

ELECTORAL DIVISION	NAME	ADDRESS
ARTHUR	J. D. Watt	Reston, Manitoba
ASSINIBOIA	Steve Patrick	189 Harris Blvd., Winnipeg 12
BIRTLE-RUSSELL	Hon. Robert G. Smellie, Q. C.	Legislative Bldg., Winnipeg 1
BRANDON	R. O. Lissaman	832 Eleventh St., Brandon, Man.
BROKENHEAD	E. R. Schreyer	2 - 1177 Henderson Hwy., Winnipeg 16
BURROWS	Mark G. Smerchanski	102 Handsart Blvd., Winnipeg 29
CARILLON	Leonard A. Barkman	Steinbach, Man.
CHURCHILL	Gordon W. Beard	Thompson, Man.
CYPRESS	Hon. Thelma Forbes	Rathwell, Man.
DAUPHIN	Hon. Stewart E. McLean, Q. C.	Legislative Bldg., Winnipeg 1
DUFFERIN	William Homer Hamilton	Sperling, Man.
ELMWOOD	S. Peters	225 Kimberly St., Winnipeg 15
EMERSON	John P. Tanchak	Ridgeville, Man.
ETHELBERT-PLAINS	M. N. Hryhorczuk, Q. C.	Ethelbert, Man.
FISHER	Emil Moeller	Teulon, Man.
FLIN FLON	Hon. Charles H. Witney	Legislative Bldg., Winnipeg 1
FORT GARRY	Hon. Sterling R. Lyon, Q. C.	Legislative Bldg., Winnipeg 1
FORT ROUGE	Hon. Gurney Evans	Legislative Bldg., Winnipeg 1
GIMLI	Hon. George Johnson	Legislative Bldg., Winnipeg 1
GLADSTONE	Nelson Shoemaker	Neepawa, Man.
HAMIOTA	B. P. Strickland	Hamiota, Man.
INKSTER	Morris A. Gray	406 - 365 Hargrave St., Winnipeg 2
KILDONAN	James T. Mills	142 Larchdale Crescent, Winnipeg 15
LAC DU BONNET	Oscar F. Bjornson	Lac du Bonnet, Man.
LAKESIDE	D. L. Campbell	326 Kelvin Blvd., Winnipeg 29
LA VERENDRYE	Albert Vielfaure	La Broquerie, Man.
LOGAN	Lemuel Harris	1109 Alexander Ave., Winnipeg 3
MINNEDOSA	Hon. Walter Weir	Legislative Bldg., Winnipeg 1
MORRIS	Harry P. Shewman	Morris, Man.
OSBORNE	Hon. Obie Baizley	Legislative Bldg., Winnipeg 1
PEMBINA	Mrs. Carolyne Morrison	Manitou, Man.
PORTAGE LA PRAIRIE	Gordon E. Johnston	7 Massey Drive, Portage la Prairie
RADISSON	Russell Paulley	435 Yale Ave. W., Transcona 25, Man.
RHINELAND	J. M. Froese	Winkler, Man.
RIVER HEIGHTS	Hon. Maitland B. Steinkopf, Q. C.	Legislative Bldg., Winnipeg 1
ROBLIN	Keith Alexander	Roblin, Man.
ROCK LAKE	Hon. Abram W. Harrison	Legislative Bldg., Winnipeg 1
ROCKWOOD-IBERVILLE	Hon. George Hutton	Legislative Bldg., Winnipeg 1
RUPERTSLAND	J. E. Jeannotte	Meadow Portage, Man.
ST. BONIFACE	Laurent Desjardins	138 Dollard Blvd., St. Boniface 6, Man.
ST. GEORGE	Elman Guttormson	Lundar, Man.
ST. JAMES	D. M. Stanes	381 Guildford St., St. James, Winnipeg 12
ST. JOHN'S	Saul Cherniack, Q. C.	333 St. John's Ave., Winnipeg 4
ST. MATTHEWS	W. G. Martin	924 Palmerston Ave., Winnipeg 10
ST. VITAL	Fred Groves	3 Kingston Row, St. Vital, Winnipeg 8
STE. ROSE	Gildas Molgat	Room 250, Legislative Bldg., Winnipeg 1
SELKIRK	T. P. Hillhouse, Q. C.	Dominion Bank Bldg., Selkirk, Man.
SEVEN OAKS	Arthur E. Wright	168 Burrin Ave., Winnipeg 17
SOURIS-LANSDOWNE	M. E. McKellar	Nesbitt, Man.
SPRINGFIELD	Fred T. Klym	Beausejour, Man.
SWAN RIVER	James H. Bilton	Swan River, Man.
THE PAS	Hon. J. B. Carroll	Legislative Bldg., Winnipeg 1
TURTLE MOUNTAIN	P. J. McDonald	Killarney, Man.
VIRDEN	Donald Morris McGregor	Kenton, Man.
WELLINGTON	Richard Seaborn	594 Arlington St., Winnipeg 10
WINNIPEG CENTRE	James Cowan, Q. C.	412 Paris Bldg., Winnipeg 2
WOLSELEY	Hon. Duff Roblin	Legislative Bldg., Winnipeg 1

THE LEGISLATIVE ASSEMBLY OF MANITOBA
2:30 o'clock, Monday, February 24th, 1964.

Opening Prayer by Madam Speaker.

MADAM SPEAKER: Presenting Petitions.

MR. J. COWAN, Q.C. (Winnipeg Centre): Madam Speaker, I beg to present the petition of Arnold E. Erhart and others praying for the passing of an Act to incorporate The Canadian Nazarine College.

MR. J. E. JEANNOTTE (Rupertsland): I beg to present the petition of Roland Couture and others praying for the passing of an Act to incorporate The Catholic Foundation of Manitoba or La Fondation Catholique du Manitoba.

MR. CLERK: The petition of Traders Mortgage Company praying for the passing of an Act to authorize the petitioners to carry on business in the Province of Manitoba.

MADAM SPEAKER: Presenting Reports by Standing and Special Committees

Notices of Motion

Introduction of Bills

HON. STEWART E. McLEAN (Attorney-General) (Dauphin) introduced Bill No. 45, an Act to amend the Trustee Act.

MR. J. T. MILLS (Kildonan) introduced Bill No. 49, an Act to incorporate the Red River Exhibition Association.

MADAM SPEAKER: Before the Orders of the Day, I would like to attract your attention to the galleries where there are 30 Grade 8 students of Nordale School under the direction of their teacher, Mr. Loepky. This school is situated in the constituency of the Honourable the Member for St. Boniface. There are also some 80 Grade 8 students from Cecil Rhodes School under the direction of their teachers, Mr. Kozak, Mr. Karpiak and Miss Delbridge. This school is situated in the constituency of the Honourable the Member for Assiniboia. We welcome you here this afternoon. We hope that all that you see and hear in this Legislative Assembly will be of help to you in your studies. May it be an inspiration to you and may it create more interest in provincial affairs. Come back and visit us again.

MADAM SPEAKER: Orders of the Day.

HON. DUFF RUBLIN (Premier) (Wolseley): Madam Speaker, before the Orders of the Day, may I lay on the table of the House the report of the Metropolitan Corporation of Greater Winnipeg Review Commission together with their recommendations. Copies of this report are now available for all members of the House, the Press and the public at large, and will shortly be distributed.

MR. FRED GROVES (St. Vital): Madam Speaker, before the Orders of the Day, I would like to bring to your attention a slight correction. I don't like the Honourable Member from St. Boniface to get credit for anything that isn't his. I'd like to inform you that Nordale School is in the constituency of St. Vital.

MR. ROBLIN: Madam Speaker, I would like to make a few suggestions regarding the Order of business on the Order Paper. I think perhaps it would meet the wishes of the House if you called in the first place the Motion to go into the Committee of Ways and Means and the adjournment that stands in the name of the Honourable the Leader of the Opposition. If that motion is ultimately adjourned, as I expect it probably will be, we could then proceed with the Resolution of the Honourable the Minister of Public Utilities on Highway Safety; following that the Resolution standing in the name of the Attorney-General respecting the Standing Committee on Privileges and Elections; and having disposed of those two matters, then return to the beginning of the Order Paper and go through it in the regular way. I trust that's agreeable to the Honourable the Leader of the Opposition in respect of his debate.

MR. J. M. FROESE (Rhineland): Madam Speaker, before the Orders of the Day, I would like to direct a question to the Honourable Minister of Mines and Natural Resources. Could the Honourable Minister inform us whether gravel is a mineral under the Manitoba Regulation 1262, being a regulation made under Section 2 Part 19 of The Mines Act declaring certain substances to be minerals.

HON. STERLING R. LYON, Q.C. (Minister of Mines & Natural Resources) (Fort Garry): Madam Speaker, perhaps I could take this as notice. I would point out, however, that this is a

(Mr. Lyon, cont'd) question involving a legal opinion. My honourable friend might be better to seek legal advice than questioning a Minister on Orders of the Day.

MR. G. MOLGAT (Leader of the Opposition) (Ste. Rose): Before the Orders of the Day, I would like to address a question to the Attorney-General. I was asking him the other day about some statements he made with regard to the RCMP and whether he intends to have a Provincial Police Force. I followed this by asking him whether he was making this in reply to a request from Ottawa. He informed me that he had had no communications with Ottawa. I am referring to a news report in the Manitoba Co-operator on the 6th February. The heading is: "Want RCMP as Rural Force. Justice Minister Lionel Chevrier has indicated that he has been in touch with representatives of the three prairie provinces in connection with proposals that the RCMP take on more local police work and assume the duties of municipal and rural police in Western Canada." I wonder if the Minister could indicate what reply he has made to the Minister or what is happening in this regard because the other day he seemed to have no knowledge of it.

MR. McLEAN: Madam Speaker, I'll be glad to have a look and see what correspondence may be on the file.

MR. E. R. SCHREYER (Brokenhead): Madam Speaker, before the Orders of the Day, I would like to direct a question to the Minister of Education or the First Minister. Would either one be kind enough to tell me if they have made any definitive kind of arrangements relating to that request for a hearing for the students which I mentioned last week.

MR. ROBLIN: I would be glad to answer that, Madam Speaker. I do not think this is the kind of a matter which I am prepared to discuss before the House, but I will certainly be glad to meet any delegation who wants to see me. All they have to do is phone my office. I have been in touch with these people incidentally and, like anyone else who phones my office to get in touch with me, I'll be only too happy to see them.

MR. RUSSELL PAULLEY (Leader of the New Democratic Party) (Radisson): Madam Speaker, before the Orders of the Day, I would like to address a question to the Honourable the First Minister. He was kind enough to table for our information the Cumming Report this afternoon. My question is, has he or the government had an opportunity of surveying the recommendations contained in the report and can we anticipate action on the report at this present Session of the Legislature?

