

THE LEGISLATIVE ASSEMBLY OF MANITOBA
2:30 o'clock, Monday, April 15th, 1963.

Opening Prayer by Madam Speaker.

MADAM SPEAKER: Presenting Petitions
Reading and Receiving Petitions
Presenting Reports by Standing and Special Committees
Notices of Motion
Introduction of Bills

HON. GURNEY EVANS (Provincial Secretary) (Fort Rouge) introduced Bill No. 68, An Act to repeal the Acts of Incorporation of Certain Corporations.

HON. ROBERT G. SMELLIE (Minister of Municipal Affairs) (Birtle-Russell) introduced Bill No. 106, An Act to amend The Metropolitan Winnipeg Act (1).

MR. M. E. MCKELLAR (Souris-Lansdowne) introduced Bill No. 109, An Act respecting The Village of Glenboro.

MR. LAURENT DESJARDINS (St. Boniface) introduced Bill No. 108, An Act to amend The St. Boniface Charter, 1953.

HON. CHARLES H. WITNEY (Minister of Mines & Natural Resources) (Flin Flon) introduced Bill No. 21, An Act to amend The Game and Fisheries Act.

HON. J.B. CARROLL (Minister of Welfare) (The Pas): Madam Speaker, I move, seconded by the Honourable Minister of Agriculture, that Madam Speaker do now leave the Chair and the House resolve itself into a Committee of the Whole to consider the following resolutions in the name of the Acting Minister of Labour, the Minister of Agriculture and the Minister of Mines and Resources.

Madam Speaker presented the motion and after a voice vote declared the motion carried, and the House resolved itself into a Committee of the Whole with the Honourable Member for St. Matthews in the Chair.

MR. CARROLL: Mr. Chairman, His Honour the Lieutenant-Governor, having been informed of the subject matter of the proposed resolutions, recommends them to this House.

MR. CHAIRMAN: Resolution No. 1. Resolved that it is expedient to bring in a measure respecting elevators and to provide, among other matters, for the establishment of an Elevator Board and for the appointment of members thereto and for the payment of remuneration and expenses of such members from and out of the Consolidated Fund.

MR. CARROLL: Mr. Chairman, this is an up-grading of this statute. It is a very old statute and, for instance, one of the matters that is being dealt with is that the composition of the Board is to be made up of employers and employees, and in practice it just hasn't worked out because we find that the little elevator operators involved, who would be the employees, can really make little contribution towards the work of this particular Board; so we're spelling out that the Elevator Board will be made up of the various categories of users such as the owners of apartment dwellings, for instance, the owners of elevators in department stores, owners of freight elevators. The definition of "owner" has been changed to include a person who leases a building. One other change is that we are including ski tows within the definition of the Act and we're enabling the Board to sit with the sub-committee to consider certain specialized operations of the Board such as the ski tows and things of that kind.

MR. M. A. GRAY (Inkster): Do I take it that the mover of this resolution is the Acting Minister of Labour? -- Thank you.

MR. RUSSELL PAULLEY (Leader of the New Democratic Party) (Radisson): Mr. Chairman, I don't know when this government is going to run out of the appointments of boards. It seems to me that if the trend of the present government continues, that we're going to have a board all the way from a board setting aside what colour a strawberry should be to what colour a cantaloupe shall be.

Now in the present Act, under The Elevator and Hoist Act, we have a Board set up at the present time, a Board of five members, two representatives of the manufacturers of elevators; two persons named by the users of elevators; and a representative of the Department of Labour. Now this Board in the past, Mr. Chairman, was charged with very serious and

(Mr. Paulley, cont'd) responsible obligations in order that the whole field of the use and operation of elevators in the Province of Manitoba should be reviewed from time to time; that the unsafe uses of elevators should be prohibited; and that inspections should be made continuously to make sure that the elevators in the Province of Manitoba are in a safe and satisfactory condition.

As one reads the report of the Department of Labour for the last year, the year ending March 31, 1962, we find that this Board only met once during the year 1962. We note that in the report it is estimated that there are 280 elevator installations which must be considered as unsafe, primarily because they do not provide sufficient protection at the entrance to the elevator which is the most hazardous area. And then as one reads page 132 and 133 of The Department of Labour Act, we find that we have an Elevator Board; we find that the Board only met once; we find in the report that there are a considerable number of elevators in the Province of Manitoba, by admission by the Department of Labour itself, that are in an unsafe condition. Now what guarantee is the Minister who introduced this resolution today calling for yet another Board, what guarantee is he going to give to us that this new Board, even though it might have an expanded membership, is going to do anything more than was supposed to have been done under the rules and regulations of the Department of Labour at the present time. I would like to hear this from this Minister because it seems to me, Mr. Chairman, as I said in my opening remarks, that we're getting so "blinking" many boards operating on behalf of the Government of the Province of Manitoba that will be working, as I understand it, just as some of the other boards are on a sort of a piece-meal basis without getting up or doing the job that I figure should be done within the department itself.

In this report from the Department of Labour, as I mentioned, we note that the Board only met once. I would ask the Minister if, in the proposal that's going to be before us, is this Board going to have to meet regularly; is this Board going to have to inspect all of the types of elevators including ski tows that he mentioned to us; or what is going to be the responsibility of this new Board? Because if it's no more responsible and it doesn't do its job any better in accordance with the report of the Department of Labour than the former Board did in respect of elevators, I would suggest that the government forget about yet an additional board; dispense with the Board that is under the Act at the present time; and put the responsibility for the proper inspection and reconstruction, where necessary, of our elevators in the Province of Manitoba where the responsibilities actually lay, in the Department of Labour itself. I think this government is "sloughing off", Mr. Chairman, too many of its responsibilities to boards, who in effect from what I have seen particularly in the Session and understood from the proposals for new boards in this Session at the present time, which in effect have no responsibility at all.

MR. CARROLL: If those are the only comments, Mr. Chairman, perhaps I'd better reply to the Leader of the NDP and say that it is not our intention to superimpose this new Board on another Board that has already been established to do work in this particular field. I think you'll find that in most provinces in Canada, including the Province of Saskatchewan, we have boards of this type set up to deal with problems of elevators and hoists.

With respect to the number of times that the Board met last year, I really shouldn't quarrel with the report of the Department of Labour, but I rather suspect that it is in error if it says that they met only on one occasion last year, because my recollection is that the Board met on several occasions last year. On one occasion, I met with them myself and I know that we talked at that time about several previous meetings they had held on the same subject of upgrading our requirements for elevators.

I think it is true that there are new kinds of elevators coming out today with special safety devices and things of that kind and we are trying to keep our elevators in a safe operating condition, and I don't believe that there are any elevators in the province that are in an extremely unsafe condition. I think many of them can be improved and I think we are working towards a gradual improvement, particularly on these older elevators that have been in existence and which, when they were initially installed, did comply with the regulations, but of course we have new methods coming out and we see faults where they weren't seen before. We are trying at all times to raise the standards for safety in the operation of these elevators. I will undertake to find out how many times the Board did meet because I'm quite sure though that the Annual Report is in error on that particular point.

MR. PAULLEY: Mr. Chairman, on this point I can only go as a member of this House by the report of the department itself, and on page 133 is the definite statement that during 1962 the Elevator Board held one meeting at which time progress of modernization programs for old elevators was discussed for recommendation to the Minister — Section 89. And then further on in the report, Mr. Chairman, on Section 94, is the statement contained in the report of the Department of Labour which states: "About one-third of the total number of elevators which are considered unsafe have had or are in the process of having alterations made to them to correct this condition." I submit, Mr. Chairman, that if only one-third of the elevators which are considered unsafe are only in the process of having alterations made to correct this situation, the report itself indicates that there are two-thirds of the designated unsafe elevators in the Province of Manitoba that are not having anything done to them, at least at the time that this report was submitted. I again suggest that the formation of a new Board will not overcome this situation unless it does a different job than was done before, a job which I suggest, Mr. Chairman, could quite well be done within the Civil Service of the Department of Labour itself.

MR. CHAIRMAN: Resolution be adopted — Passed. Resolution No. 2. Resolved that it is expedient to bring in a measure to control and regulate the distribution and use of pesticides and to provide, among other matters, for the payment of moneys required to be expended for the purposes of the Act from and out of the Consolidated Fund.

HON. GEORGE HUTTON (Minister of Agriculture) (Rockwood-Iberville): This is the legislation which provides for supervision and distribution of pesticides in Manitoba. Hitherto there has been no supervision except that which has been offered by the industry, and the government believes that it is in the interests of the community that this industry should have some supervision by the government -- by the department — to ensure that every precaution is taken to minimize any misuse of these chemicals. The Act provides for licensing of the distributors and it will provide for the qualifications of those in business in the distribution of these chemicals. It seeks the power to take certain steps to discipline those who misuse these chemicals to the potential detriment of human beings; it provides for the establishment of inspectors; it provides for the destruction of contaminated feed stuffs; and it provides the power to ban chemicals that are considered to be dangerous in the hands of the public. I think that about covers the powers that are sought in this legislation.

MR. MARK G. SMERCHANSKI (Burrows): Mr. Chairman, I'd appreciate if the Honourable Minister would explain the objectionable chemicals. Does this mean mainly those chemicals that are regarded as objectionable, or does this mean any type of chemicals that are used as a pesticide? What I'm referring to is, for instance, you can use certain brands of acid in connection with pesticide application for potatoes, and would the use of acid in this instance come under the objectionable chemicals or not?

MR. HUTTON: It covers the use of all pesticides, whether for the control of insects or the control of weeds, and all chemicals used for all agricultural purposes. There are no exceptions.

MR. CHAIRMAN: Resolution be adopted? — Passed. Resolution No. 3. Resolved that it is expedient to bring in a measure respecting the administration and conservation of wildlife in the province and establishing a Wildlife Branch in The Department of Mines and Natural Resources; and providing, among other matters, for payment from and out of the Consolidated Fund of the costs of administration of the Act including: (a) remuneration of the director of the Wildlife Branch and of other officers and employees necessary for the administration of the Act; (b) the purchase of lands required for wildlife management areas and public shooting grounds; (c) payment of losses to the owners of livestock killed by hunters at certain times and under certain circumstances; (d) payment of fees to persons authorized to the issue of certain licences under the Act; and for payment to Her Majesty the Queen in right of Manitoba of royalties on the pelts and hides of certain wild animals taken in the province.

MR. WITNEY: Mr. Chairman, it is planned to take the former Game and Fish Act and to divide it into two Acts, one which will deal with fishing and the other with wildlife. The Game and Fish Act which was read for the first time today will simply take out the fishing sections of the old Act and make it into a Fishing Act. In connection with The Wildlife Act, we are going to deal with wildlife separately in the province and the provisions here are the same as those -- these provisions respecting money are the same as those in The Game and Fish Act at

(Mr. Witney, cont'd) the present time, with the exception that we are writing into the new Wildlife Act that we will be able to have money to purchase lands required for wildlife management areas and public shooting grounds. With respect to the rest of The Wildlife Act, I will be making a full statement on it when it comes up for second reading.

MR. GILDAS MOLGAT (Leader of the Opposition) (Ste. Rose): Mr. Chairman, I'm not rising to object to this but simply to ask of the Minister whether this actually is going to make any changes at all. It seems to me that everything that is in here is actually presently in the Act and I don't see from his statements the need for a special act. We have been operating under the department for some time now with a Game Branch and a Fisheries Branch, both of them separate branches within the department, and here he is speaking about a Wildlife Branch, which seems to me to be the same thing as the Game Branch in effect. Insofar as the powers that are listed, it seems to me that these actually were all powers that previously existed because as I recall the government did purchase some lands as it was for wildlife management areas. It has been administering public shooting grounds I think for some time; the payment of losses to the owners of livestock killed by hunters I think is already in the Act; and I don't quite see the purpose of this new Act when the legislation, it seems to me, already exists and we have the breakdown within the department. However, he may have more to tell us. He says he will make a complete statement on second reading and there may be circumstances that he didn't outline today.

MR. CHAIRMAN: Resolution be adopted? -- Passed. Committee rise and report. Call in the Speaker. Madam Speaker, the Committee of the Whole has adopted certain resolutions, directed me to report the same and ask leave to sit again.

MR. W.G. MARTIN (St. Matthews): Madam Speaker, I beg to move, seconded by the Honourable Member for Springfield, that the report of the Committee be received.

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

MR. CARROLL introduced Bill No. 83, An Act respecting Elevators.

MR. HUTTON introduced Bill No. 51, An Act to control and regulate the distribution and use of pesticides.

MR. WITNEY introduced Bill No. 81, An Act respecting the administration and conservation of wildlife in the province.

MADAM SPEAKER: Orders of the Day.

