I say that there may be points in the Saskatchewan scheme that we here in Manitoba might not like to adopt, I think that the Government or this Legislature should give due consideration to this -- I think it's very vital. I think that it is a responsibility for every driver of a motor vehicle to be forced, if necessary, to carry out sufficient insurance to protect the - any individuals who may be injured or the families of those who may be left as a result of a death by reason of an automobile accident. And I don't

(Mr. Paulley, cont'd.)...think, Mr. Speaker, that we alone are - we are alone - in this attempt to have placed on the Statute Books of the various Assemblies in Canada a scheme of this nature.

I noted with interest in the Winnipeg Tribune on March 6th of this year editorial dealing with protecting the public. With your permission I would like to read a paragraph or two from that. "The plight of innocent victims of financially irresponsible motorists is causing increasing concern. In British Columbia, there are demands for compulsory insurance. Here in Manitoba there is a considerable body of opinion that the Motor Vehicle Branch should not issue license plates until the registered owner gives proof of being able to make good financial damages for which he may be liable as the result of mishaps. Public debate on the subject is also going on in Ontario. The Ontario Ottawa Journal mentions a new approach suggested by an Ottawa business man. This citizen feels that the present system of automobile insurance is wrongly based and should be changed and then the article, Mr. Speaker, goes on to suggest that the driver of the motor vehicle should be the one to carry the insurance rather than on the car itself." Well, there may be some reason to take that under consideration but I think that what we should do here is to give good consideration to that viewpoint, but I think that there will be difficulties in that that can arise because in some circumstances the driver of a motor vehicle may not be a licensed individual and if an accident happens at that time, we'd be in the same boat as we are now, we would have to make appeals to judges and this and that, in order to establish whether or not, and we could claim for damages and we would similarly, Mr. Speaker, have to have a fund whereby payments could be made out of it. That, Mr. Speaker, is all I have to say on the introduction of this particular resolution. I think it is one of importance. Again I say that while some of my friends opposite may not like the word 'compulsion' that when we are permitting our manufacturers of motor vehicles year after year to make them more powerful, that while we have not yet been able to educate our people sufficiently that at no time does anyone impaired or under the influence of liquor, that we should consider this compulsory aspect. As I mentioned we have compulsory hospital insurance, we have compulsory automobile registration, it is compulsory under the laws of the province of Manitoba to have a driver's license, I think it necessarily follows that it should be compulsory for the drivers of those motor vehicles to have insurance so far as injury, death and damage to personal property.

I would like to pay tribute, Mr. Speaker, to the Department of Motor Vehicles for the exceptionally well done job in advertising and the Highways Branch in constantly warning our motorists in Manitoba of the power that they have behind the wheel. I think they are doing a magnificent job but I think that that is not enough. I think that coupled with that we should have in the Province of Manitoba as they have in Saskatchewan and as they have in other jurisdictions as well, Mr. Speaker, a compulsory automobile insurance plan in order to give full protection financially, if they can't give it any other way to innocent victims of accidents.

MR. T. HILLHOUSE (Selkirk): Mr. Speaker, it has been quite revealing to me to learn this afternoon that a socialistic state like Saskatchewan has a reserve of \$1,414,144.00 for automobile insurance and I'm sure that the private insurance companies in this country and in the United States must be quite envious of that record.

MR. PAULLEY: Haven't they got insurance?

MR. HILLHOUSE: No. I have before me a copy of United States News and World Report of February 20th, 1959 dealing with why cost of automobile insurance goes up and up and in this report it says "member companies of the National Bureau of Casualty Underwriters lost 147 million in 1957 from their underwriting activities. That came on top of a loss of 64 millions in 1956. Income from investments kept many companies from going deep into the red. The trend was no more encouraging in 1958.

MR. PAULLEY: Mr. Speaker, I wonder if the Honourable Member would permit an interruption. I don't think that I said that it had a 'reserve' but an 'accumulated surplus.'

MR. HILLHOUSE: 'Accumulated surplus' well, what's that? Isn't that a reserve?

MR. PAULLEY: No, no, -- not at all!

MR. HILLHOUSE: It's available.

MR. PAULLEY: "Accumulated surpluses" of the fund up until the end of 1958. There's a difference.