MR. ROBLIN: Madam Speaker, I think that my honourable friend will have to give us a little more time than we have had so far to study this report. We have only just now been able to distribute copies. When we have had a chance to look it over we will be able to decide what action we should take, but I think it is only fair to say that we will certainly be very interested in examining any matters which have to bear upon the situation with respect to the Metropolitan Corporation and their forthcoming general election. If there are any matters in that connection, we will certainly want to deal with them, if we decide that they are appropriate, as expeditiously as possible. We don't want anything to be hanging fire that should be dealt with before their general election.

MR. PAULLEY: Madam Speaker, a subsequent question -- I haven't had, like my honourable friend, an opportunity of considering the whole report. However, I did note on Page 18 that the recommendation is that there be no change in the provisions of the Act providing for the composition and election of Metropolitan Council. In view of this recommendation, and apparently there will be no changes in the matter that the Honourable the First Minister just mentioned, then we might not, this being the case, have any changes before us at this session. Would that be a correct statement?

MR. ROBLIN: Madam Speaker, I don't think my honourable friend would really expect me to speculate on a matter of that kind.

MR. PAULLEY: There was a time, Madam Speaker, when my honourable friend was pretty prompt at accepting recommendations when they suited him.

MR. ROBLIN: I simply have to point out that questions regarding government policy are not in order, and that as soon as government policy has been framed, the House and the public will know what that proposal will be.

MR. DOUGLAS L. CAMPBELL (Lakeside): Madam Speaker, surely if -- couldn't I ask the Honourable the First Minister this question, that if the Honourable the Leader of the NDP

(Mr. Campbell, cont'd) has been able to understand the report in just having it laid on his desk five minutes ago, can't he have made all these arrangements regarding it having had it since last Friday?

MR. ROBLIN: That's a very good question. There is only one difference, and that is that I have to be responsible for what I do.

MR. PAULLEY: Madam Speaker, my honourable friend doesn't think that I'm irresponsible?

MR. ROBLIN: No, but I think some honourable members opposite are.

MR. FORESE: Madam Speaker, I don't know just whom to direct the question I have at this time. It's pertaining to another regulation, being a regulation under Section 5 of The Coarse Grains Marketing Control Act to exclude certain grains and persons from the provisions of the Act, and under Section 5 of that regulation it says: "This regulation expires and ceases to be in effect on the 31st day of July, 1962". Does that mean that this regulation has expired, because we have a motion before us which has concurrence on this?

MR. ROBLIN: I think I'm not quite sure what my honourable friend is talking about, but I'm pretty sure that his question is really out of order being the kind of question it is. If he'd be glad to make it a written question we will see whether it is one that we can properly answer. It seems to me that it is beyond the scope of our authority to answer it however.

MADAM SPEAKER: The proposed motion of the Honourable the First Minister. The Honourable the Leader of the Opposition.

MR. MOLGAT: Madam Speaker, I thank the First Minister for his suggestion, but I would appreciate the courtesy of the House to allow this to stand.

MR. ROBLIN: Very well, Madam Speaker, I have no objection to that, but I would pursue the order that I suggested that we should now deal with the Resolution on Highway Safety.

MADAM SPEAKER: The Honourable the Minister of Public Utilities.

HON. MAITLAND B. STEINKOPF (Minister of Public Utilities) (River Heights): Madam Speaker, I beg to move, seconded by the Honourable the Minister of Municipal Affairs, that the House consider the following resolution standing in my name.

MADAM SPEAKER: Whereas the Government of Manitoba is conducting a continuing campaign to promote highway safety in the province; And whereas the Government of Manitoba is continuing to expand the driver qualification testing to all parts of the province; And whereas the ratio of fatal accidents in Manitoba on a mileage basis is the lowest in Canada; And whereas driver education and training for students has been advocated to promote safe driving; And whereas compulsory mechanical testing of vehicles has been advocated as an additional safety measure; And whereas it is in the public interest to take all reasonable steps which will reduce the highway accident toll; Therefore be it resolved: That a Special Committee of the House, consisting of nine members, be appointed to examine, investigate, inquire into, study and report on all matters relating to highway safety and highway traffic administration, and control, and without restricting the generality of the foregoing, to report particularly upon; 1. Driver education and training for students and the method of providing funds therefor; 2. Compulsory mechanical inspection of licensed motor vehicles and the method of defraying the cost thereof; 3. Review of the existing driver demerit point system; 4. Review of the existing penalties provided in The Highway Traffic Act for driving infractions; 5. Reflectorized licence plates; 6. Compulsory installation of seat belts; 7. The use of new techniques and equipment related to the apprehension and conviction of dangerous drivers and drivers under the influence of drugs or alcohol; 8. The establishment of a Provincial Highway Safety Council and an Accident Investigation Committee to conduct research and make recommendations on highway safety; 9. Pedestrian crosswalks. And to make such recommendations as are deemed advisable with respect thereto.

MR. STEINKOPF: Madam Speaker, we are faced with a comparatively young social problem here, no older certainly than the motor vehicle itself, and it might be said that man did rather well as the master of one horse but now that he has within easy reach over two hundred, the issue is somewhat undecided. Today the automobile has become part of our way of life and also the means of ending our life.

The fact is that highway traffic accidents in our time have become a real and serious health problem. In other areas of public health, thanks to medical science, our life expectancy

(Mr. Steinkopf, cont'd) has been greatly increased compared to the days when the automobile first appeared on the scene. During the same time the drivers of automobiles have been able and have been doing their best to cut down our life expectancy with constantly increasing success. A few figures might help to bring this problem into better focus. In the past 35 years, the incidence of death from various communicable diseases has been reduced by nearly 90 percent; deaths from tuberculosis have been reduced by 84 per cent; and deaths from pneumonia has been reduced by about 60 percent. During the same time the incidence of deaths from traffic accidents has increased by over 100 percent.

In 1962, Manitoba had one of the lowest fatality rates of any province. Unfortunately I can give no assurance to the House that this position has been maintained during 1963. Preliminary reports for 1963 show a substantial increase in all types of traffic accidents. Total reportable traffic accidents last year rose by 6 percent. The number of persons injured has increased by 18 percent, while the number of lives lost on our highways has gone up by 12 percent. Damage to property has reached an all time high of nearly \$6 million. These figures make it quite evident that we have not yet come to full grips with this elusive problem. There is, unfortunately, no single sovereign remedy that would with one stroke eliminate it for all time. As more and more drivers and vehicles take each year to our roads, we face a growing challenge: the need to develop policies and programs that will eventually substantially reduce, if not eliminate, this scourge from our highways.

In recent years much research has been done to discover the causes of accidents and the means of their prevention. Much of the information and knowledge thus gained and now available has not yet been utilized to the full extent. The motor vehicle has conferred tremendous benefits on our society but has also been the cause of some extremely complex economic and social problems. It is one of the things that modern men find difficult to live without and, all too often, difficult to live with. We must endeavour to resolve this dilemma by seeking out remedies which will ensure the enjoyment of the automobile and which at the same time will minimize the risk of injury and death on our highways.

To this end the government proposes to appoint a select committee of the House with the broadest terms of reference. The Committee will be charged to examine our existing safety program, investigate and inquire into all aspects of highway safety and to make such recommendations as the Committee deems advisable.

The work played in the past and presently being played by our schoolboy patrols and mother patrols all throughout the province have certainly left a very favourable record, and one would wonder what the toll would have been without them. They have been very well organized and efficient. It is a situation that exists primarily around the secondary schools and possibly could be extended to the junior high and the high schools. Just last Thursday afternoon in my constituency a young fifteen year old lady -- young girl running from school to catch a bus was knocked over by a light delivery panel truck and was in the hospital in critical condition. Some of you may have seen the picture in the Winnipeg Tribune of Friday, the 21st. It is a situation that no matter how much we do on it we are not seeming to get too close to a final result, and I hope that the House sees fit to go along with this Resolution.

MADAM SPEAKER: The Honourable Member for St. John's.

MR. SAUL CHERNIACK, Q.C. (St. John's): Madam Speaker, I just want to make a brief comment to the effect that in the first place I find it somewhat interesting to find in the preamble the statement as to the ratio of fatal accidents being the lowest in Canada on a mileage basis. I don't quite see how this preamble has the sequitur that, as a result, one goes ahead and studies the situation. I also wonder about the usage of the term "on a mileage basis", which seems to indicate that on other comparative bases it might not be the lowest in Canada, possibly per capita or per vehicle or some other system. It seems to me that this is a somewhat weighted preamble.

Having said that, I still endorse completely the proposal in the Resolution to the effect that a study shall be made to look for improvements in the various laws that we have dealing with proper protection in cases of traffic accidents, and I note particularly that the Honourable Minister referred to the fact that it was felt that the special committee should have the broadest terms of reference. One suggestion that I would like to make is that there is some procedure now, or some law rather, that a used car dealer in selling a vehicle has to give some

(Mr. Cherniack, cont'd) form of certificate as to the adequacy or the safety factor involved in the mechanical condition of the vehicle. It seems to me that the provision, as it is now, does not really cover the possibility that somebody purchase a vehicle knowing that there is some mechanical defect and doesn't get around to remedying the defect but still gets a licence to drive the vehicle.

Therefore, I would like to propose a further broadening of the terms of reference by moving an amendment, seconded by the Honourable Member from Logan, that the motion be amended by inserting after Number 2, and the word "thereof", the following as Number 3: "Review of the adequacy of existing provisions for certification by used car dealers as to the mechanical condition of vehicles sold by them." And then renumbering all of the remaining portions.

Madam Speaker presented the motion.

MR. T.P. HILLHOUSE, Q.C. (Selkirk): Madam Speaker, I rise to support the principle embodied in this Resolution and I would add this, that I believe that the matter of highway safety is a matter of such paramount importance to the people of the Province of Manitoba that instead of having a special committee set up as a one-shot affair as this Resolution would indicate, I would suggest that we set up a special select committee, a standing committee of this House on highway safety, to which all matters relating to our motor vehicle laws and to our highway safety could be annually referred. This is a matter which is of such great importance and a matter respecting which the importance will become much greater as time goes on, that I think that it merits a special committee of this House to annually deal with all matters affecting highway safety, affecting automobile insurance, affecting mechanical defects in vehicles and the method of checking them, and the method of ascertaining that there's no vehicles on our highways that do not pass safety tests. I would urge the government to take into consideration the advisability of rather than setting up this committee as a one-shot affair, that we amend our rules by including a highway safety committee among the standing committees of this House.

MR. B. P. STRICKLAND (Hamiota): I beg to move, seconded by the Member for Souris-Lansdowne, 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 Mines and Natural Resources. The Honourable Member from Rhineland.

HON. GURNEY EVANS (Minister of Industry & Commerce) (Fort Rouge): I wonder, Madam Speaker, if I might ask you to call the next order of business, as the proposed resolution standing in the name of the Honourable the Attorney-General follows next on the Order Paper.

MADAM SPEAKER: The proposed resolution standing in the name of the Honourable the Attorney-General.