MR. ELMAN GUTTORMSON (St. George): Madam Speaker, I'd like to direct a question to the Minister of Public Utilities. When I submitted my Order for Return for certain documents in connection with the water haulage contract, I still find that certain ones are still missing. Another one that is missing and I'd like to have provided to me today sometime is the Joint Venture Agreement, dated April 25th, 1960, made between Pearson and Drake, which is part of the original contract between Hydro and Drake-Pearson. This is substantiated by a letter dated June 23rd, 1960, from J.D.C. Wilson on behalf of the Hydro, addressed to Drake-Pearson, saying the Hydro solicitor wanted eight copies to be made of part of the contract. The Joint Venture Agreement is again referred to in this agreement between Pearson and Drake already tables, which latter agreement is dated September 23, 1960, and which refers to the original Joint Venture Agreement as Schedule "A". Now this Joint Venture Agreement should have been tabled in the first instance and I don't know why it wasn't. I'd like to have it provided to me today.

HON. STERLING R. LYON, Q.C. (Attorney-General) (Fort Garry): Madam Speaker, I can tell the honourable member that my advice from Manitoba Hydro is that all of the materials callable under the order have been provided. However, in the light of his information, I will ask them for further advice, but that is the only information I have at the present time. I'll make sure they get this information today.

MADAM SPEAKER: Adjourned debate on the proposed motion of the Honourable the Minister of Municipal Affairs. The Honourable the Member for St. Boniface.

MR. DESJARDINS: Madam Speaker, I must say that I agree with the Honourable Member from Selkirk, and I cannot see how a Minister of this government can present a bill and then say that it should not be treated -- or I'll quote him here, maybe that'll be a little better: "As an expression, this should not be treated as an expression of confidence in the government." Now it is very clear that this question of time was referred to in the Throne Speech. Both

(Mr. Desjardins, cont'd) newspapers the following day made some mention of this, such as the Free Press here: "Throne Speech proposes Uniform Time in Manitoba". This was the main, according to the papers anyway, the main part of the Throne Speech. I tried to bring in a motion -- brought one in last year and again this year. It was on the Order Paper and the Honourable First Minister asked me, and I'll quote him here, that I should withdraw the motion in view of the fact it was referred to in the Throne Speech. Well, Madam Speaker, last year the Honourable Member from Selkirk, while speaking on the amendment -- the Honourable Member from St. James -- said that it was the "weasliest" amendment that he had ever heard. Well it is a known fact, Madam Speaker, that I'm not one of the members of this House that use this kind of language when referring to the government, Madam Speaker, -- I don't know why they laugh -- but nevertheless, after listening to this, the way this was brought in, I must say that if I might be allowed to go that far I would say that the usual great leadership of this government was very well camouflaged in this instance. Again the government has tried to get somebody else to do the work, to bring in a recommendation and then when everybody was decided, the government would step in. Well this time this has backfired, and I think that it is a crying shame that the government should choose a Minister who doesn't believe in this at all, so he tells us, to introduce --

MR. SMELLIE: Madam Speaker, on a point of order, I never suggested to this House that I didn't believe in this bill.

MR. DESJARDINS: I'm very sorry, Madam Speaker, I must correct myself. This was a very well-prepared bill; the Honourable Minister was very well prepared; and he concluded, Madam Speaker, by saying: "I have no strong views in this matter, Madam Speaker, however we do not intend to force it through." Well, I thank him for his last words. We realize this is a real democratic assembly and I'm glad that they're not going to force it through. I don't know what the government or the Minister will do with the other bills. I guess they will force those through.

He says that he does not feel it should be treated as an expression of confidence. Well I can assure him that it will not make the people of Canada or Manitoba have more confidence in them. I don't think he has to be afraid; it will not be treated as a matter of confidence, I'm sure. I think that the Honourable Minister showed very little confidence in himself and in the government because he didn't even have -- well, better start over -- he didn't even decide to close the debate although a few of the members had spoken. Now I understand the Minister is a new Minister, and I think it would be unfair to give him so much "soul-searching" in his first session, Madam Speaker. I think that all the members of this House, I am sure, would agree with me that we should try to help him out and not embarrass the government, because after all this is not what we should do. I think that, with the permission of all the members of this House, the Minister should withdraw this bill. I think it would be a lot easier. Maybe then the motion that I had on the Order Paper could be replaced on the Order Paper, because I'm sure that our group would not mind doing that at all. After all, we know what we want and we have something concrete. I cannot speak for the members of the NDP, but I am reasonably sure that they brought in a very good amendment last year and I think that they also know what they want.

You see, this would be a motion and the government would not be embarrassed, Madam Speaker. They could decide then if it's politically dangerous. They could decide -- maybe they could bring one of those real decisive amendments, such as naming a committee of 82 or something like that, to see how it's done in Lower Slobodia or one of these things. Nevertheless, I think that the members of this House would be willing to do this, take the Minister -- after all it's his first session -- take him off the hook, and I think that we shouldn't embarrass the government. I should mention this though. There's this, of course. Well, they can always -- the government can always explain this by saying that they have been misquoted, Madam Chairman.

MR. SMELLIE: Madam Speaker, is there no other members who wish to speak?

MADAM SPEAKER: The Honourable Member for Wellington.

MR. RICHARD SEABORN (Wellington): Madam Speaker, I have viewed this move towards uniform time in Manitoba with some concern, because it greatly affects the radio and television industry with which I am connected. This move creates problems that are not easily overcome,

(Mr. Seaborn, cont'd) unless of course the uniformity of time ultimately corresponds to Eastern Daylight Time. I can readily appreciate the advantage of having some adjustment to the present situation, but I think that a compatible solution is almost impossible to attain. The radio and television industry are justly concerned because the great bulk of their programming originates in the east, and from the standpoint of both the CBC and CJAY, the station with which I am connected, the ideal situation would be to have six months of daylight saving time throughout the province. This would keep the programming in line with the east, which has a six-months' period of daylight saving time also.

Now I do not know the relationship that the CBC has with rural viewers, but CJAY estimates that the rural areas represent about 20 to 25 percent of their audience. This is very important, but in comparison to the Metro Winnipeg area, it must be considered of somewhat less importance. However, there is no question, that with the lack of uniformity in time in the province, the difference in this hour between daylight saving time and standard time costs CJAY many viewers all through the daylight saving period, and any kind of a compromise will present real difficulties for us. If we could presume, for example, that October would be excluded from daylight saving time as shown in the bill, both the CBC and CJAY would be faced with real problems. This is the month when all the new shows start their fall and winter schedule and the two-hour differential would mean that peak audience programs, that are scheduled in the east at 8 p. m., would arrive in Winnipeg at 6 p. m., and some types of adult programming, which are scheduled in the east about 9:30 - 10 p. m., scheduled when presumably the juvenile audience are all in bed, would arrive in Winnipeg about 7:30 or 8 o'clock. The local television people are really concerned with this situation.

It would be physically impossible for CJAY to purchase the necessary equipment to cope with the delay of network programs. At the moment, it is estimated that CJAY would be involved in capital expenditures in the neighborhood of some \$134,000 for machines that would not be needed in the ordinary course of operations. This would also affect CBWT, except of course that this government body would be perhaps in a better financial position to cope with the situation than private interests.

There's another important effect, I feel, and this would be the interference with the local presentation of news. If the major network programs began arriving at 6 p. m., or perhaps earlier, the scheduling of the news at a period when the majority of viewers can either see or hear it would be almost impossible. The consideration of any period of daylight saving time that does not correspond to the same periods in the east, as I say, poses real difficulties that could well play havoc with the radio and television stations who are connected with the network. As this industry has become a very major factor in our community and, in general, a decided part of our existence, I do hope that when this bill goes before the committee and comes back to this House, that the members will bear in mind the almost untenable position the industry could be placed without having to spend almost exorbitant amounts of money to counteract it. Madam Speaker, I do not intend to oppose the bill at second reading in order that it may go before committee, but I do reserve the right to oppose it on third reading. Thank you.

MR. PAULLEY: The Honourable Member for Wellington has raised some interesting points in connection with the question of uniformity of time. May I at the outset say that I agree with my colleague from Inkster when he said the other day that he thought that the better time for the conclusion of daylight time in the Province of Manitoba would be the week-end prior to the school children returning to school. He has indicated that he will be making a proposition accordingly when the bill gets to the Law Amendments Committee.

I want to say that I subscribe to the remarks made by the Honourable Member for Selkirk that it seems strange to me that there isn't more governmental consideration apparently having been made to this bill, in that the government itself would be taking its proper responsibility in the bill.

I was quite interested in hearing the remarks of the Honourable Member for Wellington. I don't know whether he was speaking, having a financial interest in the association that he was asking for special consideration for, namely the TV interests. It might be well, Madam Speaker, as one who has a little bit of time now and again to observe some of the programs that are on during the hours that he made, it might be just as well if we did have timetables set up so nobody could look at them. I wonder though, if we all took a personal interest because of the fact

(Mr. Paulley, cont'd) of our employers in a bill of this nature, I for instance work for the Canadian National Railways and get paid, apart from the time that I'm here when the Province of Manitoba pays for me, I wonder what their reaction is? I'm sure that as far as the railroaders in general are concerned, they would rather not have any daylight saving time at all because of the fact that the operation of the railway is uniform right across the whole of the Dominion of Canada, and they accept, while they don't change their scheduling, they accept the rights of the individual provinces to govern the local time within their boundaries. What is the situation, Madam Speaker, in respect of Alberta? My honourable friend mentioned that there would be a differentiation of a couple of hours insofar as some of the programs that he's so concerned about. I suggest that this is true at the present time in the Province of Alberta where they outlaw daylight saving time in its entirety.

My honourable friend appears to be concerned with the fact that one of the TV stations here in the Province of Manitoba may have to make an expenditure of \$134,000 in order to provide the programs that he feels will not be made available to the adult public at the proper time. I suggest to him that, from what I have observed so far, it wouldn't be too great a hardship insofar as this particular station is concerned to make this expenditure, because after all once we have accepted uniform time here in the Province of Manitoba the investment of \$134,000 over the years might be all worthwhile.

So I say, Madam Speaker, that there are so many considerations in respect of this bill that have been considered. I think the prime one is the one made by my colleague from Inkster. I don't think that the matter raised by the Honourable Member for Wellington should influence the Committee at all. It's just a private matter with a corporation, and surely to goodness if we believe in the rights of a democracy, if we believe that we here in this Legislature have the right to establish what the time is, we shouldn't worry about personal or private considerations.

MADAM SPEAKER: The Honourable the Minister of Municipal Affairs.

MR. SMELLIE: Madam Speaker, the Honourable the Leader of the Opposition asked the other day if I was satisfied with the time limited in the bill for daylight saving time, and I would say to him, that ----

MR. MOLGAT: I don't believe I asked the Minister that, but I asked him whether he was in favour of the bill or not after his presentation. I think it's the only question I asked of him.

MR. SMELLIE: Well I apologize to the Honourable Leader, Madam Speaker. I am in favour of the bill and I would suggest to the honourable members that the time stated for daylight saving time in this bill is a compromise, and like all compromises it won't be satisfactory to everyone -- well between those people who don't want daylight saving time at all, to those who want it for a period of six months or more, and to those who think it should be some shorter period.

The Honourable Member for Lakeside, and I'm sorry he's not present this afternoon, asked me to give information concerning the referendums that have been held on this question. I would advise, Madam Speaker, that there were five municipalities in the Greater Winnipeg area which held referendums. In Fort Garry, the vote was 1,091 for daylight saving time to 945 against; in East Kildonan, it was 1,364 and 1,268 against; in West Kildonan, it was 1,268 for and 988 against; in St. Boniface, it was 1,776 for and 2,258 against; in Winnipeg, it was 4,600 -- pardon me -- 46,428 for to 20,190 against.

The Honourable Member for Inkster has suggested that the time of the changeover to standard time in the fall is too late. I think, Madam Speaker, this was what I was trying to say to the House the other day when I introduced the bill, and apparently I didn't do a very good job. The principle involved in this bill is the principle of uniform time. I suggested to the House that the length of time in which this province should have daylight saving time is a matter of some dispute, and that is the point on which I have really no strong views. We have introduced a bill which we think gives the compromise that will be satisfactory to the greatest number of people. If this proves not to be the case, then we are willing to amend the bill to suit the wishes of the greatest number of people. I would thank my honourable friend if he introduces his amendment in committee, as he suggested, so that this matter may have a full and complete airing.

I would just say, Madam Speaker, that if the Honourable Member for St. Boniface thinks the bill should be withdrawn, if he doesn't like the bill or the principle that's involved in the

(Mr. Smellie, cont'd) bill, then he should either amend it in committee or he should vote against it, so that we know where the honourable member stands. The principle involved in this bill is the principle of uniform time. I would suggest to the honourable members that they should vote in favour of this principle so that the bill may go to committee where we may discuss what that time should be.

Madam Speaker put the question and after a voice vote declared the motion carried.

MADAM SPEAKER: Second Reading of Bill No. 89. The Honourable the Minister of Industry and Commerce.