MR. HILLHOUSE: The end of 1958. And their license year runs from March 31st to April 1st. Now what I am trying to point out is that they have a much better return on their

(Mr. Hillhouse, cont'd.) . . . investment than the private companies have and I intend to show this House that the reason why they have that is simply because the private companies in Saskatchewan are subsidizing and underwriting the government insurance business. Now, it's quite true that in Saskatchewan you have this social insurance in the form of benefits for personal injury but I submit after listening to my honourable friend speak, it's still incumbent on any victim out of an automobile accident in Saskatchewan to prove that he was a victim of an automobile accident, and I submit, too, that even if we endorse the suggestion that he has made there, that we cover all victims of automobile accidents whether any blame can be attached to them or not, it would still be incumbent upon that victim to prove that he or she was the victim of an automobile accident. Now my learned -- my friend has quoted Section 157 of the Highway Traffic Act. Now Section 157 of the Highway Traffic Act is no different to the Saskatchewan government's act in that respect. Now he refers to young children getting hurt and the payments that are made to them.

Now, I have no objection to these payments being made and perhaps the government could take under consideration some enlargement of our scheme of insurance in Manitoba to take care of these cases but at the same time it would still be incumbent upon that person in order to collect to prove that that injury or that death resulted from Now, I oppose the principle of compulsion as far as insurance is concerned because compulsion to me as far as insurance is concerned destroys that power of selectivity which any company should have before it goes on a risk. (Interjection). That's a different thing altogether.

Secondly, if insurance becomes compulsory I submit that the rate of our insurance will go up and that has been the experience of every jurisdiction which has tried compulsory insurance. I think the classic example is the State of Massachusetts which was the first state on the North American continent to introduce a compulsory insurance scheme and the insurance rates in the State of Massachusetts are the highest in the United States. (Interjection). No, it's on a private basis. The automobile license bureau names the insurance company where the person will take out their insurance but it is on a private basis, it is not on a state basis. Now, Great Britain has a compulsory insurance but Great Britain has never introduced state insurance. Great Britain felt that insurance is such a highly technical business that it should be left to insurance underwriters to handle. Now, my friends to my left are always very anxious to mention Scandinavian countries when they are referring to social reform. Why is it that no Scandinavian country has ever introduced any compulsory form of state insurance as far as the automobile is concerned? They have all examined

Interjection by Mr. Stinson.

MR. HILLHOUSE: Maybe. Now during the last 40 years there have been as many as 40 Royal Commissions or state enquiries held on this continent to investigate this problem. We in Manitoba held one in 1944; Nova Scotia held one in 1954; Ontario held one in 1930; and each one of these commissions was opposed to the introduction of compulsory automobile insurance and each one was opposed to entering into state insurance. Now as to the rates that are applicable in the two provinces. Well there is bound to be a difference in rates between Saskatchewan and Manitoba, just the same as there is a difference in rate on life insurance for the man who drives a nitro-glycerine truck and a man who sits in an office. It's the risk that determines the rate, and there's one thing that I would like to point out to this House and that is this -- that rates are not made by insurance companies, they are made on the highway. It's the number of claims that arise from accidents on highways that determine the rates that we're going to pay for our insurance. Now I would like to deal with the Saskatchewan system and give you some facts on what is involved in the Saskatchewan government compulsory insurance policy and I think the public should know these facts for the simple reason that this is a plank of the C. C. F. platform. In every election in which I have taken place I have been confronted with the statement that why don't you introduce the same system of automobile insurance in Manitoba as they have in Saskatchewan? I've tried to point out to my audiences and to the people to whom I was talking that even if we did in Manitoba introduce the same kind of insurance as they have in Saskatchewan, we couldn't give the same rates as they have in Saskatchewan because the risk is entirely different. (Interjection) That was the election -- I have been elected three times.

Now here are some points about the Saskatchewan government insurance, that is the compulsory insurance. The Saskatchewan compulsory insurance carries a \$200 deductible clause

(Mr. Hillhouse cont'd.) . . . on property damage, collision or upset, fire and theft and miscellaneous peril, consisting of lightning, wind storm, hail, flood, riot, falling aircraft, earthquake, explosion, etc. Now that is the S.G.I.O., that's the compulsory insurance, has the \$200 deductible clause. (Interjection) You can like so much.