MR. McLEAN: Madam Speaker, I move, seconded by the Honourable the Minister of Education, Be it resolved that the Standing Committee on Privileges and Elections be instructed to study and review the provisions of The Elections Act with a view to making such recommendations respecting amendments thereto or improvements in the law relating to elections of members of this House as may seem to the committee to be appropriate.

Madam Speaker presented the motion.

MR. McLEAN: Madam Speaker, I think when I read the resolution the word "on" o-n where it appears in the printed text, I read it as "or". I think that is an error of mine in submitting the resolution to the Clerk.

Madam Speaker, this resolution is simply a vehicle to carry out an arrangement I believe that was agreed to last year when there was some discussion about The Elections Act. The Committee on Privileges and Elections was asked to review and it was agreed that this same matter would be referred to the committee this year, and this resolution will enable the committee to resume its work in that connection and, as I say, is to carry out the intention of what was agreed to at that time.

I may say to the members of the House, Madam Speaker, that if the resolution receives the approval of the members, it would be the intention to convene the first meeting of the committee for Thursday of this week.

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

MR. EVANS: Madam Speaker, if you would now return to the Orders of the Day and the Committee of the Whole House and proceed through the Order Paper from there.

MADAM SPEAKER: Would the honourable member move the Committee of the Whole House.

HON. ROBERT G. SMELLIE, Q.C. (Minister of Municipal Affairs) (Birtle-Russell): Madam Speaker, I move, seconded by the Honourable the Provincial Secretary, that Madam Speaker do now leave the Chair and the House resolve itself into a committee to consider and report on the following bills on the Order Paper.

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 House with the Honourable Member for St. Matthews in the Chair.

Bills No. 3, 6, 7 and 8 were read section by section and passed.

MR. CHAIRMAN: Bill No. 9 --

MR. SMELLIE: Mr. Chairman, there is an amendment to Section 17 of this bill which I told the members of committee would be distributed to the members of the House as soon as possible. The pages are distributing that amendment now.

MR. PAULLEY: I don't think this has been completely distributed yet. I wonder if we could just delay it until it's in the hands of all our members.

MR. SMELLIE: Madam Speaker, we might proceed with one of the other bills and leave this one until the last, if the honourable members

MR. EVANS: Madam Speaker, it won't take a moment to distribute the bill. This item has been called and it would seem to me that we must arrive at some conclusion as to an item of business that is before us, and unless the item is adjourned, my suggestion is that we complete the distribution, go through it by sections until we come to the items in question and then read out the amendment and copies will have been distributed by that time.

Bill No. 9 -- Sections 1 to 4 were read and passed.

MR. CHERNIACK: Mr. Chairman, I've been busily trying to deal with Section 5 by having the amendment ready but it is not ready so I'll just address myself to the committee on this matter and possibly be able to have an amendment ready for the next time this is dealt with.

MR. EVANS: Mr. Chairman, may I inform my honourable friend that this is the third reading. It will be passed and completed as reading.

MR. CHERNIACK: Mr. Chairman, it is not very long. It will take me just a few moments.

MR. EVANS: My honourable friend has perfect liberty to adjourn the debate on this matter if -- (interjection) -- Not at this stage of the bill.

MR. PAULLEY: House Leader, an adjournment can't be made unless with unanimous consent.

MR. EVANS: Well the bill can be allowed to stand in committee. We would not wish to rush a thing through if my honourable friend has not had time to consider the matter.

MR. PAULLEY: Well that's actually what we were asking, and this was the suggestion if I recall, Mr. Chairman, of the Minister of Municipal Affairs, just to hold this bill for the time being, go on with another one and then come back to it. I think this could have been done in order to facilitate what my colleague from St. John's has in mind. I don't see anything wrong with doing that. I did rise when the amendments were being distributed because we hadn't seen them -- those of us who are not in the committee hadn't seen them -- and, as I say, my colleague was going to propose another amendment as well that he hadn't got written out. Now I don't know whether the House Leader would agree now to the suggestion of the Minister of Municipal Affairs or whether he would be prepared to have me talk for half an hour until my colleague is ready, whichever way he likes. As long as we achieve our aim, I don't care which way it is.

MR. MOLGAT: Mr. Chairman, I would think that the committee would be quite prepared to have just plain silence.

MR. EVANS: I'm afraid I misunderstood the suggestion that was made in the first place. I thought it meant that perhaps we would allow this and return to it today. It seems to me doubtful that we should do that. I think it might be in order to allow this bill to remain in committee and proceed with the rest of the bills and then it will come up on the Order Paper again on the

(Mr. Evans, cont'd)next occasion, will it not?

MR. M.N. HRYHORCZUK, Q.C. (Ethelbert Plains): Mr. Chairman, I see no reason why we couldn't by-pass this particular bill and go on with the others and, in the meantime, they can get ready.

MR. EVANS: And come back to this at the end of the day.

MR. CHAIRMAN: Stand.

MR. PAULLEY: My colleague is ready now Mr. Chairman, if you want to start with the bill now:

MR. CHAIRMAN: Are you ready to speak on it? The member for St. John's?

MR. CHERNIACK: Yes, Mr. Chairman.

MR. CHAIRMAN: Section 5.

MR. CHERNIACK: Yes, Mr. Chairman, I appreciate all that went on before and I only hope that I, and whoever else is concerned, will be able to read what I wrote, but it's written out now.

Mr. Chairman, when we discussed this bill on second reading I pointed out, and I will not repeat what I said then, in relation to the fact that it is time that we recognized that an elector has as much at stake in money by-laws as does a ratepayer. I suggested then that the government was dragging its feet in recognizing this and in not making the proper amendment to take it out of the exclusive hands of the ratepayers and rather leaving it to the people who elect the council. I even went further and suggested that it shouldn't be necessary to have a money by-law at all. But in order to hope that I will be able to sell a little progress to the government I am willing to stand back and not go all the way to suggest that money by-laws be completely eliminated, but rather hope that I will get the government's support to the suggestion that by-laws be passed by electors rather than ratepayers.

Now when I suggested this on the last occasion, the Honourable the Minister spoke on this matter and did not for a moment quarrel with anything I had to say about it, but rather said that he felt that this would be reviewed when The Municipal Act is reviewed in its entirety and at that time all the suggestions that I had to make would be considered. He then stated that what was intended here was to just bring this up to be uniform with that of the City of Winnipeg Charter, which provided for a simple majority rather than 60 percent. Well this might be good logical thinking, although if one recognizes that a change ought to be made, that it ought to be made and it shouldn't wait for a year or two or however long it takes to revise an entire act.

But I want to point out to the Honourable Minister and to his government that there has been a newspaper report, and more than one, to the effect that the City of Winnipeg is proposing to bring requested charter amendments to this session of the Legislature to eliminate the need to go to ratepayers, and substitute for that, to go to the electors. Now assuming that Winnipeg does it -- and for all I know it's already in the process of being printed -- and assuming that the Minister and the government are going to accept the City of Winnipeg's request, then this uniformity which appears to be so attractive to the Honourable the Minister will be one which may never come into effect, because we might proceed today to pass this section with the amendment providing for a simple majority of ratepayers and by the time it is passed and assented to, we may already have side-by-side with it an amendment to the Winnipeg Charter changing ratepayers to electors. It may well be then that this happy occasion for uniformity will be happy, but passingly, in that it will be un-uniform -- if that's a good word -- just as quickly as it is passed.

So I would like to suggest to the Honourable the Minister that he should now proceed to accept our proposal that the words "ratepayers" be changed to "electors" and then, when and if the City Charter Amendment comes along, we will then be able to proceed and deal with it in the expectation that we can make it uniform to The Municipal Act. It might even be a bit of pride for the Honourable Minister to know that his Municipal Act may have set the course for the City Charter in this respect, which I suggest is a progressive one.

Therefore, I have scribbled out an amendment which I hope is in the proper form, and that is to the effect that the present 5 be changed to 5 (c); that we add a subsection (a), 5 (a) reading that subsection 1 of Section 532 of the Act as enacted by Chapter 49 of the Statutes of Manitoba 1962 is amended by striking out the word "ratepayers" in the seventh line thereof

(Mr. Cherniack cont'd) and substituting therefore the word "electors"; and 5 (b) that subsection 1 (a) of Section 532 of the Act as enacted by Chapter 49 of the Statutes of Manitoba 1962 is amended by striking out the word "ratepayers" in the third line thereof and substituting the word "electors"; and by re-numbering the present section as subsection (c) -- Seconded by the Honourable Member for Logan.

MR. CHAIRMAN: The question before the committee is the amendment to Section 5 by the Honourable Member for St. John's. (a) that subsection (1) of Section 532 of the Act as enacted by Chapter 49 of the Statutes of Manitoba 1962 is amended by striking out the word "ratepayers" in the seventh line thereof and substituting therefore the word "electors"; (b) that subsection 1 (a) of Section 532 of the Act as enacted by Chapter 49 of the Statutes of Manitoba 1962 is amended by striking out the word "ratepayers" in the third line thereof and substituting the word "electors"; and by re-numbering the section. Those in favour of the amendment

MR. SMELLIE: Mr. Chairman, I think perhaps I must say a word on this occasion. The proposal introduced by the Honourable Member for St. John's is very interesting and, as he suggests, a progressive measure. However, there are many people who feel that there is a great difference between a ratepayer and an elector. There are many who feel that these two cannot be equated as he suggests, and that in the provision which we are discussing here at the moment, this is a section which allows for the taking of a sampling of opinion of the people who own property in a municipality before that property is saddled with debt. This is not something that is going to be over and done with in a matter of months or days after the taking of the opinion. In most cases, the debt will follow this property for years. In effect, it would be allowing a person who is not the owner of property to place a mortgage upon property owned by someone else. I admit that the proposal has some attractions to many people, particularly in the larger urban centres. This Municipal Act, however, applies in general to all of the municipalities of Manitoba and even to some of the larger urban centers, although not the City of Winnipeg or the City of St. Boniface. Therefore, at this time I am not prepared to go along with the amendment suggested by the Honourable Member for St. John's.

MR. HILLHOUSE: Mr. Chairman, in rising to support the motion of the Honourable Member for St. John's, I would like to point out to this committee that in matters relating to capital expenditure under The Public Schools Act, which represents at least about 56 per cent of municipal expenditure today, money by-laws are voted on, not by ratepayers but by resident electors, and that the only place where a ratepayer votes on a school money by-law is in the City of Winnipeg. In the whole of the Province of Manitoba, school by-laws, that is capital by-laws of school districts, are voted on by resident electors. I therefore feel, Mr. Chairman, that this amendment should be adopted by this committee. I think it is a step in the right direction. I think it is a step towards giving to the people of Manitoba more responsible municipal government.