MR. EVANS: I wonder if the House would agree to allow this bill to stand.

MADAM SPEAKER: Agreed. The adjourned debate on the proposed motion of the Honourable the Minister of Industry and Commerce. The Honourable the Leader of the Opposition.

MR. MOLGAT: Madam Speaker, I adjourned this bill the other day so as to be able to relate it, although it is very short, to the previous changes that had been made in the Civil Service Act. One of the proposals here of course is a new one, and I have no objections to it at all.

The other proposal, Madam Speaker, I want to speak briefly on this afternoon, because I believe it illustrates something that happens entirely too frequently in the legislation presented to us by the government. It's only two years ago, Madam Speaker, in 1960-- I should say three years now -- 1960, that a very major revision of The Civil Service Act was undertaken. This is now Chapter 6 of our Revised, or our 1960 Statutes, and there were many, many items in this bill. One of those was a change in the previous Civil Service Act specifying that the Joint Council would have to meet once each month, or at such times as fixed by the chairman, and that in any cases where the meeting was not held, there had to be a definite waiver or postponement of the meeting. Now this had been introduced at that time, Madam Chairman, by the Minister. As I recall it, he explained to the House then that this was a most desirable measure, and here we are some three years later and we're reversing the whole process and going back to the original wording of the Act itself, and I submit that too much of our legislation is of that nature. The government does not give adequate consideration apparently to the legislation beforehand. It comes in and then some short time later we have to proceed to amend it again. There are other bills before us this year, one in particular that will be coming up I presume this afternoon, the Time Sale Agreement Act which is exactly of that nature, and I suggest that the government, before making changes in its legislation as it exists on our books now, should analyze it very carefully so that we don't have to be constantly bringing up new amendments to amend something that has just been done a short time before.

MADAM SPEAKER: Are you ready for the question?

MR. EVANS: If there are no further remarks, I'll close the debate. While I would agree with the Leader of the Opposition that if we could write each statute in a perfect way so that it didn't have to be amended subsequently, that would be desirable. Unfortunately, at the committee stage in this House, at the various stages through which it passed, my honourable friend didn't foresee any of the difficulties any more than we did. He offered us no advice upon which we could act to make it a more perfect Act, and so having discovered the error of our ways, we're always willing to change so that the acts may be improved. I don't think it's unduly a waste upon the time of the House and it is desirable to keep legislation in the best possible shape, and so we accept the admonition quite willingly, to make the best forecast of the requirements that we can and write an act accordingly, but if we find that we haven't been quite perfect, we'll amend it as best we can.

Madam Speaker put the question and after a voice vote declared the motion carried.

MADAM SPEAKER: Adjourned debate on the proposed motion of the Honourable the Minister of Agriculture. The Honourable the Member for Lakeside.

MR. GUTTORMSON: Madam Speaker, I beg the indulgence of the House to have this matter stand.

MADAM SPEAKER: The adjourned debate on the proposed motion of the Honourable the Attorney-General. The Honourable the Member for Ethelbert Plains.

MR. M. N. HRYHORCZUK, Q. C. (Ethelbert Plains): Madam Chairman, on looking at this particular bill, I note that insofar as the numbers of jurors are concerned, that is bringing

(Mr. Hryhorczuk, cont'd) them into the panels and so forth goes, I have no objection to that, but I do have a slight objection to the fees to be paid to the jurors. I'd like to remind the House, Madam Speaker, that this government has increased fees right across the board, and in particular it has increased the fees considerably in connection with anything pertaining to the work of our courts. Now the fee, if I read this right, the remuneration to the jurors are the same as it has been in the past, with the exception that there's a leeway here for the juror that suffers some undue hardship and, therefore, the judge who is in charge of the trial can increase that remuneration by a matter of \$3.00. Well that depends on the opinion of the judge and, Madam Speaker, I do not think that there are two judges that'll agree on what is undue hardship. I believe that any juror who is asked to serve nowadays is suffering undue hardship when he has to leave a job or leave his home and obtain a remuneration of \$9.00 a day. I would suggest, Madam Speaker, that instead of having 8(a)1-A in there we should increase the remuneration of the jurors to a straight \$12.00 a day and delete that special provision of undue hardship there altogether.

MR. GUTTORMSON: Madam Speaker, I was disappointed that the bill didn't include any section which would prevent jurors from appearing on more than one murder trial at a sitting. This matter was discussed during the Estimates and, if I understood the Minister correctly, he seemed to indicate that this matter would be given consideration, because it's generally felt that no juryman should have to sit on more than one murder trial. I know there have been cases where a juryman has been asked to sit on three at one assize and it meant being locked up for two and three weeks. In addition to the matter of being locked up, it's still an awful strain on a man and a responsibility to have to be on a murder jury. I thought that perhaps the Minister at this time would bring in an amendment to the Act to prevent this happening again.

MR. A. E. WRIGHT (Seven Oaks): Madam Speaker, I'd like to say a few words on this bill. I wondered why the age hadn't been increased to 70 rather than 60 to 65, then my mind went back to the other evening when I was speaking on jurors and I was wondering whether it was the rugged army conditions which makes this limit of 65 years necessary. I am thinking of our people who are in this age from 65 to 70, many of them with leisure and many with quite a bit of ability. It seems to me that I saw a sign not too long ago on Main Street where the Department of Labour was trying to interest people in employing people in these retired years. I believe the sign went something like - "A man's worth is not measured by his years" or something to that effect, and I think that senility doesn't necessarily have to set in at age 65. I notice that judges are not asked to retire now until 75 so I submit that there probably are a great many of our retired people -- I am reminded of our Railwaymen's Association who have one of the finest retired organizations in the country, and if you would see those boys in session at the Union Depot you would be convinced that there are many able-minded there yet.

I think, Madam Speaker, that \$9.00 is insufficient. I notice the latest figures of the Dominion Bureau of Statistics shows across Canada for 1962 the average hourly rate in industry at \$2.07. I mentioned during the Estimates that one of my lads at work was called for jury duty and he makes over \$2.00 an hour, and for every day that he was on that service he was certainly losing money. I think that we are applying a means test here too along the lines when we say that in the opinion of the judge that he can, in cases of extreme hardship, make an additional award of \$3.00, up to \$12.00. I think it would be just as sensible to say that members of the Legislature could get the increased indemnity if we could show that we needed it. I think that \$2.00 per hour is reasonable because that is a basic pay in industry today. I think it was picayune, to say the least, to have to place the onus on the individual to make application to the judge to get this fee of \$12.00.

MADAM SPEAKER: The Honourable the Attorney-General.

MR. LYON: Madam Speaker, if there is no other debate on second reading, I will attempt to make reply to some of the remarks that have been made. First of all, with respect to the remarks of the Honourable Member for St. George, I have had the law officers of the Crown look at this question of jurors serving on two murder trials and I am advised that the amendment is not within the competence of this House but rather within the competence of the House of Commons, through amendment to the Criminal Code, by virtue of the fact that the provisions for the impanelling of petty juries are contained in the Code, and the suggestion is that no amendment that we could make here to our provincial Jury Act would have the effect of

(Mr. Lyon, cont'd) disqualifying a person from serving on two murder trials as the suggestion has been. I make it clear now, as I did during my Estimates, Madam Speaker, I have no great objection to this as a matter of principle. I must say this, I think the number of complaints of persons serving on two jury trials are probably very few and far between. I've had occasion in both capacities, as Crown and Defence Counsel, to impanel juries on murder trials and I've had occasion subsequently to run into people who have served on these murder trials and on other trials and, as I mentioned to the Honourable Member from Seven Oaks, his was about the first complaint that I had ever heard from prospective jurors that they had to register against the whole system.

Occasionally we used to hear the odd word about pay. That was in the time when I was unable to do anything about it and subsequently the pay was changed to \$9.00 a day. I believe it was in 1957 when the Honourable Member for Ethelbert Plains was Attorney-General, so we are looking at this question of the double service. There is one procedure by which it can be done, of course, and that is through the procedure that always has existed, namely the right of Crown or Defence Counsel to challenge or stand aside a juror. No reason has to be given for this procedure that is followed, although usually it is presumed that it's done for some justifiable cause. Certainly we are looking at this but the immediate advice that I get is that it is not within the competence of the Legislature to make that section apply within the provincial Jury Act.

I am happy to hear the submissions on behalf of jurors getting more pay from the Honourable Member for Ethelbert Plains and the Honourable Member for Seven Oaks, and can tell them that this will certainly receive consideration. In the meantime, however, I don't think that they would vote against this bill and thereby deny jurors of some slight increase in salary which may be accruing and due to them in the circumstances outlined in the Act. I'm thinking particularly of trials of long duration where a man must be away from his employment for two, three, four weeks in some cases, and that is particularly what this bill is attempting to remedy. It's not attempting to deal with the across-the-board increase for jurors because at this stage certainly the government is not sufficiently persuaded that such a general shotgun increase is needed. We think of much more importance, perhaps, is the provision that is allied to the pay provision, namely, the one of providing travelling and out-of-pocket expenses. I think that this will give those persons serving on jury panels much more relief, if relief is the correct word in the circumstance, in a financial way than perhaps the other provision will provide, and I think that this is something that certainly all members of the House will support. But I thank the honourable members for their contributions, Madam Speaker, and can assure them that what they have said today will certainly be considered by the government.

Madam Speaker put the question and after a voice vote declared the motion carried.

MADAM SPEAKER: The adjourned debate on the proposed motion of the Honourable the Attorney-General. The Honourable the Member for Ethelbert Plains.

MR. HRYHORCZUK: Madam Speaker, there are just one or two phrases in this bill that I'm not altogether happy with. In 6(2) there's a provision there for five percent to be paid on the amount that shall devolve to the widow of a deceased husband, and I would like to point out that in most of these cases the widow is the one that applies for administration of the estate. The length of time that it takes from the date of death until the estate is closed out will depend a great deal on the effort that she has put into it. It may not seem to be very much, but on \$10,000 five percent is \$500 a year, and I doubt the wisdom of having that five percent in there at all.

I'm not altogether satisfied with the \$10,000 either. What it does overlook is the fact that where there is life insurance, it's generally paid to the wife -- the husband makes the wife the beneficiary, and this takes no account of any life insurance payable to her. Now a husband might very well have enough life insurance to look after his wife quite comfortably for a number of years and, in addition to that, she'd be entitled to the first \$10,000 of the estate. I might point out that she also has the additional protection of the law where she has a life estate in the homestead. I don't know -- I'm not altogether in favor of the provision here and I think that we should discuss it a little further in law amendments.

MR. T. P. HILLHOUSE, Q. C. (Selkirk): Madam Speaker, I approve of the general intent and purport of this bill. I think it's pretty nearly time that we did something to better the

(Mr. Hillhouse, cont'd) position of a widow under The Devolution of Estates Act. I know that what I have to say may be met by the general comment: "Well, if he had drawn a will, such a situation wouldn't arise." - but I think the Honourable Attorney-General will agree with me that there is a lot of people in this world who feel that the last thing that they should do on earth is draw a will, and for that reason a tremendous number die intestate.

As for the general principle of the bill, I feel that the \$10,000 is really not adequate for this very reason: You take the case of a man who dies intestate and say he has a dwelling house, \$10,000 today for a dwelling house in the city doesn't represent very, very much. As a matter of fact, the average dwelling house of people of moderate means in the city runs anywhere from \$12,000 to \$14,000.00. Now if there's any excess in the estate over the \$10,000, and that excess may be in the value of the dwelling house itself, that dwelling house is going to be charged with five percent on that excess; and since there are no liquid assets in the estate which I have just mentioned, that would be an encumbrance against the dwelling house of the wife. I feel, Madam Speaker, that at least the widow should be entitled to receive the first \$20,000 of an estate. Over and above that I would have no objection to the division that's mentioned in the bill, provided of course this five percent is deleted, because the five percent may become a charge on a non-liquid asset and the only way that it could be realized would be by sale.

MR. LYON: Madam Speaker, again I wish to thank the Honourable Member for Selkirk and the Honourable Member for Ethelbert Plains for their contribution on this second reading of this bill. I suppose it goes to prove the old axiom that when you get more than two lawyers together you'll never get agreement on anything among the two lawyers. As a matter of fact, as I recall when this matter was being debated in the Law Reform Committee, there were expressions of opinion for 5,000, 10,000 and 20,000. The figure that was arrived at seemed to be a reasonable figure considering that this bill does represent a variation and, we think, an improvement in the traditional way of dealing with intestate estates under this legislation. I'd be quite happy to look at the question of interest when we get into committee. I think this section was for drafting purposes listed pretty well from Ontario, Alberta and Saskatchewan, and we will be more than happy to look at the question of interest, and any accommodation of the suggestions mentioned by the Honourable Members for Selkirk and Ethelbert Plains could be made at committee stage.

Madam Speaker put the question and after a voice vote declared the motion carried.