Now the law of Canada prohibits, except in the Province of Quebec, a private company from issuing a policy of insurance with the deductible in respect of these items that I have just mentioned and the law of Saskatchewan prohibits a private insurance company which does business in there for making a \$200 deductible or any deductible in respect of property damage. They were raised from \$100 to \$200. In your package policy they upped the deductible as far as collision and made it a hundred. Now you can see, when you consider that 92% of the claims arising from automobile accidents in Canada are in respect of property damage -- 92% are in respect of property damage and when you consider that in the Province of Saskatchewan in the year 1957 the average property damage claim was only \$137, you can understand from these figures why it is that they can write a cheap policy of insurance. Now in Saskatchewan under that government policy if a man's automobile is damaged by fire he's got to pay the first \$200 himself.

Now last year in Manitoba the average auto accident claim settlement was \$237. Now if we adopted in Manitoba the same type of insurance as they have in Saskatchewan, what benefit would that be to the average motorist in this province? He would have to pay the first \$200 himself and the insurance company would only pay \$37.

Now as my honourable friend has stated that there is a package policy that's issued in Saskatchewan which is to round up the lack of coverage offered in the Saskatchewan government policy. Now on the surface it would appear that the combined Saskatchewan coverage is on a par with Manitoba in cost. Now take as this example; insurance on a 1957/58 Plymouth or a Ford or a Chevrolet that is with \$100,000 for bodily injury; \$5,000 property damage; collision of plate glass \$50 deductible; comprehensive passenger hazard, car used principally for pleasure; no male driver under 25, husband and wife drive and they have had no claims against them. Now in Saskatchewan that insurance would cost \$68, -- in Winnipeg that insurance costs \$68.

Now the rates in Saskatchewan both compulsory and package policy are in many cases only the starting rates. For a minor traffic violation in Saskatchewan there is a surcharge of \$10 on your insurance premium. If you have two minor traffic violations in one year there is a surcharge of \$25 on your premium. And when you consider two people driving an automobile with two minor traffic violations charged against them in a year their insurance won't be \$68 in Saskatchewan, it will be \$118. Now the Saskatchewan rate, the Saskatchewan Insurance Act makes no provisions for winter storage endorsement and yet Saskatchewan is largely a rural province where the greater percentage of the cars are laid up during the winter months. Oh, that's true. Now in Manitoba the insurance companies doing business here grant rebates up to 45% for winter endorsement.

MR. PAULLEY: The honourable member mentioned about minor accidents put a surcharge on the -- according to my information such is not true.

MR. HILLHOUSE: Well, that's the information I have. It is contained in a little booklet that is issued in the Province of Saskatchewan by a Winnipeg insurance company which writes business up there.

Now, similarly, the Saskatchewan rate gives no consideration to person who buys a car in the summer or fall because all Saskatchewan insurance runs from April 1st to March 31st and no matter in what month you buy your car between March 31st and April 1st of the next year you pay your full premium for your insurance. Now the Saskatchewan compulsory system makes no recognition of the different exposures to accidents in different cases. The only difference in rates are in the compulsory insurance where a standard length car that's 115 inch wheel base, pays \$35. A short English car pays \$30, and a Chrysler, Cadillac, etc., pay \$40. Thus the farmer who drives his car once a week on a gravel road in the summer and puts it in storage for the winter pays for the accident of the city businessman. Now to some extent at least, the Saskatchewan system is actually subsidized by private insurance companies through the working of a law which is unique in Saskatchewan. And let me give you an example of how that law works. I am a resident of Saskatchewan. I have to take out my compulsory insurance through the Saskatchewan government insurance office. Now I don't buy my package policy although I can but I

(Mr. Hillhouse cont'd.) . . . do not buy my package policy from the government insurance office. I buy it from an independent private company. But if I buy it from an independent private company and I'm involved in an accident in Saskatchewan that private company has to exhaust its full liability under that policy before the Saskatchewan government is called upon to pay one cent under its policy. Now if that is not subsidizing and underwriting a government scheme well I don't know what is.