MR. PAULLEY: Could I just make a brief comment? The Honourable Member for Selkirk pointed out what I was going to point out, the situation presently in effect in Manitoba respecting school debentures and school by-laws. I was interested to hear my honourable friend the Minister of Municipal Affairs talk about the fact that this would be applicable in general, mainly to those in the urban area. I think I would be correct in pointing out to him, however, that I think it is a fact that outside of the urban area at the present time there is a comparatively small number of renters of property in the rural areas and, in the main, they are having the privilege of the vote in any case, so the extension wouldn't be too great and I'm sure that the proposition before the committee is a fair one. My honourable friend the Minister of Municipal Affairs in his remarks mentioned the question of debt follows property over the years. This is true of any type of debt at the municipal and school level and it is being done at the present time. It will make even electors more responsible in government in the Province of Manitoba and I think this is a desirable objective of this Legislature.

MR. MORRIS A. GRAY (Inkster): Mr. Chairman, I think it's always understood that every individual and every elector in the city, irrespective of whether he owns a house, or he owns a block or he owns fifty blocks, he makes his full contribution to the welfare of the municipality. He contributes to the medical expense; he contributes to education; he contributes to every section of the machinery required by municipalities. At the present time if you give

(Mr. Gray cont'd) the ratepayers all the rights to express an opinion about something -- first of all most of the ratepayers are not always considered and quite a number are out of the city and they wouldn't come to Winnipeg to exercise their franchise.

Secondly, there are owners of apartment houses that consist of hundreds of suites, so there is only one vote, and those who make a direct contribution are not getting any liberty and are not getting any say in the life of the city. When it comes to the question of money, until now it is claimed that the only person who has an interest in the life of the municipality is the one who pays the taxes. Where does he get his taxes? All he does is pay an agency 7 percent and they collect the taxes from the hundreds and hundreds of people who have not got their own homes. They are who actually pay the taxes, not who collects the taxes. He actually has no say at all. I think it is a retrogressive proposal; it's old and it should have been changed long ago. We must give each and every one equal consideration -- equal privileges to each and everyone who contributes to the welfare of the municipality, and not only to the one who happens to have the money to buy the block and rents to the others. The others who pay the rent and support a family, raises a family, toils the land, he has nothing to say unless he has his own home and pays the taxes direct.

I think it is long overdue -- long overdue -- and I respectfully suggest to the Minister that as a young man and with his future still ahead of him, I would respectfully suggest that he forget about the old-fashioned ideas of the elderly people and step in with the younger progressive elements the world over.

MR. J. D. WATT (La Verendrye): Madam Speaker, I was interested in the remarks of my honourable friend from Selkirk on the situation as it exists now in rural Manitoba in relation to who can vote and who can not on money by-laws in school districts. It is true that the right to vote on money by-laws in rural Manitoba has been extended to resident electors rather than ratepayers. Now I quite realize that in some instances there has been probably, as has been suggested by the NDPs, that there have been dragging of the feet of the ratepayers, to some extent probably to the detriment of progress within the school district. But I wish to point out to the members of the House that in the experience that I have had in schools and municipal affairs that I have found this, that within a school district where the resident elector has the right to vote and the ratepayer who does not reside within that school district is barred from voting, we have found where transient labor moving through from school district to school district and resident within that school district for six months has the right to vote and has exercised that right, with absolutely no interest whatsoever in the progress of that school district but simply influenced by those resident electors within who were interested in the given project.

It is my opinion, Mr. Chairman, that at this time to extend this privilege to resident electors within the municipality would not be in the interests of progress within our municipalities. At the present time we have many municipalities who now have borrowed almost to the limit of the borrowing power which is granted to them by the municipal board. The amendment proposed could put these municipalities in the position where they would have to answer to the ratepayers; where they would have to levy taxes on the ratepayers that probably would become unbearable. For this reason, I will have to vote against this amendment. Thank you.

Mr. Chairman presented the motion and after a voice vote declared the motion lost.

MR. PAULLEY: A standing vote please, Mr. Chairman.

A standing counted vote was taken with the following results: Yeas, 18; Nays 31.

MR. CHAIRMAN: I declare the amendment lost.

Bill No. 9 -- Sections 5 to 17, subsection 2 were read section by section and passed.

MR. CHAIRMAN: Subsection 3, as amended --

MR. COWAN: Mr. Chairman, in this subsection it provides that the moneys shall not be invested that the municipality is holding until the year-end statement comes in. In committee it was decided that an amendment would be drawn up to allow them to invest the moneys in short-term securities. -- (interjection) -- Pardon?

MR. SMELLIE: The words "part of such reserves" were added.

The balance of Bill No. 9 was read section by section and passed.

Bill No. 10 -- Sections 1 to 27 were read section by section and passed.

MR. FROESE: Mr. Chairman, I move that Section 28 be deleted.

Mr. Chairman presented the motion and after a voice vote declared the motion lost.

The balance of Bill No. 10 and Bills No. 15 and 19 were read section by section and passed.

MR. CHAIRMAN: Committee rise and report. Call in the Speaker.

Madam Speaker, the Committee of the Whole has considered the following bills and directed me to report as follows: Bills No. 3, 6, 7, 8, 9, 10, 15 and 19 without amendments, and ask leave to sit again.

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

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

Bills No. 3, 6, 7, 8, 9, 10, 15 and 19 were each read a third time and passed.

MADAM SPEAKER: The adjourned debate on the Proposed Motion of the Honourable the Minister of Labour. The Honourable the Member for Assiniboia.

MR. STEVE PATRICK (Assiniboia): Madam Speaker, I would like to make a few comments on this motion. The intent of this bill appears to weaken the labour and management relations, because the study of labour and management and the recommendations of the Blake report that were recommended have not been implemented in this bill. So it appears that when the government sets up committees to study certain sections, as for instance in this case the construction industry, it was for the purpose of window-dressing only and nothing else because none of the recommendations were implemented in this Act.

Now I would like to reiterate some of the statements that were made by my colleague the Honourable Member for Portage in connection with this bill and would like to say at this time that I know that the Honourable Leader of the New Democratic Party very seldom agrees with our group, but I was very glad in this instance that he did take the same stand as the Honourable Member for Portage did and repeated his statements and his objections.

Under Section 2 of this bill, under Item (i), the recommendations of the Committee on Labour and Management was that a thirty mile radius as its definition of Greater Winnipeg be implemented, and this is completely left out in this bill. Under Section (i) major construction is recommended as \$50,000 limit. This section was left out also. We go further down under Section 3 (b) which states "persons employed in fabricating a structure or a part thereof elsewhere than on the site on which the completed structure is intended to be situated." The prefabrication is not defined clearly as it should -- is not defined as closed shops -- because I think as my member has mentioned there could be prefabrication taking place right along side of a construction taking place and I think it should be defined. To go further down in Section 4, the committee recommended one public representative and the bill here has three. It seems to me I'd say, weaken the labour and management side since you are going to have three public representatives as compared to two of labour or management. To go further down in the bill under Section 5 where it mentions quorum and

MR. EVANS: If my honourable friend would permit me a comment on a point of order, Madam Speaker, and I don't wish to interrupt him or to interrupt his argument, but at second reading it is intended that the principle of the bill shall be debated and, generally speaking, the House has confined itself not to mentioning individual sections of the bill nor of referring to the details of the bill. I wonder if my honourable friend could address his remarks in those terms rather than referring to the bill section by section at this stage, because he will have his full opportunity later on to deal in committee with the bill section by section.

MR. HRYHORCZUK: Madam Speaker, I think that the Honourable the House Leader is correct, generally speaking, but the sections that the honourable member has been referring to are these sections that deal with the principle of the bill, and I can't see where there is anything wrong in referring to these particular sections since they embody the principles of the bill right in those sections. There is nothing wrong in referring to the sections as long as he is speaking on the principle of the bill.

MR. PATRICK: Madam Speaker, if I can continue, under Section 16 it states that "the Minister for the purpose may in writing except an employer from paying wages at rates required by the act or the regulation to the employee who, because of mental or physical disability, is unable." I think the Minister should not have this authority. I think the power should be given

(Mr. Patrick cont'd) to the Fair Wage Board who administer The Fair Wage Act.

I would like to make our position clear. We are prepared to let this bill go into committee with reservations. We are going to make amendments to this bill in committee and if our amendments are not accepted we will have to vote against the bill on third reading. I feel we should allow this bill to go into committee where we can hear representations from labour and management both. I feel also that we should probably invite the Blake report Committee who made a study of this industry so we can question them and they can express their views. In this way I think we will have a little more knowledge of the bill and what's before us. So under these conditions I am prepared to let the bill go into committee with our recommendations, that we will be prepared to make amendments and if our amendments are not accepted we will have to vote against the bill on third reading.

MR. JAMES F. MILLS (Kildonan): Madam Speaker, I beg to move, seconded by the Honourable Member from Souris-Lansdowne, 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 Municipal Affairs. The Honourable the Leader of the Opposition.

MR. MOLGAT: Madam Speaker, I had adjourned this bill so as to permit me to compare its reading with the Canada Bill itself, Bill No. C76. I find that I've no objection in principle to what is being done, fact I'm deeply in approval with the measures that Canada is undertaking in this regard. I regard this measure by the Federal Government as an extremely important one in the development of municipal projects in Canada. The Federal Government after all are the ones who have the authority and the power in the creation of money, and they are in a position to influence very directly the course of national development by providing funds as they are doing here for municipal work. So on that score I certainly am in full agreement. I did have reservations though, Madam Speaker, as I expressed before, and I still wonder at the course of action that the Government of Manitoba has taken in this regard. It seems to me that we would have been better in Manitoba to do as has been done I think in the majority of other provinces, and that is to simply allow the Federal Government through its agencies to deal directly with the municipalities. After all, we have to realize that all of the money being put up here, every single cent of it, is Federal Government money -- \$20,214,000 made available to the municipalities of Manitoba by the Federal Government. The provisions for the 25 percent forgiveness clause on certain projects is again one hundred percent Federal Government money. The Province of Manitoba does not put up any money whatever in this particular project.

I do feel, however, that by following the procedure that the Manitoba Government has chosen and setting up another control here in the Province of Manitoba, that the government here inevitably is going to add to the cost of the operation, because if you refer to the federal bill, Section No. 6, and I presume I can refer to this as it is not our own bill I'm discussing by section, Section No. 6 of the Federal bill says "In carrying out its functions under this Act the Board may, with the approval of the Minister, enter into agreement with Central Mortgage and Housing Corporation for the use of the personnel, facilities and services of that corporation, and that the corporation may in accordance with any such agreement, make such personnel, facilities and services available to the Board." So the mechanics were there, Madam Speaker, for the handling of this. I presume that the other provinces who are not setting up a provincial authority to do this are going to use these federal bodies that are presently in existence; that presently have their inspectors; that have their staff and are all equipped to proceed to to this at Federal Government expense and not at the expense of the Province of Manitoba. I submit therefore, Madam Speaker, that we would have been better off to allow this same situation to be followed in the Province of Manitoba; that we would have saved the taxpayers of Manitoba the money and that we would have had, I think, just as efficient a handling as we will have now.