MADAM SPEAKER: Second reading of Bill No. 58. The Honourable the Attorney-General.

MR. LYON presented Bill No. 58, An Act to amend The Time Sale Agreement Act, for second reading.

Madam Speaker presented the motion.

MR. LYON: Madam Speaker, honourable members of the House will recall that when I introduced The Time Sale Agreement Bill for second reading during the last session of the Legislature, I stated that its purpose was to attempt to ensure that, in Manitoba, those citizens who purchased goods from time payments may be readily able to inform themselves of the costs of interest and other charges payable for the privilege of buying on time. I further stated, Madam Speaker, firstly, that the bill was not aimed at the vast majority of our retailers who conduct their business legitimately and who in no way can be said to be either misleading or misinforming the consuming public of Manitoba. I stated secondly that there was a second prime purpose to the bill, namely that of education, so that Manitoba consumers might know what they were entitled to look for in any Time Sale Agreement. The third statement I made on that occasion was that it was the government's wish through this bill, and I'm sure the wish of the Legislature through this bill, not only to protect the public interest, but as well to accommodate those practical business operations which take place in modern day commerce.

The amending bill that I propose to the House today, Madam Speaker, is consistent with those earlier statements. Furthermore, these amendments do not impair the principle of the original Act, but rather are designed to make the Act workable, and, as well, capable of being interpreted and used by the general public and by retailers alike. The major provision of this amending bill, which is a short one, would relieve the retailer of the obligation of specifying

(Mr. Lyon, cont'd).... the rate of interest charged and the basis upon which that interest is calculated. At the same time, however, it includes a new and a broad definition of finance charge, the term "finance charge", designed to ensure that all actual costs in dollars and cents, as opposed to an interest percentum rate in a Time Sale Agreement, are made thoroughly apparent in such an agreement.

Now I well realize, Madam Speaker, that arguments can be made on both sides of the question, as to whether the interest rates should be specified in addition to the dollar cost of term financing. And I must say that we are of the view, after long and careful consideration, that the requirement of stating the rate is best left out if the joint purposes of the bill, that is the protection of the public interest and the educational factor within the bill, are to be achieved. The requirement that the rate be shown is susceptible of distortion in this highly complex field of Time Sale Agreements today. As an example, a whole new area of competitive advertising could be stimulated by this requirement, designed to prove that retailer "A" could sell an article on time at a lower interest rate than retailer "B", whereas in actual fact the total cost of the interest and any other finance charges levied by each of these two retailers, "A" and "B", would be approximately the same. The switching of interest charges to the more general heading of service charges, or in some cases perhaps an actual increase in the list price of the articles moved from interest to the list price itself, would readily permit of this type of fact. Hence this amendment, we feel, is justified, Madam Speaker. The stating of the finance charges in dollars and cents is re-enforced and no apparent distortion of the basic indicator of cost is available to confuse or to distract the public mind.

The balance of the amendment may be briefly described as relating, first of all, to a definition of a continuous deferred payment plan which was not present in the previous bill. Secondly, the lengthening of the time from 10 to 20 days for the execution of a Time Sale Agreement. Thirdly, the new definition of finance charges which I alluded to earlier, and this is an all-inclusive definition for dollars and cents purposes. Fourthly, a clarification of a ten-point printing requirement. Fifthly, a clarification to indicate that failure to comply with a particular of the Act does not render the contract void or unenforceable. Sixthly, a slight broadening of the types of contract excluded from the Act, that is to take account of ordinary commercial transactions that are not usually thought to be within the ambit of the Act, but that by the strict interpretation of the Act might be so included. And seventh, the setting of a firm date, that is the first of September, 1963, for the coming into force of this Act. Madam Speaker, I commend these amendments to the House and suggest that their detailed consideration be left to Law Amendments Committee.

MR. HILLHOUSE: Madam Speaker, unless some other member wishes to speak, I would like to move the adjournment of the debate. I wish to move, seconded by the Honourable Member for St. Boniface, that the debate be adjourned.

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

MADAM SPEAKER: The adjourned debate on the proposed motion of the Honourable the Minister of Education. The Honourable the Member for St. Boniface.

MR. DESJARDINS: Madam Speaker, I'm sure that this bill will prove to be a popular one, and I must say that this is certainly a step in the right direction. We on this side of this House will certainly support it. In fact, we feel that this is one of the constructive suggestions offered by our Leader while speaking in reply to the Throne Speech in 1962, during the 1962 session as well as the 1963 session. These were his actual words at the time, and I am quoting now from the 1962 session: "Surely no one can disagree that Brandon College and the other affiliated colleges cannot conceivably continue to operate without further aid. It was a Liberal Government in this province that established the policy of giving capital grants to those colleges. In our opinion, it is more than time that the affiliated colleges were given operating grants in order that they may continue to perform the valuable services which have benefited Manitoba in the past." It is indeed gratifying to see that the government have accepted some of our suggestions. I believe that this is the way it should be done, at least on some occasion, and I certainly feel that any government that co-operates like this would not -- this would not weaken in any way in a political sense. I wish to congratulate the Minister and the government at this time for taking this all-important step.

There is, however, only one point that I can see at this time that I do not agree with. I

(Mr. Desjardins, cont'd) normally would wait for second reading but this is practically a question of principle with me, and I would like to talk about it, to mention it at this time, and the Honourable Minister of Education might be able to give me some information while closing the debate. I'm talking about under 7(2), the information that is required or been requested. Here we have such information as to its enrollment, financial position, etcetera. I'm talking about financial position. I cannot see why this has been included in there. I hope that the Honourable Minister does not insist that this will be in, and if so, I wish that he'd give me some reason why. The bill is clear and will give the condition under which these grants could be given. I understand that there is a necessity of giving the information as to its enrollment and operation and so on, because this is the way that the grants would be arrived at, but I could not see where by giving 10, 15 or 20 thousand dollars to a college we should immediately have access to their books and their financial position and so on.

I don't think that any of these colleges would mind too much, and the only reason why I am protesting is because I feel that this is so much like socialism, and this is the trouble we have under this hospital plan. I think that these grants are not conditional and it seems to me that we have no right to pry into the financial affairs of these different colleges. I know that all the members here would agree with me that these colleges have as their leader a capable man, a trustworthy man, and I hope that it is just an oversight that this was included with the rest. I hope that the Honourable Minister will not insist that this be left in, unless of course there is some indication that this is necessary. Again I say I would like to see these grants given without any further condition that we have spelled out here. I think the bill is very well prepared besides that, but I would like to see this business of financial position struck out of the bill.

HON. STEWART E. McLEAN, Q.C. (Minister of Education) (Dauphin): Madam Speaker, if no one else wishes to speak, I'd be glad on this occasion to just speak very briefly and close the debate. With respect to the one matter only, of which the Honourable Member for St. Boniface has spoken, I believe that in the operation of the bill the information requested by this provision is necessary. It was placed there as a result of discussion with the university people who indicated certain matters that would have to be kept track of in order to determine the eligibility of the amount of money. It was drawn to the attention of the heads of the affiliated colleges and explained to them, and I believe that they felt there was no undue hardship that would be worked as a result of it. It is not our intention, although I recognize that it's in the legislation, but it would not be the intention that this would be used in any sense for the purpose of going into the financial position per se of affiliated colleges but rather such financial information as would be necessary to determine entitlement to grants under the provisions of the bill.

Madam Speaker put the question and after a voice vote declared the motion carried.

MADAM SPEAKER: The adjourned debate on the proposed motion of the Honourable the Attorney-General. The Honourable the Member for Gladstone.

MR. NELSON SHOEMAKER (Gladstone): Madam Speaker, I adjourned the second reading the other day so that we might have a look at the bill. We have now had the opportunity to look at it and there appears to be nothing objectionable about it, so we are prepared to let it go through.

Madam Speaker put the question and after a voice vote declared the motion carried.

MADAM SPEAKER: The adjourned debate on the proposed motion of the Honourable the Attorney-General. The Honourable the Member for Ethelbert Plains.

MR. HRYHORCZUK: Madam Speaker, at first glance of this bill I thought it was in conflict with Bill No. 71. They deal with the same provision, but after looking at them very closely I find that they are in order.

MR. HILLHOUSE: Madam Speaker, I do not rise to object to the bill. As a matter of fact I agree with the bill, but I do rise to raise the question of exemptions under The Judgment Act. Under our present Judgment Act, the land of a judgment debtor which he farms up to 160 acres is exempt from sale under the provisions of a judgment and so are the buildings on that land. Now as every member of this House knows, 160 acres is not a very economic farm unit to operate in this day and age and I feel, as I've felt in the past and I have so expressed my feelings, that the exemption from sale under judgment should be raised in respect of acreage in a farm. I think that it should be raised to the same extent as what is provided in The Dower Act as constituting a homestead. I think that's 320 acres. That is more in line with what is

(Mr. Hillhouse, cont'd) considered to be an economic farm unit today than 160 acres.

Then again the exemption in respect of sale out of a judgment of a dwelling house, if the dwelling house exceeds \$1,500 in value it can be sold and the judgment debtor would only be entitled to receive \$1,500 out of that sale. Now who knows of any dwelling house today which is occupied by any person which does not exceed \$1,500 in value. As far as this exemption is concerned in the light of present day values it is meaningless, so I would suggest to the Honourable the Attorney-General that the question of exemptions under our Judgment Act and the question of exemptions under our Executions Act be reviewed at the earliest possible moment so that we can bring them in line with what should be allowed.

MR. LYON: Madam Speaker, I thank the honourable member for his suggestion and we will certainly look at those questions. I must say that we have had to the best of my knowledge no complaints about the size of them, but certainly we are prepared to look at the question that is raised.

Madam Speaker put the question and after a voice vote declared the motion carried.

MADAM SPEAKER: Second Reading of Bill No. 23. The Honourable the Minister of Municipal Affairs.

MR. SMELLIE presented Bill No. 23; An Act to amend The Municipal Act, for second reading.

Madam Speaker presented the motion.

MR. SMELLIE: Madam Speaker, it's a little difficult to discuss the principle of a bill that covers so many principles as this one. However, I will endeavour to give the members of the House some brief resume of the principles that are involved in this amendment.

The first matter is the question of making uniform the dates for the statutory meetings of electors for nominations and elections in all municipalities in Manitoba. The confusion arises, particularly in the Metropolitan area, where we have different dates for nominations and elections in various municipalities and in Metro. As a result, we get information being given out over radio and television and through the newspapers concerning the date for nomination or the date for elections, in one or the other, and people are attending at their polling places to vote in municipal elections and being told: "We're sorry we don't vote today, we vote on Friday" or "We're sorry we voted here last week, you're here on the wrong date"; and it is intended to make these dates uniform to cover this obvious state of confusion.

One of the other principles involved here is the question of the policing of towns and villages with a population in excess of 500 people. At the present time the Act states that a town or a village may appoint a chief constable. It's now intended to bring this in line with the present practice in the province, and particularly under our policing agreement with the RCMP, to make it mandatory for any town or village incorporated, having a population over 500, to have a chief constable or, in other words, a policeman.

This amendment will also allow municipalities to make special levies not exceeding one mill for the purpose of providing for appropriate celebrations of the Canadian Centennial and the Manitoba Centennial in 1967 and in 1970 respectively.

This changes the dates for the monthly statements of secretary-treasurers. It has been found in practice that the dates that are presently set out in the Act are impossible of attainment for some secretary-treasurers. By the time they get their reconciliation statements from the bank and make up their reports, they can't meet their deadline for reporting to their councils. Under the present set-up a secretary-treasurer could be charged under The Summary Convictions Act for failure to make this report on time, and we're changing the Act in order to make it possible for them to comply with the provisions of the Act. There are many other changes dealing with the audits of municipal books and the reports that the auditors make. These changes are, in general, to conform with the practice that is being used at the present time.

This bill will allow municipalities to make regulations concerning the fencing or the control of dugouts and reservoirs deemed to be a hazard to residents of the area, with a view particularly to allowing, or setting up a statutory authority for a municipal by-law to fence dugouts to keep children out, and I understand there have been some rather unfortunate accidents.

The bill also provides a revised basis for the assessment of pipelines through municipalities in this province. This will allow our municipalities to assess and tax pipelines on

(Mr. Smellie, cont'd) approximately the same basis as that used in Saskatchewan. I would tell the House, Madam Speaker, that this basis for assessment is slightly lower than the basis used in Saskatchewan and considerably lower than the basis used in Ontario, Alberta or B. C., but with the difference in the average mill rates in Manitoba and in Saskatchewan, this will make the actual tax imposed upon the owners of pipelines approximately the same tax per mile of pipe as it is in Saskatchewan. If any of the honourable members have any questions to ask about this amendment, I'd be happy to attempt to answer them.