MR. STINSON: My honourable friend says aren't these foolish to take out a policy like that? Let me tell him that in Saskatchewan notwithstanding the fact that the government is in the insurance business out there, that the private companies are able to compete against them. They are able to compete against them and last year they sold over a million dollars of automobile insurance in the Province of Saskatchewan. I'm not complaining -- you're the ones that are complaining.

MR. HILLHOUSE: Now regarding this subsidization of a government insurance office by a private insurance office, I think every member in this House knows that when two insurance companies are on a risk and there's a loss, that the loss is pro-rated between these two insurance companies. But not so in Saskatchewan. If a private insurance company happens to be on that loss, that private insurance company has to pay the shot before the Saskatchewan government insurance office is called upon to pay one cent.

Now I believe in Manitoba that we have one of the finest systems in the North American continent. We take into consideration three concepts: First, highway safety; second, financial responsibility; and third, an unsatisfied judgment fund.

Now in my opinion, the introduction of a compulsory scheme of insurance in this province could not give us the benefits that we are deriving from our present system and every commission which has sat in Canada during the last 25 years or more to consider the subject of whether or no they would go into compulsory insurance has, to some extent at least, adopted the scheme which is in force in Manitoba. Our Highway Commissioner, Mr. Bailey, has been in great demand during the past number of years in all states in the United States to explain to the people there the system of our Highway Traffic Act and a great number of the states in the United States have adopted our system either in its entire form or in some modified form. Now there is one other objection which I have to compulsory insurance and that was stated by Mr. Justice Hodgins of the Ontario Supreme Court who headed a royal commission in Ontario to inquire into whether or no the Province of Ontario would enter into a compulsory automobile scheme or whether it would adopt a system similar to that in other jurisdictions and here is what Mr. Justice Hodgins said on page 13 of his report. "The best opinion on compulsory insurance legislation, as for example that of the state of Massachusetts, is that the psychological effect of compelling everyone to take out insurance is the reverse of making them careful. For everybody knows that everybody else is insured and that, in case of an accident, the insurance company, and not the person causing the injury, will have to pay for it. The more this view is considered, the more reasonable it becomes. Drivers of heavy cars, trucks, buses, etc., are very apt to fall into this habit of mind, and so are private car owners, namely that being insured against personal responsibility, their pocket will not be touched in consequence of an act of theirs. And as criminal negligence can seldom be proved, they feel that they are safe from the reach of the criminal law. I've found no one, either in Massachusetts or elsewhere, who venture to assert that their compulsory insurance law had any effect on the reducing the number of accidents." Now further on the learned Judge referred to the report of the California Committee in 1929, and that Committee came to the same conclusion. Now in 1944, when Manitoba entered into its present system of financial responsibility, the report made to this Legislature stated as follows: Paragraph two, "The Massachusetts example has not been followed, has not been followed in the 17 years that compulsory insurance had been in effect in Massachusetts. No other state in the United States, and no province in Canada has been sufficiently impressed with the experience of Massachusetts to enact similar or comparable legislation."

Now the Manitoba report also referred to the increased cost of insurance, by reason of the public becoming "claim conscious" and quoted Mr. Robinett as follows: "1) Claim frequently is much greater in Massachusetts than elsewhere. This obviously increases the claim investigation, etc., expense in that state over others; 2) rates have increased in Massachusetts on the general average although not as much as in a few other states; 3) larger rewards are

(Mr. Hillhouse cont'd.) . . . granted by juries in some cases because of the knowledge of existence of insurance; 4) very minor injury claims are exaggerated. There are some fraudulent claims and property damage claims are converted into personal claims so that recovery may be had; 5) there is much more litigation over accidents in Massachusetts than elsewhere." Now a few years ago, the state of North Dakota set up a special committee to investigate this question of compulsory automobile insurance and the question as to whether or no that state should adopt the system in vogue in Manitoba. And that committee spent considerable time in this province. It also visited the neighbouring Province of Saskatchewan. And that committee came to conclusion that as far as the Saskatchewan system is concerned, they could not recommend it to their Legislature, but that they would recommend to their Legislature a modified system patterned on the Manitoba system.