I am a little concerned about one of the items in here which gives all of the power it seems, under this bill to the Minister himself, not the Minister and the Executive Council but the Minister himself. He may exercise such powers and responsibilities as are necessary to carry out the terms of the agreement. I submit that this is much too narrow, in fact I think maybe in a case like this, Madam Speaker, where after all the money does come completely from another source, that possibly we should have a multi-partisan board take care of this one with representatives from the various parties involved and not just my honourable friends across the way using someone else's money for their own purposes.

(Mr. Molgat cont'd) ...

However, I am not going to object to the bill at this stage. The important thing is to get the municipalities at work; to get their projects in operation and to make sure that we get the maximum benefits now that Canada has provided the money. I still say that I would have preferred the Government of Manitoba to have proceeded in the way other provinces have. I think they would have saved money and done a better job for the province.

..... continued on next page

MR. SMELLIE: If no other member wishes to speak, Madam Speaker, I'll close the debate.

Speaking to this matter the other day the Honourable Leader of the NDP suggested that perhaps the First Minister and I should get together and tell the same story to this House, and I think perhaps, that I should explain to the House the sequence of events that have led up to this point so that the honourable leader can understand what's going on here.

When the legislation was first proposed by the Federal Government it ran into a great crossfire from the provinces because of the way in which it was presented. The bill was withdrawn and reintroduced in a much amended form, which is now the bill, or the Act with which we are dealing. After that was done the Province of Manitoba entered into some negotiation with the Federal Government to see how best we could implement this bill in Manitoba. In order that we should co-operate with the Federal Government as fully as possible, it was necessary to tell the municipalities what was going on and to have them commence making preparations to use this facility if they wished to do so. Therefore, we sent a letter out to the municipalities suggesting to them that they should contact us as soon as they conveniently could with any proposals that they might wish to bring forward for consideration under The Municipal Development and Loan Fund Act. At that time we had made no arrangements with Ottawa. We did not know what their regulations were going to be, or what requirements they would have in form for an application, therefore, we were only able to discuss things with the municipalities in very general terms.

When the First Minister mentioned in the Throne Speech that there had been proposals introduced by municipalities, some 50-odd, for a total of nearly \$26 million, this was correct. These proposals had been made in the form of letters or personal enquiries to the Director of Special Services and his staff. But these were not formal applications. We eventually completed the arrangements with Ottawa so we would know what they were talking about, about the end of 1963, and entered into our agreement with them and found out from them exactly what information they were going to require in an application form. As soon as this was done application forms were prepared for the Province of Manitoba and were forwarded to all those municipalities who had indicated any interest in the program at all -- If I remember correctly the application forms were mailed to the municipalities on the last day of December, 1963. Since that time we have received -- I don't know how many it is today, but when I was speaking to the House the other day we had received 14 formal applications from the municipalities, and 13 of those formal applications had been approved in principle and returned to the municipalities with the instructions that they would have to proceed to put this through the usual procedure because in every case this involves borrowing, and in most cases this will also involve the submission of a money by-law to the ratepayers.

I think perhaps when you realize what has gone on in this field, my honourable friend will recognize now that the First Minister and I were talking about the same thing but at different states.

The Honourable Leader of the Opposition indicates that this is the Federal Government's money -- all of it. And he is exactly right. It is the Federal Government's money. He also indicates that the 25 percent forgiveness that's offered here is forgiveness of money owed to the Federal Government -- and I don't deny this for one minute. But I would suggest to the Honourable Leader of the Opposition that the Federal Government really aren't doing the municipalities any particular favour by this legislation. The end result of the Municipal Development and Loan Fund and its operation is going to be increased debt for the municipalities of Canada, because, I would ask the honourable members to consider what the implication of the thing is: The Federal Government indicated to us when this legislation was introduced that this was a crash program to reduce unemployment, immediately, in the next two years. And this is quite true, but they're asking the municipalities to be their partners in reducing this unemployment. The fund is available only for those projects which the municipalities would not ordinarily, have undertaken; and the municipalities had to take a declaration that they would not have proceeded with this project, or any projects that they proposed to bring under this scheme, without this loan fund; or else that this is a project which they would not have considered before the 31st of March, 1966, without this assistance; and that they will not cancel any other projects because they're going ahead with this particular one.

(Mr. Smellie, cont'd)... The loan under this scheme is available; for two-thirds of the approved cost of the project -- provided that that part of the project is completed before the 31st of March, 1966, the Federal Government will allow forgiveness of 25 percent of the amount of work completed up to that date. This is the carrot, of course, to persuade the municipalities to go into the scheme in the first place, and without this I think we all must recognize that the municipalities would not find this particularly attractive because it is going to increase the net debt of the municipalities. We would have no complaints with this scheme at all if it were offered to municipalities for any purpose for which the municipalities would ordinarily use capital funds. And this, of course, is what the Federal Government has been asked to do on many occasions: to provide a fund from which municipalities could borrow money.

I think we must also recognize that although the Federal Government will lend to the municipalities two-thirds of the approved cost, that in every case the municipality will have to borrow the other one-third from their ordinary sources of capital. The municipalities to the extent that they are making applications under this loan fund are co-operating with the Federal Government. They're doing their share, and more, to reduce the unemployment that there may be in Manitoba. I think that the municipalities are entitled to every bit as much credit as the Federal Government is for any action that is taken under this fund to reduce unemployment in Manitoba.

My honourable friend suggests that Manitoba should not get into this scheme at all; that we should leave the municipalities to deal directly with Ottawa. But then he suggests that rather than give the minister any authority we should set up an elaborate board. I'm suggesting to the Honourable Leader of the Opposition that if reduction of the cost of administration here is what we're concerned with, that surely this is the way in which it can be done best. We can handle all of the applications and the inspections necessary under this proposal with a staff of one -- he has been able to handle everything that has been brought his way so far, and although we expect that the work load will increase, I'm quite certain that Mr. Clarkson, who is the administrator in charge of this program, will be able to handle adequately anything that comes his way.

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 Minister of Public Utilities. The Honourable the Member for St. George.

MR. ELMAN GUTTORMSON (St. George): Madam Speaker, I can't pose as a member of this Legislature -- a veteran member of this Legislature, even if this is my eleventh session. However, despite the relatively few years that I've had the privilege of sitting in this Legislature, I might just mention in passing that from the standpoint of length of service, there are four times as many members in this House my junior as are my senior. During the time I've had the honour to represent my constituency in this House many things have impressed me greatly about the procedure and traditions of our parliamentary system.

I think, Madam Speaker, that everyone who reflects for just a moment the traditions of parliament must be conscious of the fact that we who are members of this Assembly today are heirs of the patriots who have struggled through the years to secure, strengthen and maintain the fundamentals of democratic government. I am sure that all students of democratic government will agree that two of the basic principles are cabinet responsibility and ministerial responsibility. It is true that every member of this Legislature has a high degree of responsibility. We have been elected to serve here and use our best endeavours, not only on behalf of our individual constituencies, but for the public interests of the province as a whole. And this responsibility extends even into the national sphere.

But those of us who are private members must be conscious of the fact that in this parliamentary system, as it has developed over the centuries, the cabinet and the individual ministers have special responsibilities. Collectively, the cabinet is the executive of government, answerable to this House on all matters of both policy and administration. Similarly the individual minister is answerable on all counts for the policy and administration of every branch of his department.

Having had this fundamental principle impressed upon me, both from my own experience, and from what I have read and seen, I was suspicious when I first saw this bill. However, I

(Mr. Guttormson, cont'd). . . was prepared to give the government the benefit of the doubt until I heard the minister's explanation. To say that I was shocked was an understatement. His explanation confirmed my worst fears. Madam Speaker, if this was just my opinion members across would not likely accept my viewpoint on this matter. Therefore, I want to read a statement from someone who is an expert on constitutional procedure and questions, and who quotes from a former prime minister of Canada, the Right Honourable Sir Robert L. Borden. I'm reading from the "Government of Canada", by Robert MacGregor Dawson, on the Cabinet, Position and Personnel. This is what he said: "The cabinet are above everything else responsible to the House of Commons, not as individuals alone, but collectively as well. This responsibility has been the key to the control of the executive power in Canada, as in Britain. The powers the Crown have remained for the most part intact, or have even been increased, but the exercise of those powers has come under the cabinet, and this body in turn, under the general scrutiny of parliament. This is the central fact of parliamentary democracy, for it is this practice which keeps the system both efficient and constantly amenable to popular control. The minister at the head of every department is held responsible for everything that is done within that department."

This is what Sir Robert Borden said, "A minister of the Crown is responsible under the system in Great Britain for the minutest detail of the administration in his department. He is politically responsible even if he does not know anything at all about them."

Madam Speaker, could anything be plainer than this? These are not my words; they are the words of Sir Robert Borden, one of the greatest constitutional experts among the many distinguished men who have held the office of prime minister in Canada. In the plainest language, he says the minister must answer to the House. And here we have a minister in this house introducing a bill which would "evade" this sacred responsibility. But Sir Robert Borden and R. McGregor Dawson are not alone in this view. I could bring a dozen constitutional experts everyone of whom would reinforce this view, and I defy any member of this house to quote an acknowledged expert who differs with these views. Although there are many experts who support the views of Sir Borden and McGregor Dawson, I will refer to only one more -- this is the Right Honourable Arthur Meighen. This is what he said while speaking on constitutional principles. "What are constitutional principles? They are the common law of parliament -- they bear something of the same relation to the charter of a state that common law bears to statute law. They are the injunctions taught by experience and matured by practice into authoritative conventions. They grow to have a more binding force, a higher sanction even than law."

In the light of these statements, what is any member of this House to think of a Government which has the effrontery and gall to present a bill of this character to the House? If we were to accept the statement of the minister every time a member of this House directed a question regarding the utilities, a special meeting would have to be called to answer him. This just points out how ridiculous the situation would be. As a matter of fact, if this bill is passed there would be no useful purpose in having a Minister of Utilities, because he would no longer be performing a function in this Legislature. As the Leader of the Opposition pointed out so clearly last week, this government is quite prepared to take responsibility for the utilities when there is political advantage to be gained. The First Minister told the people of Manitoba in November of 1962 that he was calling an election to get a mandate from the people for the development of the Nelson River project. He made it quite clear it was the Government which was going ahead with this development, not the Hydro Electric Board, but last year when I brought to the attention of this House the waste in connection with the Grand Rapids project, the government members scurried away and attributed all actions to the members of Hydro.

Madam Speaker, this government wants to have its cake and eat it too. In a speech to this House last Friday, the Minister of Industry & Commerce, made no bones about the fact that the Federal Government was responsible for the action of Trans Canada Airlines. Yet on the other hand, this government is attempting to introduce a bill which would absolve it of all responsibility for the utilities in this province. There isn't too much consistency in there?