MR. HILLHOUSE: Madam Chairman, as the Minister says, this bill deals with quite a number of principles. There was one thing in which I was interested, and I mentioned it to the Honourable the First Minister the other day when we were discussing the Centennial Celebration, about allowing municipalities to levy up to one mill or more for the purpose of creating a fund for the celebration of the Canadian Centennial or the Manitoba Centennial, but I notice on checking over Section 16, that that fund is only for the purpose of paying the expenses. Now what I had in mind was that there are certain municipalities in the Greater Winnipeg area that would like to do something substantial in connection with that celebration such as erecting a community centre or some such similar enterprise, and I would take it that under this section as drafted that that would not be possible because the fund is only for the purpose of paying expenses. So would the Honourable Minister please take that under advisement and if it's necessary to amend it on law amendments I hope he'll have the necessary amendment ready.

MR. PAULLEY: Madam Speaker, as the Minister indicated, this bill takes into account many different aspects of the provisions in the present Municipal Act. While I appreciate the fact that we're only to deal with the principle of the bill, it's rather hard on a bill of this type and I'm sure, Madam Speaker, you would permit reference to sections under the circumstances. I notice that there are -- and the Honourable the Minister of Municipal Affairs did not mention this -- but within the contents of this bill there is a provision for the repealing of the sections in the Act which establish that the Mayor of a municipality, city, or town would be ex-officio a Justice of the Peace.

Now I can appreciate that this may be desirable. I know that during the years that I had the honour of being Mayor of the Town of Transcona, that on numerous occasions I was called upon to act as Justice of the Peace ex-officio dealing with town by-laws, which was permissible, and the reason I was called upon was because of the fact that the town is now a city and has its own resident police magistrate, but on occasions there were no persons available within a reasonable period of time in order to hear these cases. Also, another feature I found very, very valuable during the time that I was Mayor was, because of virtue of being an ex-officio Justice of the Peace, I had the rights as Mayor of the town at that time to act as a Commissioner of Oaths, which was very, very helpful for many people in the municipality.

Now I would suggest, Madam Speaker, first of all, there may still be a considerable number of towns and municipalities where the Reeve or the Mayor, by virtue of being a Justice of the Peace ex-officio, is an asset, or at least this provision is an asset to them in order to service the people within the area. It might add to the cost of some municipalities insofar as their by-laws are concerned and it may mean that in some cases that there will be considerable delay. I would like to hear either from the Attorney-General -- I appreciate, or at least I think I appreciate the reason for this, that there was a fear in the legal profession of growing ranks of unemployed in the legal profession and the laymen mayors of the municipalities were possibly infringing on their hallowed status. As a result, and I don't know if this is the reason for this provision, but I do recall having heard a case in my town once and after the case had been heard with the permission of legal counsel for the defendant -- and he agreed to the fact that I was an honourable enough man to hear the case -- that some six months later he came up to me and he says: "You son of a gun" -- there was a fine I think of \$50.00 levied at this particular time and he told me, he says, "You know, if I had known my law you couldn't have held sway in this court, but I didn't know it at that time." Maybe this is one way of getting over that sort of a predicament.

But anyway I would suggest, I would suggest to the Honourable the Minister that if you are taking away from the mayors in the municipalities, the Reeves and the mayors in the towns and cities, being Justice of the Peace ex-officio, that you give them authority under The Municipal Act by virtue of their position to take affidavits, to act as Commissioner of Oaths by

(Mr. Paulley, cont'd) virtue of their office because this to me was the most valuable benefit that I had, and I'm of course speaking from experience, that when I was Mayor of the town it was a valuable asset to the people of the municipality to be able to come to me to take an affidavit, to take a signature as a Commissioner of Oaths. I think this is a provision that should be automatic with a mayor assuming office within his municipality and I ask the Minister to take this under consideration.

MR. SMERCHANSKI: Madam Speaker, I was very much interested in what the Honourable Minister had to say about dug-outs and I'd like to leave one thought with his department, that I do think that in reference to dug-outs a more positive approach should be taken. When you fence a dug-out the youngsters will still continue to crawl underneath the fence and when they fall into these dug-outs older people who might be in a position to rescue them quite frankly are next to helpless to give them assistance for fear of involving themselves in being drowned. Now I think that something should be worked out similar to the lines we have in reference to our boats, where you have the boats supervised under the jurisdiction of the RCMP, and it is illegal to go out on a lake without having the proper life preservers in the boat. I think that some similar arrangement could be worked out that every dug-out in the province could come under the scrutiny or supervision of the RCMP and that a life preserver with a proper rope attached to it should be made available at every dug-out whether it is on a farm or in a swimming hole next to a little town. I think that by this simple, very inexpensive, very practical approach I think you would save many lives that ordinarily get drowned in dug-outs. I just say that for the Minister's consideration because this would cost no additional money and this is a practical approach and this I am quite certain would save many people from drowning in dug-outs.

MR. LYON: Madam Speaker, I would like to say a few words with respect to the point raised by the Honourable Leader of the New Democratic Party concerning the mayor being the chief magistrate under The Municipal Act of Manitoba. I think the genesis for this amendment came from our department rather from his, so it's probably appropriate that I say a word or two about it. In the course of looking at a number of the provisions relating to the establishment of courts and so on in The Municipal Act, this was one section that seemed, notwithstanding the fact that it is hallowed by some custom and practice of many generations, it was one custom that seemed to be a little out of tune with present day concepts, indeed I may say traditional concepts of the administration of justice, and one of the basic traditional concepts is that he who makes the law should not pass judgment upon it. In other words, it would be improper I would think for an Attorney-General to be sitting in a court while he -- of course while he held that position of Attorney-General -- to be sitting in a court passing judgment upon an Act of the Provincial Legislature which he may have had some responsibility for passing. I am not suggesting any sinister motivation on the part of any of the mayors or reeves of the municipalities of Manitoba, but it did seem to us that there was a conflict with respect to this rather basic principle that he who makes the law, or participates in the making of it, should not at the same time sit in judgment upon it and the corollary that goes with that, pass fines with respect to it, which may be of more than passing interest shall we say to the treasury of the municipality concerned. Now, as I say, this was a theoretical consideration, not a practical consideration arising from any examples that we have, but that was the prime motivation for suggesting that the mayor should be the mayor and that the magistrate or the Justice of the Peace should be just that and no more.

The point that he raises with respect to the swearing of oaths, I was taking a quick look at The Evidence Act but unfortunately with the number of amendments that we have had I can't determine at this moment whether or not this power does now accrue to a mayor or reeve. There have been a number of amendments made and I was under the impression, which I was trying to verify from the statute, that a mayor or reeve was the person under The Evidence Act entitled to take oaths. If he is not, I think it is a very worthwhile suggestion that he should be because I can well appreciate, not only from the words of the honourable member but from some experience in practical things of this nature, that this would be a good power for a mayor to have because he is called upon in his locality on many different occasions to perform many functions with respect to different individuals who may come to his home or office. Certainly this would be a valuable thing for him to have and if we find that it is not contained in The Evidence Act, certainly I would support him in the suggestion that that power should accrue to a mayor or reeve.

MR. HRYHORCZUK: Madam Speaker, I just want to make one comment on this bill and that is -- if it hasn't already been spoken about -- and that is that the mayors and the reeves should be advised immediately after this bill is proclaimed that they no longer have the authority to take affidavits, because if it doesn't come to their notice you may run into a lot of difficulty.

MR. PAULLEY: As it stands now that's right. You'll have to change that.

MR. GORDON E. JOHNSTON (Portage la Prairie): Madam Speaker, if no one else wishes to speak, I beg to move adjournment, seconded by the Honourable Member from Assiniboia.

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

MADAM SPEAKER: Before we continue in the House, I would like to ask the co-operation of all the members in the Legislature and the members in the press gallery, that when you are talking to one another would you please talk in a low voice. There is some difficulty in hearing in here and we hear the voices from the different seats and from the press gallery all too frequently when someone is speaking, and I solicit your co-operation.

..... Continued on next page

HON. DUFF ROBLIN (Premier) (Wolseley): Madam Speaker, I beg to move, seconded by the Honourable Minister of Public Utilities, that Madam Speaker do now leave the Chair and the House resolve itself into a Committee to consider of the Supply to be granted to Her Majesty.

Madam Speaker presented the motion and after a voice vote declared the motion carried and the House resolved itself into a Committee of Supply, with the Honourable Member for St. Matthews in the Chair.

MR. CHAIRMAN: Department X, Item 1.

MR. MOLGAT: Mr. Chairman, on the Minister's salary in this particular department there are a number of things that we have to cover because they're not covered by particular items. I wonder if the Minister could give us some information here on the Telephone System provision of TV services. The network facilities for CTV and CBC, are these rendered at profit or are they simply a service provided at cost?

MR. LYON: I couldn't give my honourable friend the immediate figures on that situation. I can undertake to get them for him shortly, though.

MR. MOLGAT: I wonder at the same time if the Minister could give us some information then on the provision of TV services for the north, and what is the position of the Manitoba Telephone System in this regard? Are we involved in the provision for -- I think there's just The Pas and Flin Flon now -- and whether this is done through our services, and also again at cost or at profit?

MR. SAUL CHERNIACK (St. John's): Mr. Chairman, I've been looking back to see just what was said about underground wiring and I find that all I can see in Hansard is a reference by the Honourable Minister to the effect that it is costly, that it appears to be desirable, and that something is being done about it -- that is, it is being provided in certain communities -- but the Honourable Minister did not indicate whether this is an on-going policy of the Power Commission and the Telephone System, but I get the impression that all it is is a provision of underground wiring where it is requested, and if that is the case I am assuming that a charge is being made for it, and I'd like to know how that charge is related to cost and how it is spread, because I believe that it is a pretty expensive part of the development of a building lot and I'm wondering whether the Utilities are providing the most favourable basis for payment of same in terms of finance cost and in terms of time over which the payment can be made. I'd also like to suggest that some consideration be given to the advisability of setting a policy of underground wiring in new areas and a policy of conversion to underground wiring in the future at a cost which could be absorbed in the rate, rather a cost which would be financed and paid for by the Utilities out of their regular rate revenue rather than being added to the cost of the land. I would suggest that this is a cost which is now paid by the original builder -- or first owner, rather -- the builder never pays anything in the long run; he passes it on to the first owner, and then it usually disappears.

Now, one other matter that I'd like to bring to the Minister's attention. I'm just wondering if as Minister of Public Utilities he has informed the Honourable the Attorney-General regarding a request which apparently has been made to employees of the Telephone System to complete a personal history form. I have a form here which is entitled "Personal History Form," entitled "Confidential," has a warning at the end of it relating to the Official Secrets Act, and asks a great deal of information, including nationality, racial origin -- which seems to me might be in contravention of the Fair Employment Practices Act which I presume the Honourable the Attorney-General should be interested in seeing enforced. It even asks the maiden name of the mother and, what is more interesting, the maiden name of the mother-in-law. Now I didn't know that the Utilities or the Telephone System was that much interested in its employees to find out the maiden name of the mother-in-law of the employee, but although that is a casual and interesting bit of information I'm much more interested in the reasons for the use and the request of this form, in the questions which are asked regarding nationality and racial origin, and one which I feel has to be justified if in fact this form is being requested from the employees. Yes, I see they're also interested in the country of birth of the parents of the employee, and I'm looking forward to hear -- oh yes -- "Have you ever been convicted of an offence?" is another question. I'm most interested in hearing the explanation of this form being requested.

MR. HILLHOUSE: Mr. Chairman, I have been reading the agreement between Canada and Manitoba respecting the Nelson River, and there are certain questions which I'd like to ask the

(Mr. Hillhouse cont'd) Minister in respect thereof. First question is, this agreement is conditional upon parliament voting the necessary funds; I would like to know if such an agreement is unusual or is it quite ordinary for two governments to enter into such negotiations in the form of an agreement providing that the agreement does not become effective until parliament votes the necessary funds? Second question I'd like to ask is this. By whom was this agreement drafted? Was it drafted by Manitoba or was it drafted by Canada? If it were drafted by Canada when was Manitoba shown the first draft? Third question is this, that if parliament does not vote the necessary funds, does the Minister hold the same opinion that I do that the agreement is not binding on either of the parties thereto, and if he does hold the same opinion as I do, how could the First Minister say on television that he presumed that the present government would honour the present agreement?

MR. WRIGHT: Mr. Chairman, I wonder if the Minister could give me some information about the electric heating of homes. This winter I had occasion to stay at Dryden. In a motel there they had electric heating. I just wonder whether or not this same service is available in Manitoba?

MR. LYON: Mr. Chairman, dealing first with the last question; electric heating of homes certainly is an improvement that is being suggested and being sold wherever possible by the marketing division of Manitoba Hydro. It's relatively a new form of heating, but of course Hydro is tremendously interested in it because it represents a clean type of home heating, and of course from their standpoint as a marketing body it represents a good form of hydro usage by the general public. I wouldn't say at this time, from what I've heard on it, that the use of electric heating is extremely widespread, but certainly it is being pushed by Hydro in those homes or in those developments or in those circumstances where it is found to be a suitable substitute for the traditional methods of heating that we adopt in Manitoba. That is about all I can tell him on the spur of the moment. I can't give him any facts or figures except to say certainly that the marketing people of Hydro are very interested in this and are doing what they can to promote electric heating of homes in Manitoba.