Now, Mr. Speaker, as far as I'm concerned I would like to see automobile insurance rates decreased. So would everyone in this House, but I submit that we cannot decrease automobile insurance rates nor can we cut down the number of accidents, simply by making it compulsory for the people to take out insurance. And if we can't decrease accidents by compulsory insurance I am satisfied that we can't decrease accidents, by making that compulsory insurance something which the state should have a monopoly in. Now, going back to this Newsweek item, it shows that insurance rates and claim frequency have increased tremendously over this whole continent during the past ten years or more. And it gives you three cities. It takes San Francisco, Omaha and New York. Now I believe that Omaha is pretty nearly as close to Winnipeg in size, and terrain, and number of automobiles as any other city is. Now it shows you what the increase in cost of automobile insurance in these three cities has been over the past ten years; and that automobile insurance covers collision with \$100 deductible, comprehensive which includes fire, theft, etc., and liability insurance of 25 - \$50,000 and property damage insurance of \$5,000. Now ten years ago in San Francisco that coverage could be purchased for \$135.99. Today the cost of that insurance is \$367.72. (February 20th, I believe). Now in Omaha ten years ago the cost of that insurance was \$119.83. Today the cost of that insurance is \$186.84. The City of New York -- ten years ago that insurance cost \$220.84. Today that insurance cost \$453.60. Now this article goes on to show some of the reasons why that insurance has gone up, and here is one reason: The cost of repairs. It shows you a car in 1949 where you had to replace the windshield. It cost you \$27.00. Today it costs you \$147.50. A front bumper in 1949 cost \$16.85 to replace, -- today \$68.50; a front fender \$28.50 -- today \$55.65; a rear fender \$38.85, -- today \$123.35; a rear bumper \$17.50 and \$72.25; a trunk lift \$38.00 -- \$79.25. Now this article goes on to show too that in damage actions, the average award has increased tremendously over the past, since 1941 to 1948. In 1941 to 1945, the average damage claim award in the State of New York ran around \$4,000. From 1946 to 1949, around about \$5,500; 1950 -- \$6,800; 1951 to 1953 -- over \$8,800; and in the year 1958 the average damage claim in the State of New York was \$12,951. Now, unfortunately I haven't got the figures for Manitoba, but I think the Honourable, the Attorney-General, will back me up when I say that claims for personal injuries in Manitoba have been increasing at the same ratio as they have in any other jurisdiction. Now, Mr. Speaker, I don't think that compulsory insurance is the answer to the problem which we are facing in Manitoba, in common with all other jurisdictions. I think there is only one answer to the problem and the answer lies with us. Drive carefully.

MR. SHUTTLEWORTH: Mr. Speaker, I have been listening to the debate on this resolution with a great deal of interest and while I certainly don't agree with the principle that's enunciated in the resolution, I certainly think it's timely that we should have some discussion on it, particularly in light of the fact that yesterday we had the bill before the House to amend the Highway Traffic Act, and we have another one before the House today, or tomorrow. And I certainly agree with the Honourable Member for Selkirk, that as far as insurance rates are concerned, and rates of insurance in these days on automobiles is certainly one of concern to every one of us; but the answer, as the honourable member who took his seat just said, the answer to the price that we pay for automobile insurance rests entirely in the hands of the people of this province. If we want to have cheap automobile insurance, then let us drive carefully. That's the key, and highway safety is the answer, not compulsory insurance. We've had the Province of Saskatchewan held up before us for a long time in this regard.

But, Mr. Speaker, as has been pointed out, no jurisdiction in Canada or United States

(Mr. Shuttleworth cont'd.) . . . should be able to sell automobile insurance as cheap as the Province of Saskatchewan, because of the fact that they haven't any real large centre and certainly they haven't the congestion of traffic that we have in many other areas. I recall, on one occasion, where a political speaker was in from the Province of Saskatchewan, down here in Manitoba, and certainly their compulsory insurance was a plank in the election platform, and he rather got carried away with himself, and he compares the rate of automobile insurance in New York City with the Province of Saskatchewan. Well, Mr. Chairman what an odious comparison. There is just no comparison at all, but that is the type of comparisons that we've heard. Then we have also the other suggestion. (Pardon -- yes, well, he certainly needed speaking to, that gentleman). The other suggestion was made that the Saskatchewan compulsory insurance -- they make money and they have a surplus. Yes, they do. I'm sure they make money, and they have a surplus, and they have no non-diversion clause, as we have in many of our crown corporations in this province. And I think, Mr. Speaker, the fact that private insurance companies can go into the Province of Saskatchewan and compete very favourably with the insurance policies that they have in the compulsory insurance in Saskatchewan, is the best comparison that we have, which indicates clearly indeed, that the Province of Saskatchewan do not offer to their people anything that the private companies are not prepared to offer. And then on top of all that, as the Honourable Member for Selkirk pointed out so well, they have their own act, well padded, so that the private insurance company, if he's going to operate at all, he's certainly got to work against difficulties that are hard to overcome. But they're doing that and making a good job of it. And then the individual himself is penalized. Whether you own a truck or an automobile, if you go into the Province of Saskatchewan and you have it insured, you could have all the insurance that you could possibly carry. Once you go into the Province of Saskatchewan and reside there for a short time, in spite of all the insurance you have, you have to take out the Saskatchewan insurance as well. Now I suggest to you that that's real penalty upon anyone, -- discrimination.