Madam Speaker I do not wish to blame the minister who introduced this bill. He is relatively new in his office, and I can't help but think that he was pressured into introducing

(Mr. Gattormson, cont'd)... a bill without realizing the full impact of his action. Most Manitobans will share my view, that this legislation has been drafted as a direct result of the debate which took place last year when I brought to the attention of this House that the Government had entered into an extravagant contract with Drake-Pearson and thereby wasting two million dollars of the taxpayers' money. To me this legislation is designed specifically to prevent a similar debate taking place in this Chamber. This would be tragic. This government cannot pretend ever again that it believes in the democratic principles of our parliamentary system if they thrust this legislation down our throats. The passing of this bill goes a long step toward trampling on the right of members of this House. It is contempt of the legislature in the most brazen form. What would Sir Robert Borden and Arthur Meighen say of this government if they were alive today?

Madam Speaker, I will oppose this bill to the utmost of my ability, and I am hopeful that every member of this Chamber who believes in the principles of our democratic system will do likewise.

MR. SCHREYER: Madam Speaker, I would take somewhat the same view as the previous speaker if I believed that the intention of this bill was to preclude any member on this side from holding a minister opposite to account; but I don't believe that this is the intent of the bill and I would certainly hope that a Minister of Utilities would attempt to use this bill once it becomes an Act as a facade or as an excuse for not answering to the workings of any board or commission that comes under his ultimate aegis. The practice in Britain since World War II has been to attempt to give utilities semi-autonomous rights and powers. Of course it's a very difficult situation to have to deal with since on the one hand they have tried to honour a centuries old principle of constitutional practice, namely that all matters involving public funds be held accountable. On the other hand, they have tried to adapt such methods and practices which will enable utilities and crown corporations to function with a degree of efficiency approaching that of privately owned enterprise; and so between these two opposing stresses and strains, they have been trying to evolve some kind of consistent practice over the past two decades.

I don't know how helpful it is for the Member for St. George to quote Prime Ministers Borden and Meighen, since they were referring to matters and relationships that were in practice and in effect several years and decades before the advent of crown corporations and so on, as we know them today. Surely members must acknowledge that if we are going to have crown corporations in operation we must not willingly nor deliberately do anything that will prejudice their efficient operation. So what I in fact feel is the case with Bill 37 and 38-- at least I hope this is true, this is the way I interpret it -- it will give members an opportunity to question in detail representatives from these from these two commissions, so that we might in fact be able to solicit meaningful information from them in a way that we haven't been able to get from the Minister up to now. And I would assume that the very fact that we have a committee that will have this report referred to it does not preclude any member on this side from questioning the responsible minister on any phase of policy of operation of that commission, because the practice in Britain has been that even though the crown corporations enjoy a wide degree of autonomy, nevertheless, when it comes down to the final analysis, the Minister responsible in the House of Commons is peppered with questions from the Opposition during question hour and he dare not attempt to hide behind any kind of excuse or facade and say that he is not responsible, because in the ultimate sense he is, and I think that we must leave it at that. Therefore it becomes very important, to me at least, to know just what is intended here by the words "permanently referred to the committee". Are they meant to say that because the report will be permanently referred to a committee that we here will be prevented from asking questions of the Minister say before Orders of the Day, or during the Estimates of his Department? It's absurd, and I wouldn't think that this is the intent, because I say again, and I emphasize that in the final analysis no matter what sort of operating device or means we use in the final analysis the Minister is responsible and there can be no other way about it.

MR. HILLHOUSE: I did not intend to take part in respect to the debate arising out of this Bill, but since listening to the Honourable Member for Brokenhead, I feel that it is incumbent for me to do so, because I am satisfied after listening to the remarks of the Honourable Member that he did not read the remarks of the Minister on February 20th when he introduced

(Mr. Hillhouse, cont'd). . . this bill. On page 278 of Hansard of February 20th the Honourable Minister said this: "In addition to matters arising out of reports etc. it would be the intention of the government to have all other questions relating to the operation of the utilities referred to the committee on Public Utilities & Natural Resources, as well as to arrange for the appearance of the appropriate board member and officers. The foregoing will perhaps serve as an outline of the thinking as well as of the intentions of the government in the matter of obtaining a higher degree of accountability by the boards of our two large utility corporations as well as upon the methods for which this closer accounting can be achieved."

Now here's the point; he goes on to say "in harmony with this thinking and with these proposals in effect, it will not be the intention of the Ministers henceforth to attempt to answer questions pertaining to matters which by the terms of the Statutes have been delegated to the boards of utility corporations. Now all matters relating to Hydro Electric affairs in this province have been delegated to the Manitoba Hydro Electric Board; and according to the statement of the minister the effect of this act is to completely remove ministerial responsibility for acts of boards or commissions under his authority. I agree with everything that the Honourable Member for St. George has said; I concur in every statement that he made; and I suggest to the members of this House that this is the most retrogressive legislation that has been introduced in this House during the 15 years that I have been a member.

MR. R. O. LISSAMAN (Brandon): Madam Speaker, this debate seems to be taking on an air of utter comprehension to myself. I am glad that the Member for Brokenhead appears to recognize the fundamental aims behind this Bill. Now the Member for St. George has started off with his statement pitched on a very high plane which is very admirable, but then he starts into other things. Now the honourable member must surely realize when he quoted from these great authorities such as Sir Robert Borden that he was then proceeding afterwards to misconstrue the very quotation that was read, because he made reference to those things which happened within the department -- that the minister was responsible for these things. Now I can recall when I first came in here that any time there was a debate or a question of policy with Hydro, the Hydro management was called before a committee and the most exhaustive questioning was proceeded with, with the Hydro people, and I can see that over the years the gradual trend came because of questions asked by members opposite that the Minister started at some point to assume more and more speaking for the Board -- speaking for the Board on things over which they really had no jurisdiction. The attempt here is not to remove the minister from any responsibility to this House. The real aim is to make the Board more answerable to the House. If, as the Honourable Member for Selkirk has suggested, that the Minister must remain responsible for these things, well then why have a Board of Directors for the Company? Why simply not have just a Chairman and the Minister operate the Hydro of this province? This would not make sense, Madam Chairman. The government does still have a responsibility, and it's the responsibility insofar as government controls the policy of Manitoba Hydro -- lays down the rules within which the Board operates. The Board on the other hand have a definite responsibility; the policy which they then proceed to lay down to the management and workers of the Hydro.

To say that the Minister must be sitting here ready to answer each and every question of the members across the House when the Board has been responsible for taking the action and ordering certain things done, just doesn't make good common sense; and it does make good common sense that these reports be referred to a committee at which time members of this House can question members of a Board, the management of Hydro, find out the plain facts and all the truth of the operation. Now in the last instance, the charges that the Member from St. George brought, wasn't this exactly what ultimately had to happen anyway. You had to hear all these details from the management of Hydro. This is all it is. But when the Member from St. George can get up and quote high sounding authorities and then simply proceed to misinterpret this, this is a disgrace in this House, I think -- because certainly this is not within the Department. This is within a crown corporation -- certain responsibilities to the board of this crown corporation have been assigned to them. Isn't it right that they be called before a committee answerable to this House? In my opinion, Madam Chairman, this makes the most wonderful, practical common sense, common sense that will defend the rights of the members of this House and the rights of every citizen of this province in relation to

(Mr. Lissaman, cont'd)... Hydro and utility matters.

MR. LEONARD A. BARKMAN (Carillon): Madam Speaker, I beg to move, seconded by the Honourable Member for LaVerendrye to adjourn the debate.

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 Minister of Public Utilities, The Honourable the Member for Selkirk.

MR. HILLHOUSE: Madam, I would pray the indulgence of the House and ask that this matter be allowed to stand.

MADAM SPEAKER: Agreed?

Second reading of Bill No. 2, The Honourable the First Minister.

MR. EVANS: In the absence of the Honourable the First Minister I wonder if this item could be allowed to stand?

MADAM SPEAKER: Agreed?

MR. STEINKOPF presented Bill No. 34, An Act to amend The Companies Act, for second reading.

Madam Speaker presented the Motion.

MR. STEINKOPF: Madam Speaker, this is an amendment to provide that more than one municipality, or two or more municipalities can combine making a request for a loan under the section of the Loan Act under the Department of Industry and Commerce.

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

MR. McLEAN presented Bill No. 31, An Act to amend The Wives' and Children's Maintenance Act, for second reading.

Madam Speaker presented the Motion.

MR. McLEAN: Madam Speaker, this is a small amendment. Under the provisions of The Wives' and Children's Maintenance Act a wife under certain conditions that are stated in the Act, has the right to bring an application or petition for support, maintenance support against the husband. That application may be heard in one of two ways, either by a magistrate or by a County Court Judge. In the event that the wife chooses to have her application heard by a magistrate, she may, again under certain conditions, she may make an appeal from the decision made and it was considered that there were certain unnecessary financial obstacles placed in her way in making such an appeal. This seemed unnecessary, particularly in view of the fact that the appeal is made to the County Court Judge who hears the case sort of from the beginning -- in other words he hears the whole case, the evidence and other matters pertaining to it. So the Law Reform Committee recommended, and I concurred in their recommendation that we ought to amend the Act to make it clear that these requirements of a deposit and the transcript of evidence -- neither one of which really go to the root of the matter when the case is being heard -- would not be required. And that is the purpose of this amendment which is before the House.

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

MR. McLEAN presented Bill No. 35, An Act respecting the Dower of Married Persons, for second reading.

Madam Speaker presented the Motion.

MR. McLEAN: Madam Speaker, we have had a Dower Act in force in the Province of Manitoba for a number of years -- this is a one of the statutes which protect the rights of married women in the property of the husband, and I am happy to say of course also protect the right of the husband in the case of property owned and held by the wife.

What we have here, Madam Speaker, is an updating and revision and consolidation of the Dower Act. There are actually no new principles introduced by this Act; the principles are all those that were in force before, but there has been a considerable attempt made to bring it up to date, to revise the forms and bring the whole matter in conformity with the language that we use now in statutes and also with practices that have grown up and developed and things that would seem to be indicated by decisions of the Court.

This has been one of the projects of the Law Reform Committee -- members will recognize that I seem to speak of the Law Reform Committee quite frequently, but they have certainly done a most useful work -- and they have strongly recommended that our act needed revision and did indeed undertake essentially the work of -- watched over the revisions that

(Mr. McLean, cont'd)... were made by the Legislative Counsel and it comes in its present form recommended by the Law Reform Committee. I have taken the liberty Madam Speaker, of suggesting to Mr. Jones of the Law Reform Committee, who is interested in this, both on their behalf and on behalf of the Bar Association, that he might make himself available when the bill is before the Law Amendments Committee for assistance to the Committee. I would think as I said in connection with The Wills Act that the Law Amendments Committee would be a useful place where we could discuss the detailed provisions, and there may be differences of opinion -- there may even be changes that will be made there. I think that there are no essential matters of principle that differ from what we have had in effect before. We may certainly -- indeed I hope we will look carefully at any suggested changes in the individual sections, the matters of detail; and I am hopeful that those members of the Bar who have been particularly interested in this revision -- some of them will be available to give us their assistance.

MR. CAMPBELL: Madam Speaker, I have, of course, no objection to the bill going to committee, but I would like to take advantage of the opportunity to now ask the minister a couple of questions, inasmuch as he has said that the Act is being updated.