In respect to the question of the Honourable Member for Selkirk. He raised the question of subject to the funds being voted by parliament which is contained in paragraph 5, sub-section 1, of the agreement, and that agreement, or that statement is not an unusual one to find an agreement between the Province and the Federal Government. I don't think it detracts in any way from the statement made either by the First Minister or myself with respect to the constitutional proprieties of government and the undertakings that their predecessors may have entered into. I can't tell him who drafted the agreement because, of course, it was a joint venture between the negotiators for Manitoba, who are made up of Hydro officials of Manitoba, and the representatives of the Federal Government. The actual -- whether the first draft of it bore any relationship, or what relationship it bears now to the actual agreement that was signed I can't from memory recall, but I do know that there were negotiations carried on over a period of some time between the two levels of government to come forward with this final agreement which was agreed upon and which was signed just a few weeks ago in this building by the representatives of the Federal Government and by the Premier of Manitoba representing the Government of Manitoba.

The Honourable Member for St. John's wanted to know about the completion of a personal history form. I'm not aware of how wide a distribution that form had, but I'm led to believe that it applies largely to the senior classes of employees of Manitoba Telephone System and has its origin, so far as I'm able to ascertain at this moment, in the requirements for security. I think one can appreciate that in the fields of tele-communication as well as in the fields of hydro generation, there is some requirement for security because of the information that comes to hand to people who hold these positions of important authority with respect to this type of utility. The name of the mother-in-law and so on and so forth, I remember completing a form not too long ago for one of those books that turns out little pieces on who's who in our legislatures and so on in Manitoba and Canada, and I had to -- I think I had to tell the name of my wife's family as well, so I don't regard that as any great inconvenience. As a matter of fact I'm quite proud of who her family was, so I was rather proud to be able to tell them who her parents were and so on and so forth; but beyond that I can't give my honourable friend any more detailed information at this moment as to the depth of the distribution of this, but my

(Mr. Lyon cont'd) present information is that it was for security purposes and was of a limited distribution for persons holding relatively important positions. Now, he may stand up and tell me that one of the operators that he is familiar with and who has no responsibility for security, received this form. If that is the case, I'll double check my information.

MR. CHERNIACK: I'm not going to inform the Honourable the Minister that it's this or the other person, who received the form, but I -- although he may be proud to give the name of his, the maiden name of his mother-in-law to biographers, I would suggest that he had a choice as to whether or not to give that name, but if and when his employer would start asking him questions, the matter of choice is quickly eliminated, and I think as employers one must be -- an employer must be most careful in judiciously asking questions which count. Now that I've had an opportunity to deal again with this I would point out that not only the mother and father but sons and daughters over 16 -- mother, brothers, sisters including step and half blood relatives and deceased parents. Now I don't know -- it's very interesting that our security is being looked into and looked after, but I'd like to know just who is checking on the security from this standpoint. Is it an internal matter? Is it turned over to some outside body which may have other investigating principles? Is it something which has just casually been adopted and is being continued because it was maybe adopted during war time? But it seems to me that it is something that does deserve consideration and report, and I think that whenever an employer -- especially that of a publicly-owned utility -- starts prying into the personal life of its employees, then it behooves all of us to make sure that the civil liberties of that person are protected, and certainly I would assume that the Honourable the Attorney-General would be most interested in seeing to it and thinking in terms of the federal Civil Liberties Act that we have and the various civil liberties acts that may exist elsewhere in this province -- in this country, but which this province has not yet seen the need for -- so that I would urge that we get a pretty full report on how it is used, how many people are subjected to this, what their choice is, and whether or not they reply, and I think that it betokens a very serious review and report to this committee.

MR. HILLHOUSE: One question, Mr. Chairman. I assume that the agreement to which I referred dealing with the development of the Nelson, which is dated February 18th -- that is the exact date upon which it was executed by the two parties? That being so, would the Minister care to comment upon the propriety of Canada entering into this agreement twelve days after the election date was announced?

MR. LYON: It's an excellent agreement for Manitoba to be entered into at any time, and I'm quite happy that it was entered into, either before or after the election, because it will inure great benefit to the Province of Manitoba, and I have no comment about the propriety of it at all. I think it was quite proper for the Government of Canada at that time to enter into any agreement it wished with the Province of Manitoba.

MR. HILLHOUSE: Well, Mr. Chairman, with reference to the remarks of the Honourable the Attorney-General, I don't think anyone in this House denies that the Nelson River is the next Hydro-electric project to be developed in the Province of Manitoba and we're all in favour of it, but the point is this; was the question of voting this money for this purpose ever discussed in parliament prior to the dissolution of the last parliament?

MR. CHAIRMAN: Item 1 passed?

MR. MOLGAT: No. Mr. Chairman, on the Minister's salary. I wonder if the Minister could outline to the committee as well the purchasing methods used by the Telephone System insofar as their equipment is concerned. I appreciate that a good deal of this is specialized equipment, and that the same rules that may apply normally in our tendering possibly cannot, but what is the basis of our purchasing, say, of exchange equipment and so on. How do we go about this? How do we ensure that we get the best price, and so on?

MR. LYON: Mr. Chairman, that is an internal matter with Manitoba Telephone System, and of course, with Manitoba Hydro, both of whom, being corporations of large size, have their own purchasing bureaus, and who operate as separate entities in that regard. I don't have the detail in front of me naturally of the exact procedures that are followed with respect to any particular types of equipment. By and large, my information is that the bulk of the material is tendered where the tendering practice is suitable in order to ensure that the System receives the type of equipment it needs. On the other hand, there may well be cases of which the

(Mr. Lyon cont'd)honourable member would be aware or other members of the House might be aware, where a very specialized type of equipment is required, and where for one reason or another, it is not possible to call for a tender, and an evaluation committee will be established by the Purchasing Branch of either of the Utilities to ascertain the going price on the market, etcetra, in order to make sure that the precise piece of equipment bought is suitable for the purposes for which it is required, and that it is bought at the most economical price that is available to the Utility.

MR. MOLGAT: Mr. Chairman, I may have missed the Minister's statement in this regard, but when we were discussing historical sites -- not in this department, but some days or weeks ago now -- I think the Minister was to make a statement on the Grand Rapids situation. Did he make that in his opening statement? I missed it, if so.

MR. LYON: No, I didn't, because I haven't the responsibility for that, Mr. Chairman. I believe the Minister of Mines has some response-- as I recall it, I believe the Minister of Mines gave a statement with respect to the archeological findings at Grand Rapids, which were undertaken when that project, or shortly after that project began. --(Interjection) --

MR. CHAIRMAN: passed.

MR. MOLGAT: Mr. Chairman, will there be another opportunity too -- if there are questions on telephones, or are they to be taken up at this stage?

MR. LYON: "Capital" provides the opportunity for discussion of the projects for 1963-64 and, I would say, for any individual questions that may not have been raised. I have a little bit more detail for my honourable friend with respect to television network facilities, CBC and CTV, the two national networks -- the network facilities are provided on contract basis to the Trans-Canada Telephone System of which Manitoba Telephone System is a member. The facilities are provided on a ten-year basis and at an adequate return, and not supported in any way by normal revenue from the System's subscribers. In other words, it is a profitable contract that they entered into, that they have with the System.

The network to northern Manitoba. This comes under CBC and Department of Transport jurisdiction. The sytem did make some quotations to CBC at an earlier stage when a different type of installation was being contemplated. That network was not provided at that time when a different type of network connection was being contemplated, and this matter is entirely within the ambit of CBC and Department of Transport jurisdiction at the present time.

MR. MOLGAT: Insofar as the northern services, the Telephone System has nothing to do with it at all?

MR. LYON: That seems to be the substance of the information that has come to my hands.

MR. MOLGAT: Mr. Chairman, I'll come back to one or two further matters on the Telephone System. When we were discussing Civil Defence, the matter of more information in the phone book was brought up. Has the Minister given this some consideration? In the case of both phone books, the City of Winnipeg one and the rural one, are these printed and handled completely by the Telephone System, or are they handled through an advertising agency or on sub-contract with with anyone else?

MR. LYON: The question of Civil Defence. First of all, I well remember the suggestions that were made during the debate on Civil Defence, and I was in touch orally with the Chairman of Manitoba Telephone System shortly thereafter, and passed on those suggestions, some of which had already been made available to him. I have no information as to what extent the liaison between the Telephone System and Civil Defence authorities -- that is, a further liaison, because there's always been some -- has resulted to this moment in any changes, but certainly the two are working together to determine the liability of some of these suggestions which to my way of thinking made good sense, which were made during the Civil Defence debate.

With respect to the telephone book, I couldn't with accuracy reply at this moment, but I'll attempt to get that information for my honourable friend.

MR. GUTTORMSON: Mr. Chairman, I'm advised that when the government obtained the land at Grand Rapids, or the property at Cedar Lake for the Grand Rapids project, from the Indians, the Indians were not represented by counsel, and there's criticism in the area that the Indians were given a very poor deal in connection with this association, because they were not represented by counsel. In fact, I'm told that the Indian chief who signed the agreement was unable to understand English. Could the Minister indicate if this situation is as it was?

MR. LYON: Mr. Chairman, of course I was not present at any of these negotiations which were carried on by the Forebay Committee, which is a committee composed of representatives of Manitoba Hydro, the Department of Mines and Natural Resources, the Department of Welfare through its Community Development Branch, and so on. I'm not aware as to who or who did not have counsel during the course of these negotiations which took place, but I do know that any agreement with the Indian band who are involved, had to receive the sanction of the Government of Canada, and that whether or not counsel was provided individually by the Government of Canada to the chiefs or to the bands involved, I couldn't with any sort of precision say at this moment; but I can tell my honourable friend that that is the first that I've heard of any suggestion that it was a bad deal or anything like that at all, because the preliminary report that we have on the forebay work of that committee at the present time, would indicate that plans are well under way now for the transfer of the one Indian band, and construction has taken place to some considerable extent in the area for the accommodation of others who may be misplaced or moved out because of the rising waters occasioned by the construction of the project. I have no precise information as to whether or not they were represented by counsel, but I do know that any agreements with them had to be negotiated with the sanction and approval of the Department of Citizenship and Immigration, under which Indian Affairs come.

MR. GUTTORMSON: It was suggested, though, that the deal that was given to the Indians was far from adequate, and that, if my information is correct, that the Indian Affairs Branch, the civil servants, were told to stay completely out of the negotiations which were being made between the Indians and the Provincial Government. Now, I wasn't there, and that's why I'm consulting the Minister to find out what did happen, because I know there's a lot of dissatisfaction in the north over this agreement.

MR. LYON: The first I have ever heard of it, Mr. Chairman. The agreements were reached with the Indian bands affected and these agreements were confirmed by an Order-in-Council passed by the Government of Canada, and I'm certain that this would not be done unless those responsible for Indian Affairs at Ottawa were satisfied that the Indians in question had received a fair and reasonable deal in connection with this project.

MR. CHAIRMAN: passed.

MR. MOLGAT: Last fall, there was some rumour that the government was planning the take-over of the city-owned Hydro system. In fact at that stage, there was a rather large headline that the Mayor of Winnipeg would defend Winnipeg Hydro against take-over. He is quoted then as saying that he felt that an attempt would be made soon to acquire Hydro's plants. I wonder if the Minister could at this time tell us whether there are any plans as to take-over of the city-owned System by the Manitoba Hydro.

MR. LYON: Mr. Chairman, that situation really has not changed since we last spoke about it in the House. The present power agreement between the City of Winnipeg and Manitoba Hydro expires March 31, 1964. This agreement has been re-negotiated for a further ten-year period. The terms of the new agreement are basically the same as under the expiring agreement with respect to the Slave Falls licence situation. The Government of Manitoba has notified the City of Winnipeg over a year ago that it was not the intention of the province to take any action with respect to the ownership of Slave Falls properties such as would have effect prior to January 1, 1965 at the earliest. And so there has been no appreciable change in that situation since we last spoke of it.

MR. MOLGAT: The new contract is for another ten years effective 1964, so until 1974 they have a firm agreement with the province insofar as the use of water on Winnipeg River. Is that correct?

MR. LYON: That is the information that I have at the present time -- yes.

MR. CHAIRMAN: passed.

MR. MOLGAT: Mr. Chairman, I've got some questions on the matter of reciprocity and trucking, and the License Appeal Board. Would the Minister want those under Minister's Salary, or under Motor Vehicle Branch?

MR. LYON: I think we can deal with them under the items.

MR. MOLGAT: Are they most properly Motor Vehicle, both cases?

MR. LYON: Yes.

MR. MOLGAT: Fine.