And then the idea, I think, is commonly abroad that if you have compulsory insurance that everybody is protected. But that's not the case, Mr. Speaker. We could bring compulsory insurance here in the Province of Manitoba and we still have to retain our Unsatisfied Judgment Fund, because compulsory insurance, while we say to people that you have to have insurance, there are some categories that it doesn't cover. What about the hit and run driver? What about people coming in from other provinces? And then there's the chap that, in spite of the fact that you tell him that he has to have insurance, he just doesn't have it. We have people driving in this province that we tell them that they've got to have a driver's license, but there's a percentage on the road that just haven't got a driver's license but they just go and drive an automobile. True, it's very small, but there are a number of them. But the hit and run driver and the out-of-the-province driver -- you still have to have something for to protect the victims in that category. So I suggest to you, Mr. Speaker, that the compulsory insurance, as they have it in Saskatchewan, as I see it, certainly has no advantages for us here in the Province of Manitoba.

The keynote in our programme here in Manitoba has been safety, and in order to achieve a good safety programme you have to try to get people to accept responsibility rather than to say to them you are compelled to do this or that. Because in getting people to accept the responsibility, or to purchase their own insurance, you go a long way along the road of people also accepting responsibility in other spheres. I think possibly five, six, seven years ago here in the Province of Manitoba, when we had quite a number of drivers who didn't have insurance, that it was quite a difficult problem. But today practically all the drivers here in the Province of Manitoba have insurance. I'm sure the percentage is considerably under one percent at the present time. So, Mr. Chairman, while I think it is good to have discussions on this sort of thing, and I think it's well at this time that as car owners in the Province of Manitoba, we should be concerned about insurance rates, because they are going up, and the Honourable Member for Selkirk indicated in some jurisdictions where they haven't got a good highway safety programme, where rates can go to, I think it's a good thing that we spend some time discussing it. But the resolution that has been introduced, Mr. Speaker, certainly isn't any answer to our problem at all.

MR. M.E. McKELLAR (Souris-Lansdowne): Mr. Speaker, I beg to move, seconded by the Honourable Member for Arthur, that the debate be adjourned.

MR. E. R. SCHREYER (Brokenhead): Mr. Speaker, I also wish to adjourn the debate.

MR. WAGNER: Well, I was going to speak on it.

Mr. Speaker presented the motion.

MR. CAMPBELL: The arrangement that we had here was that if anyone wanted to speak that they got the opportunity to do so, rather than adjourn it.

MR. SPEAKER: I understood the honourable member to say that he didn't wish to speak.

A MEMBER: He wants to speak.

MR. SPEAKER: Oh, well, go ahead then.

MR. WAGNER: Mr. Speaker, I'll just be two minutes. I don't like speaking too long; but I listened pretty carefully to the Honourable Member for Selkirk. He must be an insurance agent or he must have a big share in a private company or something.

MR. HILLHOUSE: Mr. Speaker, I'd like to point out in this House that I am neither a shareholder nor a director of any insurance company.

MR. STINSON: He's in a much better and more lucrative position; he's a lawyer.

A MEMBER: He defends all the cases.