My two questions refer to Section 16 of the Bill, which is the one that deals with the "exceptions" to the widow acquiring a life interest in the estate. And if this is an updating of the bill, why would the committee not consider changing the amount of money that is mentioned under Sub-section (b)? Is it not a fact that the sum that's mentioned there has been in the Act for many years? Is it not a fact that the value of money today is much less than it was when this sub-section was put in the Act?

Then my other question is: under that sub-section who makes the decision as to what amounts to \$100,000? Supposing that somebody provides for his wife what he considers to be \$100,000 of stocks, or shares, or a mortgage, or mortgages, that turn out to be in fact worthless -- who determines actually that this is \$100,000?

MR. CHERNIACK: Madam Speaker, there are also two questions that I have to raise. Mainly because I feel it only fair to both the minister and to Mr. Jones, or other members of his committee, that they -- or not fair to them but fair to me to request them to consider these two points of views so that at Law Amendments Committee we could deal with it.

One of the questions deals with the same section that was referred to by the Honourable Member for Lakeside, who spoke of the updating and of the suggestion that Sub-Section (b) which deals with the exception being \$100,000. Actually there is an updating in this section which I find rather surprising, because the principle there, and there is a principle, is that if a woman, knowing that this Act is about to take place has sense enough to delay her wedding ceremony until July 1st of this year, then she is entitled to \$150,000. But on the other hand if her sister is in a bit of a hurry and wants to get married on June the 30th, it's only \$100,000 -- which to me is a most peculiar form of updating. In other words, a person who marries prior to July 1st, '64 apparently is only entitled to \$100,000 and thereafter cut off her one-third interest; whereas if she is married after July 1st, '64, she's automatically entitled to \$150,000. I find this a peculiar way of updating it, and I draw this to the honourable minister's attention.

The other feature, when we speak of updating, is the carrying forward in this Act of a principle which I think has outlived its purpose. And that is that when a person is requested to give up his or her dower rights in a homestead, in the case of a husband giving up his rights he signs a consent to a disposition, and anyone else can witness his consent and that is then binding; but a woman, who apparently is considered more malleable, more tractable and less able to protect herself, when she has to consent to a disposition of her homestead, she is required to appear before a commissioner, or notary, or barrister, who must sign a certificate to the effect that she appeared before him, separate and apart from her husband and appeared to know what she was doing, and knowing what she was doing, then proceeded to sign the consent. I think the day is long past when the woman is less capable than is the man to protect her rights. As a person who attempts to practise law, I can inform members of this House that women know their rights pretty well and are pretty insistent on protecting them.

But assuming that this protection provided in the Act is a necessary one, then I think it is just as important that the man be protected, and that when he signs something, there should be a certificate to the effect that he knew what he was doing. In other words, I am suggesting that there should be the emancipation either of the man or the woman, but at least

(Mr. Cherniack, cont'd)...let's make their right uniform in this respect.

MR. COWAN: Madam Speaker, I'm glad to see in this Act that the dower interest in a homestead is only going to apply when the husband and wife actually lived in the home. However, there are another group of people where there are dower rights, perhaps where there shouldn't be; and that is -- we have in Canada a number of people that came over from Europe years ago and perhaps their wife is still in Europe and their wife has never come to this country and they've gone through a form of marriage here, they've had a family here, and they've raised a family, and yet under The Dower Act even though they may not have seen their wife for 20 or 30 years -- she may be in Europe and they don't know just where -- she becomes entitled to a third of the husband's estate upon his death. He perhaps earned all his money here, and he's perhaps under obligation to the wife he went through the form of marriage with and he has children here he should be supporting, and yet the wife in Europe becomes entitled to a third of his estate, no matter what -- rather, not no matter what, because in some cases she wouldn't be entitled to it but in many cases she would be.

And then there's another form that is still to be required -- and that is, that when a person signs an affidavit, and they've never lived in it, they sign an affidavit saying that the property is not their homestead within the meaning of The Dower Act. Well not very many people know what a homestead is within the meaning of The Dower Act, the lawyers don't many times -- they have to go to the Courts -- and the lower courts have to be told by the higher courts what a homestead is within the meaning of The Dower Act. It would seem that we should have a statement in our affidavit instead of that, a statement saying that they have never lived in it as their home. That is a statement similar to the one used in Saskatchewan. And now that we've changed our definition of a homestead, that should be sufficient here and a person can swear an affidavit that he knows what it means.

MR. McLEAN: Madam Speaker if they are no other questions, perhaps there are one or two other comments I might make.

I was just thinking, Madam Speaker, that after the war when I went back to Dauphin to practice law, I was invited by a ladies' group to make an address on the subject of The Dower Act. It all seemed very simple then. I'm not too certain that it is now as simple as I thought it was at that time.

As I read Section 16 -- I'm referring to the points made by the Honourable Member for Lakeside -- the matter of increasing the amount -- as I read the section, the amounts will be increased after the date referred to by the Honourable the Member for St. John's. So whether they're increased at the right time or not, they are being increased. This is a matter of judgment, whether a \$100,000 is enough, or \$150,000, or whatever figure one would say. We mustn't forget, of course, that this also, in the context of those who would be concerned in estates of this particular size, that one has to bear in mind that there may be children, or others, who may be beneficially interested and that the estate must have some concern for their position and welfare in the matter.

The matter of who decides what amounts to \$100,000, or \$150,000, of course, would be a matter for the court to decide, if there was any question -- this would always be open to anyone interested in this provision to go to the court for a decision whether it was in fact a particular amount.

I will be glad to have the question of the 1st of July, 1964, raised in the committee. I don't know whether the Law Reform Committee thought that the Legislature might be sitting until the 1st of July, 1964, or not -- whether that was the reason they suggested that date.

I think that with respect to the procedure of the consent of the wife and suggesting that it should be the same with respect to the husband, that wouldn't be too bad an idea. I certainly think we would have to come to the position of having the same procedure followed in respect of a husband's consent as with regard to the wife, and my impression is that the practising lawyers, for whatever their opinion would be worth, would feel that that would be an unnecessary change. I think that most people would feel that that was unnecessary. The only justification for the difference in the case of the wife is that generally society has been quite concerned to ensure that the consent given by the wife is given under circumstances that allow her the maximum opportunity to object to the transaction if that should be her wish to do so.

(Mr. McLean, cont'd)...

The Honourable Member for Winnipeg Centre has raised a point in the circumstances he has described. I think that, as I understand it, there is a provision in the Act, in the bill, whereby dower can be vacated and under certain circumstances that could be made use of. But I think perhaps, if I may suggest, he ought to give us an illustration the other way round to indicate to us that perhaps this is not a bad idea, the circumstance that he describes. For example, he describes a circumstance of the wife living in Europe who may on the face of it seem to be getting an unfair advantage in the estate of the man who has lived in Canada for a long period of time and has accumulated his estate here. But would he say the same if it was the case of a wife living in Manitoba whose husband went to the United States and accumulated there an estate and died, would he say -- and I don't mean this in any unkind sense -- would he suggest that this person living here who might be on welfare, who might be subject to the patrimony of her friends or family, would he suggest that she ought not to have any benefit from the estate of her husband simply because he had chosen to go to another country and had lived separate and apart from her? It's an important question of policy, and we can't really think of it in terms of one set of circumstances only; we have to consider all of the circumstances that might arise and to have our law in a form that seems to meet the general welfare of the community.

I want only to make that point, that it is an important point of policy which he has raised. There are perhaps many circumstances that would have to be considered in deciding whether or not to change it, perhaps in the general direction that he has suggested.

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 Minister of Mines & Natural Resources. The Honourable the Member for Rhineland.

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

MADAM SPEAKER: Agreed?

MR. ROBLIN: Madam Speaker I wonder if there would be any objection if I asked leave to present Bill No. 2, An Amendment to The Insurance Act which has stood because of my absence from the House a few moments ago. It's a relatively simple Bill and if I had leave I would move the second reading.

MADAM SPEAKER: Has the member leave? Granted.

MR. ROBLIN introduced Bill No. 2, An Act to amend The Insurance Act for second reading.

Madam Speaker put the question.

MR. ROBLIN: Madam Speaker, This Bill is on the face of it a complicated one, because the wording is involved, as most of the wording in The Insurance Act is, and is the product of having been worked over by legal minds from one end of the country to the other. Whether that accounts for its obscurity or not, I don't know -- no, I'm told that's not the case. I'll have to accept that correction. However, the meaning of the Bill is quite simple, and it is the means by which we are now to provide for a common pink card, under the Financial Responsibility Law we will now be able to supply a pink card to our drivers which is accepted and validated in all the other provinces of the country. Now this represents a considerable step forward, because up to now, because of small differences in technicalities between different provinces, our pink card was not recognized elsewhere and nor did we recognize theirs here. This obviously was an unsatisfactory state of affairs, so we have now secured the agreement of the Association of the Superintendents of Insurance to recommend this legislation to all provinces. We are accepting it here.

So the main purpose behind the three sections which you see in this Bill is to repeal the existing requirements respecting a pink card for Manitoba and introduce a change which makes it uniform and valid in the other provinces of the nation. Any points of a technical nature, and there may be some, I trust can be dealt with in the committee when the Superintendent of Insurance will be present to explain any obscure points that I am unable to account for.

MR. CAMPBELL: Madam Speaker, just as a point of interest I would like to ask the Honourable the First Minister, how many other Provinces of Canada accepted our pink card.

MR. ROBLIN: Are there any further points before I reply?

MR. PAULLEY: Just one Madam Speaker, if I may. I note that the Amendment to the Act comes in the day it receives the Royal Assent. What effect will this have in actual practice insofar as policies now in effect and renewals before them in order that the cards -- is there any mechanics of putting this into operation that would facilitate those that have financial responsibility or pink cards now, obtaining them so that they could obtain the advantages after proclamation?

MR. GRAY: One more question Madam Speaker. The cards will be changed on the expiration of the present card or at one time?

MR. ROBLIN: Madam Speaker, there are two provinces at the present time with whom we do have reciprocity on pink cards. That was the question asked by the Honourable Member for Lakeside.

The exact effect of this Law even though it comes into effect on Royal Assent is something that I will have to examine for the members when we reach the committee stage. I'm not sure how many other provinces, as of this date, are introducing similar legislation in their legislatures, but we will try and clarify that matter. My understanding is that ultimately, in a matter of months, let's say, all the provinces will be legislating in a similar vein, but I would like to have the leave of the member to answer him more fully at the committee.

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

MR. ROBLIN: Madam Speaker, I beg to move, seconded by The Honourable the Minister of Education 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 V -- Education, Item 1 - Administration pass.

MR. LAURENT DESJARDINS (St. Boniface): Mr. Chairman, on Minister's salary I would like to take part in the debate. Three weeks ago I asked the members of this House to accept the principle of state aid in regard to separate schools as long as it did no harm to the public school system. Two weeks ago, again speaking on state aid following a statement from the First Minister, I tried to explain the existing situation of the students attending private schools and also the other Catholic students in Manitoba and I proposed what I thought at the time was an acceptable solution.