MR. CHAIRMAN: Item 1 passed; 2 passed?

MR. SMERCHANSKI: reference to No. 2, I'd like to find out from the Honourable Minister what is being done in reference to the full disclosure under our present Securities Act, and is any action contemplated in changing it? I feel that changes are necessary to safeguard the public and this is much more important in view of the fact what happened with the Paton-Cox matter, and more recently under similar conditions in reference to a mining company that operates in the province. And I think that it is high time we had some action in reference to this in order to give and place our Securities Act into its proper perspective. I also feel that we are permitting a certain amount of deterioration at the expense of industry in the province. The industrialization of the province will create a great deal of new companies, and this calls for action to make certain that the full disclosure Securities Act is adhered to.

It might interest the members of this committee to know that as matters now stand, and if you are bringing a new industry into the province, it is far more encouraging and far more expedient to organize your company in Manitoba, register it in Ontario, put it through the full disclosure process in Ontario, bring it back into the Province of Manitoba, and then you have really a first-class operation. Now, I think that this is something that our present government should undertake. It should look into this matter, and it should make it so that this type of same service is made available to industry in the Province of Manitoba, because I think it's most unfair to register in Manitoba under the present Securities Act, and I think that there are two incidents -- one was Paton and Cox -- a very unpleasant, very detrimental publicity performance in eastern Canada against investment in Manitoba, and, I may say also, in the eastern markets of the United States; and I would appreciate if the Minister could inform us, is there any action contemplated in reference to this matter?

MR. LYON: Mr. Chairman, I thank the honourable member for raising the question of the Securities Act, because of course this is a matter that doesn't lie dormant from one year to the next without any consideration or thought being given to it. As a matter of fact, at this Session there will be some further amendments brought forward to The Securities Act and I'm at liberty to tell the honourable member, Mr. Chairman, that a continuing review by the Public Utilities Board and the Registrar of Securities is under way with respect to this Act, comparing it with other jurisdictions, and further to that, the Registrar in Manitoba of course maintains a close liaison with his counterparts in the other provinces. They have regular meetings and some of the amendments, as a matter of fact, that are being brought in this year result from discussions of the Registrars and will attempt to look after, insofar as legislation can, certain new types of trading that are coming onto the market and with which, not a serious amount, but some amount of trouble has been experienced thus far; and so I hasten to assure my honourable friend that we are not just letting the Act continue to operate in its own fashion. We do try to make those changes from time to time which indications in the trading world indicate are necessary primarily for the protection of the public, and any suggestions that he wishes to make from time to time will certainly be happily accepted in this quarter.

MR. CHERNIACK: On the matter of The Securities Act, and indeed the whole report of the Public Utilities Board is one which -- the report is one which I found refreshing, Mr. Chairman. It's precise; it's concise; it gives specific information; it doesn't exaggerate or make its work appear to be of the greatest importance and yet it does give a proper picture of the work it does, and I would be remiss if I didn't mention that I feel that the Chairman of this Board is a man who commands confidence amongst all who meet him and recognize the work that he does and the experience and knowledge that he has; so that I think that we are to be proud of the Board and I particularly found the report one which could be dealt with well.

Dealing specifically with the Securities Act, I read Section 13 of the Act rather quickly. It is the section which deals with the investigating powers of the Commission to investigate the activities of a company. I'm wondering -- I didn't read far enough to come to any conclusion -- I am wondering whether this enables the Public Utilities Board to go into an investigation or private companies other than those registered under the Securities Act. Reading it casually it seems to me it affects any company, and if it does, it brings me back to a question that I directed to the Honourable the Provincial Secretary when I was informed by him that he was not inclined to encourage the use of that section of the Companies Act which enabled him to make this kind of investigation, yet it seems to me that if the Securities Act and Section 13 do make

(Mr. Cherniack cont'd) it possible, then I would like to know what sort of investigations have been made, and I would suggest that probably few, if any. One of the reasons is that I am under the impression that people generally are not aware of the function and scope of the Board in dealing with companies, and I would like to suggest that there should be a great deal more publicity to the work and the power of the Board than there is now. I feel that people ought to be made aware of the fact that the Board is there to protect them just as the Honourable Minister indicated is the purpose of the Board. I'd also like to point to the recommendation of the Board relating to short term promisory notes. The Honourable Minister indicated that amendments were forthcoming; I would hope that -- he nods his head, and I assume therefore that this recommendation will be dealt with.

Dealing generally with this item, Mr. Chairman, I note the income from the Public Utility Board is almost as much as the estimates of it. It came to some \$82,000, so that we can say that the Board is pretty well self-supporting, and I am not aware of any complaints as to the charges which are being made. I think this should be recognized, that in making this contribution to the citizens it is not really costing the citizens very much, and I would, therefore, encourage an extension of the work it is doing so as to provide even greater service without looking at the revenue which it brings.

I wonder if the Minister will be able to comment somewhat on the pre-arranged funeral section of the report wherein the Board indicates that they have certain difficulty in maintaining satisfactory relations between some of the licensed funeral directors and their selling agents, and I'd like to hear more about just what is being done in connection with this difficulty. I assume it means that the funeral directors -- the licensed funeral directors -- might be quite responsible whereas their selling agents may not be. This may be an unfair conclusion but I would suggest the possibility that some of the selling agents are pressure salesmen who make use of facilities which are properly set up but sell them in an indiscriminate manner. I would like to hear a report on that aspect of the work of the Board.

Dealing also with real estate agents, Mr. Chairman, I think that page 24, which reviews examinations which have been written, from reading the Act it seems to me that the nature of the examinations and the persons who are to be examined are all within the discretion of the Board. I'd like to know how the Board determines who should write examinations and what the type of examination should be. I note that most of the agents -- some 70 agents and 168 salesmen wrote examinations; one agent and four salesmen failed to pass which I find astonishing in the light of the fact that I am in a position where I often see the agreements that have been drawn by agents, and in that respect I would like to pay tribute to the Real Estate Board. I think the Winnipeg Real Estate Board is doing a real good job in attempting to train its members in terms of the law involved and the responsibility they assume, and I think that the bonding provisions in the Act are good, but I deplore the fact that there are some agents -- and I think they are a minority of real estate agents -- but nevertheless they are there and create difficulties for the responsible ones who are the majority; I'm afraid that a minority of them don't take the slightest interest in the responsibility which they have either to the purchaser or to the vendor of real property, and only too often does their work come into the hands of a lawyer when it's too late to help the parties who might be affected by it, and therefore I think it's an excellent thing that the Real Estate Board and I think in conjunction with the adult education of the University, have been conducting courses for real estate agents -- they're voluntary of course -- and have been trying to do an educational job. It'd like to see that more is done in the interests of the people who are served by the agents and who have come to accept the fact that if an agent tells them something they should believe it, which isn't always quite the way to handle it. Therefore, the nature of examinations and the manner in which they're being handled is something that I would like to hear a report on.

MR. LYON: I appreciate the honourable member's comments about the Utility Board, in particular its Chairman, and certainly join with him in his words of congratulation, not to the government but rather to the province that we have a man of his calibre administering the affairs in that realm of jurisdiction. I might say as well, insofar as the investigative responsibilities of that Board under the Securities Act are concerned, that we have had, I think for now approximately a year, a special investigator attached to that Department who is being taken on--

(Mr. Lyon cont'd) a special position is being created for him because naturally of the ever-increasing amount of work and responsibilities that are accruing to the Board. He mentioned one of them, namely The Pre-Arranged Funeral Act which certainly in its initial stages has taken some considerable amount of time by the staff to make sure that it gets into operation in a proper way. The question of the examinations that are given to real estate agents; apparently no exceptions have been made under that Act up to the present time -- that is, concerning the passing record; the pass mark is being raised rather than lowered, and this was pursuant to amendments that I think were passed two, or was it three years ago, wherein provision was made for the passage of examinations by real estate agents and so on, and I can tell my honourable friend that I believe that the Winnipeg Real Estate Board, at that early stage -- this was before I had responsibility for this department -- these suggestions were certainly concurred in, if indeed they did not emanate from the Board itself, with respect to increasing and enhancing the reputation of those who are engaged in this occupation.

Now he raised the question of the Pre-Arranged Funerals Act and I can again tell the honourable member that there will be certain amendments to that legislation brought forward at this session, relatively shortly, which will deal with those areas, or some of those areas at least, with which the Board has had some difficulty up to the present date, and it will deal, of course, with the question of control over agents, which is perhaps not as clear as it might be in the present Act, because as the honourable member has surmised, like any other occupation -- and I don't single this one out -- either the real estate or the pre-arranged funeral salesmen -- out at all. Anyone who understands and who has looked at human nature in any way at all will understand that you get a few rotten apples in every barrel, whether they be lawyers, doctors, Indian chiefs or real estate or pre-arranged funeral salesmen, and that occupation has its share along with the rest of the professions or occupations, and the amendments are directed to giving the Board more control in areas where they have felt that their control was not perhaps what they might have wished it to be.

I can make no further comment at this time to any of the other questions that he has asked with respect to the Board and the examinations. If any further information comes to hand I would be glad to give it to him.

MR. CHAIRMAN: Item

MR. PAULLEY: Mr. Chairman, I would like to ask the Minister if he could tell us what progress is being made in respect of the supplying of natural gas to the various communities in the Province of Manitoba. For a number of years now, the Utility Board has -- and I might say incidentally, Mr. Chairman, I agree with my colleague from St. John's in the tribute to the Chairman of the Board -- but for a number of years now they have recorded in their annual report that franchises have been entered into with many of our towns and municipalities regarding the supplying of gas. If I recall correctly, some of these franchises were for some considerable period of time, and I would like to hear from the Minister as to -- if it's possible for him now; if not to proceed with the information later -- how many of these towns that have already entered into agreements to give to various gas companies franchises for the supply of gas, if he could tell us how many of these agreements have been consummated in gas been provided in these respective towns and villages in the Province of Manitoba. I'm not going to raise an argument that we in this group have raised in the past, that had this utility been a publicly-owned utility we're sure that more communities would be having the benefits of natural gas. I'm not raising that this year -- I'm sure the Minister will be happy to hear that -- because we're still investigating many aspects of this, and of course we have the agreement at the present time with the Greater Winnipeg Gas Company.

In addition to the question I just posed, insofar as the towns are concerned, I noted in the report of the Utility Board that the Town of Selkirk has an application in for the authorization of a franchise agreement with the Greater Winnipeg Gas Company for which there was no final order forthcoming from the board. I wonder if the Minister could indicate when this might be forthcoming, and also, Mr. Chairman, on Page 6, I believe it is -- or 4; the hearings for the purpose of evaluating the base, the rate base of the Greater Winnipeg Gas Company commenced on May 3, 1962. The report states that hearings will be re-opened when certain requested materials was processed. I wonder if the Minister can indicate to us whether this material has now been processed and what is the situation insofar as the evaluation of the rate base of Greater

(Mr. Paulley cont'd) Winnipeg Gas Company as of this date?

MR. LYON: Mr. Chairman, the general answer to the first portion of the Honourable the Leader of the New Democratic Party's question is that by far the vast majority of the citizens living in the urbanized areas of Manitoba are served by gas. I suppose it would be helpful perhaps if we ran down them, even though some of them are not new agreements. The Greater Winnipeg Gas Company, of course, serves Metropolitan Winnipeg. Plains-Western Gas and Electric Company Limited services the City of Brandon and part of the Rural Municipality of Cornwallis; the Town of Carberry and part of the R.M. of North Cypress; the Town of Altona; the Towns of Winkler, Morden and Plum Coulee. Inter-City Gas services Camp Shilo, the defence base area; Hamiota; Grunthal; Miniota; the Towns of Minnedosa and Neepawa; the City of Portage la Prairie, and part of the R.M. of Portage la Prairie including the Southport Base; the Town of Rivers and the Canadian Joint Air Training Center at Rivers; the Village of Ste. Anne as part of the R.M. of Ste. Anne; the Village of St. Pierre; the Town of Steinbach and part of the R.M. of Hanover; and, as he mentions, the question of the Town of Selkirk was dealt with by the Board and while they didn't make a finding with respect to that, they did make a statement or give direction to the applicant with respect thereto. I believe we have already had notice in the House that there is a private bill with respect to the Greater Winnipeg Gas Company coming before the Legislature, which I understand will deal -- in part will deal certainly with the power of the Board to conclude its hearings with respect to the application to supply gas to the Town of Selkirk, supply as I understand, certain legislative changes, if they're agreed to by the House, which will make it possible for this matter to be continued.

Now I have some information here on the rate base hearings. I know that these hearings have been going on since May of last year, and there were submissions, three different submissions made to the board and I think at the present time the board is awaiting yet another submission from the company effective -- I don't seem to be able to put my hand on it at the present time, except to make the general statement, which I know to be true, that the hearings are continuing and that the board is continuing its assessment of the material presented to it as requested by the board from time to time. I, unfortunately at this time cannot give any indication of the date upon which the hearings will conclude, but my information is that the hearings are continuing subject to receiving the material that they request from time to time from the applicant company.