MR. WAGNER: Mr. Speaker, is it not compulsory insurance in Manitoba? Just make an accident and you will find out if it is not compulsory. What benefits do the private companies give to the owner of the car? -- and I am speaking of my personal experience -- to his passenger? My car was hit while I was standing waiting for the red light to change; a man hit me from behind. My wife had a whiplash, what the doctors call it. What happened? For two years, with the lawyers, I was after the particular insurance company to get some benefits out of it. Do you know what I got? I finally received my own expenses, for chasing back to Fisher Branch, back to Winnipeg, to Fisher Branch, to Winnipeg. Yes, that's the kind of benefits we, under private companies, are insured. What happens on -- my wife is still in pain, -- the insurance people close the books? Now, you, Wagner, carry on the doctor bills and the medical and drugs and what may be caused after this. That is our private insurance. And my premium, on top of that, increased. Yes, and it was not my fault! Listening to the honourable member on the Saskatchewan car insurance, that it is not satisfactory, how come the people buy it when they have an alternative private insurance company? They can go and buy it there. How do the people vote for such a government? Best thing they should do is just throw them out. The Honourable Member for Minnedosa stated that when you come to Saskatchewan from a different province, you have to have the Saskatchewan insurance. My friend, just two weeks ago, came from Fisher Branch to Winnipeg. He is employed here. Every weekend he goes back to Fisher Branch. Two policemen walked in his working place inquiring about his insurance, and why doesn't he transfer it. That's private corporation. Thank you.

MR. N. SHOEMAKER (Gladstone): Mr. Speaker, the previous members have covered this subject very thoroughly and I just want to make a couple of observations. I was very interested in what the Honourable Member for Radisson had to say as regards the agents; he doesn't intend to put us out of business, he says, and the Honourable Member for Fisher, I believe it is, I suggest that he change agents. Now, the Honourable Member for Fisher also mentioned the compulsory feature that we presently have in this province, and I suggest that it tends to improve the accident situation in the province, that is, it is quite true in that he says that if you are involved in an accident that exceeds \$100, then you must file a proof of financial responsibility certificate with the Motor Vehicle Branch. And it is also quite true that if you do have to file a proof of financial responsibility certificate, that generally you have to get it through the Assigned Risk Plan. And that also has benefits, because a person coming in and learning that he cannot obtain his insurance coverage through the regular channels, and realizing that it is a last resort effort, that is, this is his last chance to obtain insurance, he starts from then on to be much more cautious in his driving habits, and it does tend to correct that situation.

Now, the Honourable Member for Radisson did make some comment about the exclusions under a policy, and quoted from a standard policy there two or three of the exclusions. Most of us have heard of the fine print that appears in most insurance policies, but they generally exclude under the one item, and cover in another. Our experience in the insurance business as regards the exclusions is simply this, that if the insured was operating his car unlawfully at the time of the accident, or if there was an unauthorized driver, our experience has been that

(Mr. Shoemaker cont'd.) . . . the insurance company pay and then recover from the insured, that is, the third person does not suffer because of any infringement of the policy.

Now, as I have suggested further, the previous members have covered this fairly thoroughly, and in particular the Member for Selkirk. I had a whole sheet of points here that I intended to discuss and I think that he has covered most of them, much better than I could perhaps. It was interesting to me to hear the Honourable Member for Radisson say that he did not want to discuss rates at this time, because I thought that that was going to be one of his selling points, and I was quite prepared to come back and quote rates here. However, I concur in what the other members have said to my right, in that I don't think that this is the time to consider compulsory insurance, nor do I consider that it is a business that this government should get into. We have on our desk in Neepawa, when a man comes in complaining about his car insurance rates being up slightly, we have a little clipping from a magazine that we keep there to show them, and it simply indicates that the insurance companies on their operations in Canada last year paid out \$69 million more than they took in in premiums. (Question from a member) Well, not as an agent. Although I will admit as an agent they reduced our commission because of the high losses. Three or four years ago the insurance companies thought that, in addition to them taking a reduction, the agents should follow suit and they cut the agents' commissions. The private companies? That's something worth considering. Now with that, Mr. Speaker, I think that that is all the comments I have to offer.

MR. McKELLAR: Mr. Speaker, if there is nobody else speaking, I'll move that the debate be adjourned, seconded by the Honourable Member for Arthur.

Mr. Speaker presented the motion and following a voice vote, declared the motion carried.

MR. SPEAKER: Call it 5:30 and return to the Chair at 8:00.