MR. LEONARD A. BARKMAN (Carillon): Mr. Chairman, I'm very interested in this Water Utilities Board, and on page 7 of the annual report, it is noted that nine orders were issued on the question of operating deficits for sewer and water utilities. Now, some towns have complained that rates are excessive. What is the policy of the government in this regard? Is there a basic rate established so that some uniformity can be maintained, or does it solely depend on the municipality involved?

MR. LYON: I can tell the honourable member in response to that question that the board and the staff since 1962 have been in contact with a large number of municipalities concerning their water utilities. This runs into some 30 or 40 municipalities and I don't suppose the honourable member wishes me to read them all into the record, but I can tell him that rates were authorized in 19 cases, operating deficits were approved in 9 cases; and, as well, Metropolitan Winnipeg rates are subject to the Board's jurisdiction and they have hearings from time to time -- or they have discussions, I should say, from time to time with Metropolitan Winnipeg concerning this matter. I can't say that there's any basic rate that is established by the government, because of course that isn't the case. This is a matter for the municipality to come before the Board, present the facts in support of this situation, and then ask the Board for consideration of these facts on the basis of the municipality concerned and on the basis of the assets of that municipality to approve the rate with respect to the cost of the water supply and so on. So really this is a matter largely for hearing by the Board; it renders an opportunity for interested citizens to register objections, as some of them certainly have from time to time, with respect to rates; provides a very proper forum for the discussion and the final solution of these problems by municipalities.

MR. PAULLEY: Mr. Chairman, would the Taxicab Board come under Public Utilities Board or under the Motor Vehicle Branch?

MR. LYON: It comes -- probably under Motor Vehicle would be as good a place to discuss

(Mr. Lyon cont'd) it as any.

MR. CHAIRMAN: Item 3, passed.

MR. CHERNIACK: I think that this Item 3 is one which should be dealt with. I don't recall hearing any part of the Honourable Minister's report as reviewing the work of the Censor Board. I think the name of the section alone compels a proper report being made to the public, because censorship of anything is something that has to be handled in a very careful manner, and when the government does any censoring -- I'm not saying this is a critical thing; I'm not saying it shouldn't -- but when censoring is being done then it should be done openly and reported on fully. I'm not suggesting either that this won't be reported on, but I am suggesting that the Minister ought to give us a report. We ought to hear what is the revenue of this department. We ought to hear the scope of the work of the department. We ought to hear -- and maybe there is a report before us but I haven't found it. We ought to hear what has been censored and the extent of the censorship; the appeals, if any, from the censorship, and the decisions made during the year, and I would therefore invite the Honourable Minister to give us that report as well as the question of who are the censors.

MR. LYON: I was about to say, Mr. Chairman, that the only reason my honourable friend hasn't heard the debate on all of these matters before is because my honourable friend hasn't been here before, but I can assure him that this is a perennial question and he's not only entitled to ask it, he's entitled to a full answer, and I'll try to give him as full an answer as I can with respect to the Censor Boards.

First of all, its revenues for the past -- for the fiscal year just concluded, were \$28,200.00. The Censor Board, of course, is established and it derives its legislative jurisdiction from the Amusements Act, from that portion of the Amusements Act which deals with censorship of moving pictures in Manitoba. I don't have the Act in front of me at the present time, but I commend it to the honourable member and I'm sure he'll find it fascinating reading when he finds out the powers and duties and responsibilities of the Censor Board of Manitoba. Chairman of that board is Mr. Merlin Newton, the Civil Service Commissioner. There are three members of the board, Mrs. Bilton, Mrs. McMullen and Mr. Scott, H. B. -- Hank Scott. To tell my honourable friend what the board did during the past calendar year, the board viewed 53 British films, 15 French films, 33 German films, and 43 Italian films in 35 mm. Of the 324 full length features screened, 179 were general; 125 were adult; and 22 were restricted. Twelve features require elimination. There were two films rejected under the very interesting titles of "Adam and Eve" and "The Victim."

The rejection of the film "The Victim" went to an appeal board after the distributors appealed the board's decision, as they are entitled to do pursuant to the legislation, and this film which dealt with homosexuality was passed by the appeal board as a restricted film, so the censor board itself was overruled by the appeal board and the appeal board passed the film as a restricted one. The board approved 157 theatre advertisements, cut four and restricted two. Now that generally accounts for the work of the board during the past year and, as I say, I commend to the honourable gentlemen that section of The Amusements Act which deals with its powers and responsibilities.

MR. SHOEMAKER: Mr. Chairman, on 3, Censor Board of Manitoba, (a) Salaries \$17,150.00. That represents the salaries paid to the Board members that were just named by my honourable friend? If not, I wonder if he would tell us the salaries paid to each of the persons just named.

MR. LYON: Yes, Mr. Chairman, the salaries paid at the present time -- first of all there's an inspector projectionist, whose salary is included in this item, who receives \$4,740.00. The three censors receive differing amounts -- they're in a range -- \$4,020 to Mrs. McMullen, \$4,290 to Mrs. Bilton, and \$3,825 to Mr. Scott. In addition there is an item in the estimates for a casual Clerk Typist receiving some \$275.00 a year.

MR. STEVE PATRICK (Assiniboia): Mr. Chairman, I would like to ask the Honourable Minister if the members are full-time employees of the Board?

MR. LYON: The three members -- the two ladies and Mr. Scott are full time employees. Mr. Newton, the Chairman, actually gives supervisory direction to the Board in addition to his other duties with the Civil Service Commission.

MR. CHAIRMAN: Item 3 -- passed. Item 4 --

MR. MOLGAT: Mr. Chairman, under Item 4, I wonder if the Minister could tell us

(Mr. Molgat, cont'd)something about the Licence Appeal Board at this time. There was a period of time last fall when the Licence Appeal Board was not functioning and this caused I believe considerable amount of difficulty for a number of people who were trying to get appeals before the Board but simply could not have them heard. The explanation that I understood at that time was that there were too many politicians on the Licence Appeal Board, that they were all out busy running during the provincial campaign and therefore could not be listening to appeals. This seems to me to be a highly undesirable system of having personnel on the Appeal Board because if the appeals are going to be of value at all, Mr. Chairman, and I submit that this is an important piece of legislation, then obviously the commissioners or the people on the Board must be there to take care of the appeals when they come. Other than that there's just no point in having the Board at all. I wonder if the Minister could tell us who the members were at that period of time last fall when the Board was not functioning and who the members of the Board are now.

MR. LYON: Members of the Board last fall were Mr. Burnell Leveille, Mrs. Wawryko, Mr. James Milne of Winnipeg and Mr. R. B. Russell of Winnipeg. Mr. Russell has been incapacitated for some time as my honourable friend may be aware. Members of the board at the present time -- and of course there were five members at one time -- one of the members of the board was appointed to the Court of Queen's Bench, Mr. Justice Israel Nitikman was the first chairman of that Board and was appointed to the Court of Queen's Bench. They were the original members. At the present time the Chairman is Mr. John McLean, the member of the board is Mr. Van Belleghem, former member of this Legislature, and Mr. Milne. Those are the three members and Mr. Russell is the fourth member, but as I have mentioned he has been incapacitated recently.

MR. PAULLEY: Was Mr. McLean a former MP at Ottawa? Is that the

MR. LYON: Former Member of Parliament for Winnipeg north centre -- a very good Member of Parliament.

MR. MOLGAT: Is the Appeal Board functioning now then on a full-time basis? Have we reasonable assurance that the situation that occurred last fall will not occur again?

MR. LYON: The Appeal Board, Mr. Chairman, has never functioned on a full-time basis. It is of course a part-time board and those who give their services to the board do so on a part-time basis on, may I say, a scale of remuneration which is not too handsome. This board of course, up until this government came to office, didn't function at all because we created it in order to deal with those hardships which occur from time to time. The two members of the Board who left the Board did so pursuant to statute. I'm sure my honourable friend the Leader of the Opposition wouldn't wish any members of the Licence Suspension Appeal Board to operate contrary to statute. They resigned from the Board because of their interest and their participation in the provincial general election of last fall, and of course when they did it called to mind the situation that arose, I think it was in 1957 or '58 when my honourable friends opposite had responsibility for affairs in Manitoba, when a member of the Licensing Board of the Liquor Commission was nominated as a Liberal candidate and I think, fortunately for him, was elected and subsequently had to resign. So these things do happen from time to time as I am sure my honourable friend is aware.

MR. SHOEMAKER: Mr. Chairman, did my honourable friend give us the salaries of this Board when he mentioned that or could he do that?

MR. LYON: I believe -- I'm just going by memory now -- I think it's \$25.00 per session for the Chairman and \$15.00 for the members, Mr. Chairman.

MR. SHOEMAKER: Mr. Chairman, regarding the increase in the licence fees for automobile dealers, I have been informed that there are roughly 1,500 dealers in the province that might be affected by this increase from \$20.50 to \$50.50, so assuming that that is correct or nearly correct, it would produce an additional revenue for the province of \$45,000 or thereabouts. Now I would like to ask my honourable friend what additional services that they intend to provide with the increased revenue or what disposition is made of the increased revenue.

MR. LYON: I couldn't presume to tell my honourable friend the disposition of any portion of revenue from any department of government because it goes into the Consolidated Fund of Manitoba and is used for general governmental purposes, but the genesis of this increase in the fees for the motor dealers, although the discussions on it took place prior to my having

(Mr. Lyon cont'd) responsibility for the department, I do remember them -- they had to do with, at the same time, a concurrent arrangement with respect to dealers' plates. I think, as I mentioned the other day, the exact fee on dealers' plates as it was formerly escapes me at the present time but it had to do with the provision of one set of dealers' plates along with the increased fee that was charged and this, as I have suggested, was to the best of my knowledge and recollection a recommendation of the Motor Dealers of Manitoba with which the government went along. I can tell my honourable friend that there will be amendments of course coming forward to The Highway Traffic Act. I think this subject will be dealt with in one of the amendments and there will be opportunity to discuss it then. But the power is given, or it's intended to be given subject to the approval of the Legislature, for the registrar to have some discretionary power to exercise with respect to the issuance of these licences, mainly with the idea in mind of keeping out of the trade those very few -- and you can count them I think on one hand -- persons who have a history of bad dealing in the Province of Manitoba, and to enable the registrar to have some discretionary power as to who actually should be licensed, having regard to this type of background.

MR. PAULLEY: Mr. Chairman, from time to time I note that the Manitoba Motor League advocate, among other things, that we should have compulsory motor vehicle check-ups. I find myself somewhat in sympathy with them, not because of the fact that I happen to be a member myself, but I do think that it is a step that should be given the consideration of the government. I remember a number of years back there was provision here and there for services where the individual could take their car and have them checked up on a voluntary basis and I believe, if memory serves me correctly, that at that particular time this inspection unit -- or inspection units moved fairly widely over the province. Now I know of the representations, or at least I understand representations have been made to the government by the Manitoba Motor League in connection with this, and I would like to hear from the Minister any comments which he may have respecting this item.

MR. LYON: Mr. Chairman, representations were made within the last few months by the Manitoba Motor League with respect to compulsory testing of vehicles in Manitoba. They were good enough to give us at that time a review of some of the tests that they had made on a pilot program basis, indicating the results of this pilot program and indicating to them, as they said, that they thought these tests would augur well for safe driving in Manitoba. I don't think that I or any other Minister of the Crown, either in this administration or the previous administration, has ever argued with the principle that if you could do all of the things that you wish to do in the field of highway safety, certainly this question of compulsory testing of motor vehicles would be included in any such program. But it is again a question of priority and the honourable member will be aware I am sure that the cost of instituting such a program would be high indeed, and it has been felt of recent years -- and when I say recent years I include perhaps the last decade -- that where further emphasis was being given to highway safety in Manitoba it should be given to driver education, which accounts for by and large the vast majority -- driver error accounts for by and large the vast majority of all accidents that do occur in the province. Now certainly there are some that occur through mechanical failure but the vast proportion of them do occur through driver error, hence the emphasis has been on that program and hence, as we find in this year's estimates, we have yet another item for driver improvement through high school driver training which we think is a very valuable asset to the over-all program being conducted by the Motor Vehicle Branch. So while that matter is certainly under consideration and receives, may I say, very close and sympathetic consideration at all times it is essentially a question of priorities, whether one wishes to advance into this rather large field, keeping in mind that in Canada I believe only the City of Vancouver has undertaken a compulsory motor vehicle checking system. No other province, to the best of my knowledge or information, in Canada has undertaken such a program. So I'm not saying it's dead but I do say that it requires much more consideration and thought before it would be embarked upon a province-wide basis.

MR. CHAIRMAN: I call it 5:30 and leave the Chair until 8:00 o'clock.