Last week I rejected most strongly the statement of principle of the First Minister. I can assure you Mr. Chairman, that this was not an outburst but a carefully prepared speech in which I stated that I could not accept the principle as mentioned here as acceptable to minority groups, especially without a debate taking place and especially without reason being given. Since then I think that many others have shown that they are not ready to accept this -- they have rejected the statement, and I think that most Roman Catholics of the Province feel that they certainly share my disappointment and my feelings in this matter.

I would like to make a special mention here of many non-Roman Catholic people, people that do not belong to the Catholic faith, who have expressed to me either by letters or 'phone calls and so on that they also agree that this was not the way to bring in a solution here in Manitoba. In fact, they felt a little hurt that I did not mention them so often, that I mentioned the Roman Catholics a little more. I might say that this was not slighting them at all. I felt that I didn't have the right to speak for these people. I certainly would congratulate them at this time for their fairness in this matter.

Mr. Chairman, I feel that the prejudices that we have in this province here will not disappear simply by pretending that they do not exist. They will not become less strong. I think that we have to face things clearly if we want to try to eradicate prejudices in our province once and for all. This is something that we say, well Manitoba might not be ready. Unfortunately it might be that we might have to face a period of name calling, because when are we going to be ready when this question of prejudices keeps on going? As we all know, we are not born bigots but the virus of prejudice is transmitted to our children by ourselves too often, and I think that this question should be tackled now if we don't want Manitoba to keep on growing this atmosphere of prejudice. I'm sure that those who have seen only some report of my last speech and have read certain editorials without taking the trouble of reading my complete speech,

(Mr. Desjardins, cont'd). . . might feel surprised that I am talking about prejudice at this time, might feel that I should at least be ready to give this plan a chance, if I wasn't prejudiced. But I might say Mr. Chairman, that this is very difficult when we want to discuss something without emotion and so on and then we start by saying, well all your rights are refused. In other words, we'll play the game but we'll play in my backyard with my laws, my rules -- be a good sport and don't complain.

It is clear Mr. Chairman that the minority that has been oppressed in this province is not satisfied with this proposed plan. This statement of the government could be, if we are not careful, a declaration of war that could set this province back quite a few years. Now we have people who are not informed, people from both sides of the question standing insulted each other without probably understanding each other. I think that the only way that we can understand certain people is trying to do it, not through our eyes, but through their own eyes, through their own religion; and although we can have unity in this country, I don't think that we need uniformity. I think that the way we are going now and if this is allowed to keep on, we will have a real good breeding ground for prejudices.

We are often asked in this House to offer constructive suggestions; we are asked to look at certain problems, especially this one that we have in front of us now, without too much emotion, in a fair way, and to try to compromise as much as possible. And today Mr. Chairman, I would like to do just this. I would like to suggest a plan which might be acceptable at this stage -- probably it wouldn't have been a few months ago because of the way things are going. I think it's no use trying to beat against a solid wall; I think we should discuss this thing and see if we can arrive at something. I think this plan that I have could be acceptable by all and I can assure you this would be strictly an unpolitical plan.

This would be my plan, Mr. Chairman. I would ask the government of this province to: (1) Suspend the present plan indefinitely. (2) To introduce a motion granting fringe benefits only to take effect next school term. (3) To provide a grant for the education of the public in this question. And (4) To call a referendum on the principle of direct aid next year.

Now, these statements without explanation wouldn't mean too much and I will try to explain. No. 1. Suspend this plan indefinitely. I feel that those that are trying to receive help, those that this is planned for, they don't seem to feel that is acceptable, this plan is acceptable. I think that also we might have gone into a plan a little too fast without good study -- I think we've had an example of this in this Metro situation which came in rather fast and the people had to get the education after the plan came into effect. The plan didn't work; there was a lot of trouble and we had to, after just a little more than a year, we had to have a commission to study this. This would be regrettable if we had to do the same thing in this case again.

Now, I think we certainly need more education. We need to educate the people of Manitoba ready to receive this plan, or any other suggestion. I think that this is very possible; that a government certainly could suspend this without losing face. I think we have a good example of Mr. Gordon in Ottawa who had proposed certain measures. He received a lot of complaints and he decided that there was no use subjecting Canada to something that wouldn't help at all. No doubt the members of the opposition used this to some extent; they might have had some fair mileage, but all in all I think that the people of Canada admired Mr. Gordon for recognizing that he was wrong -- and I think that this could be repeated again -- and Mr. Gordon, I'm sure, did not suffer because of this.

Now the second point of introducing a motion granting fringe benefits, only to take effect next school term. Well, this is something that seemed to be agreed on by all of the people of Manitoba pretty well. Most of the people, including the government, the members of the caucus apparently, and probably most of the members of this House, as well as the members of the United Church, the Anglicans, the Catholics, and so on, agree that if a child has the right to a whole, he has equal right to a part. In other words, this part of this question is not controversial and it would be better for human interest to help these people in compassion that we've been talking about, to help these people in these fringe benefits -- in other words, do something to rectify what we already have admitted exists.

Now, I mention No. 3, provide a grant for the education of the public. I don't think this is new. I think this has been done in the past, in the question of power -- I stand to be corrected on that -- it seems to me that at one time we were studying plan (c), and schedule (c), and so on.

(Mr. Desjardins, cont'd) . . . I think that the government could provide a grant -- this House could provide a grant and with this would reserve and buy radio and TV time and newspaper space. Now this could be equally shared by the members, the adherence of both sides, who could explain without as much bitterness as we're going to have now, could explain their side; could try to educate the people of Manitoba. Now can anybody that wants to be fair object to this: That the people of Manitoba know what they're voting on, understand the situation. I think that this would certainly help to correct certain things, certain dealings that we have now on both sides, and I think that that certainly would be conducive anyway to try to eradicate the prejudices that we have in this province, and that might blow sky high any day now. I'm sure that we could not tell the newspapers what to do, but certainly we can try to suggest certain things -- God knows they suggest often enough -- and I would feel that a certain newspaper anyway could try to refrain, could try to practice what it preaches for so many years and try to refrain -- during this period of education at least -- from printing bias and one-sided editorials.

My fourth point was that we call a referendum on the principle next year. I feel that after having had some education on this subject we could call a referendum of the people of Manitoba. I think that at least this would get it out of politics -- this seemed to be the best thing to do now, as soon as possible. Unfortunately, it is very much mixed up in politics -- I don't know if anybody could be blamed on that -- it has to be decided by politicians. I have always agreed and admitted that this was a real hot topic here in Manitoba, and this is my reason for asking that this education be done. This would get all the politicians from all parties in this House "off the hook", if we might say. We can start from scratch with a little goodwill and see what could happen after the people of Manitoba have a better understanding of the subject. It certainly would not be time wasted.

Now, Mr. Chairman, it might be well that I should be ready to do something to indicate my sincerity in presenting this suggestion. I'd like to make it very clear that this is not a political move on my part but a true attempt to prevent open warfare between religious groups -- and I'll take the following engagement. This is not a deal or proposition that I make to the government -- I'm sure that they're not interested too much in dealing with me -- but rather an engagement that I would pay for the people of Manitoba to try to prove my sincerity and concern on this question of parental rights in education. If these four steps -- this is a condition that if these four steps are agreeable to the members of this House, and implemented by them -- at the next general election I will not seek nomination in the Constituency of St. Boniface. Although I never considered any constituency a safe seat for anyone, it is a fact, I think, that my chances of re-election in St. Boniface would be much better than anywhere else. I would run in another constituency -- not on a question of religion, on a question of state aid, and not aiming at any particular member of this House, but only stand on what I hope is my record of trying to preserve the right of every Manitoban and also on the ambition of seeing a united Manitoba with as little prejudice as possible. I would be ready to face the people of Manitoba on this. I will not choose a constituency where I figure my chances are too good, or I feel that the member is very weak, because I feel that I have the confidence of Manitoba and this would be a way to indicate at least my sincerity in trying to achieve something here.

Shortly, in a few months I will be taking up residence in the City of St. Vital and I would run in a constituency in which I will live, one that every member will have to admit in which I would be a very real underdog.

Now, I would like to say at this point that my children have always attended public school, so this is not something that I'm fighting for myself to try and save a few dollars. They've lived in the City of St. Boniface where the people are predominantly of the same religion and where the education has been satisfactory to me.

Oh! There's a point that I should clarify at this time. It would not be a personal fight between the Member from St. Vital and myself. Because as you see, although my new home would be in the City of St. Vital, it is in the Constituency of Radisson, and I would be running against the Leader of the NDP, who is certainly classified as one of the strong men in this House.

MR. CHAIRMAN: Item 1, passed, (a) passed, (b) passed

MR. JOHN P. TANCHAK (Emerson): Mr. Chairman, there's one question I wanted to ask under salaries, I notice that the item under "other salaries" is up by about \$22,000. I wonder does this item cover the expenses of the one-man commission on retarded children, or the Christianson Commission as we like to call it?

HON. GEORGE JOHNSON (Minister of Education) (Gimli): No, Mr. Chairman, that's the annual increments of \$17,000, study of the handicapped \$5,000 -- that's for expenses, secretarial service, etc. -- staff turnover and replacements \$460.00, for a total of \$22,000. This appropriation pays for the salaries in the minister's office, the deputy the assistant deputy, the director of administration offices. There's no expansion of staff since last -- the same number, 49 last year and this year in this particular appropriation. I hope that satisfies the honourable member.

While I'm on my feet, Mr. Chairman, I did want to clear up the material which was left over from Friday evening last. I haven't had a chance to read the Hansard today, but the Leader of the Opposition read the newspaper article concerning the overcrowding in the Gonor School. I thought I should put the record straight here. I don't know why my honourable friend quit reading the paper between the 16th and the 19th, but this story was corrected on the 19th of November, and Mr. McLean, the Minister of Education at that time, said, quote: "The story appearing in the Press of Saturday the 16th, under the headline 'Gonor School Overcrowded' is incorrect in the following particulars: (1) The School District did not have to buy a school bus, and, in fact, does not have a school bus. The services of the school bus have been provided without cost to the district by the province to transport pupils during the time they are affected by the floodway construction. All costs of this transportation are paid in full by the province." This goes on, quote: "The School Board did not suggest to the Department of Education that a mobile classroom be brought to the school property. On September the 16th, when the delegation from the school district -- which delegation included the Secretary of the Board, the Reeve of the municipality and a member of the Legislature -- met with me in my office I suggested that in order to meet any extraordinary conditions that might arise because of the floodway construction we would provide an additional school building in the district. I was apprised by the delegation that they did not want this and that there was ample room in their four-room school for all of the district pupils." All they asked for was transportation around the floodway construction. "There are no facts"-- this is still quoting the minister -- "to substantiate the claim that there are extra pupils due to the floodway. Two weeks ago the school inspector requested figures from the school board on this point. To date none has been received or supplied. Furthermore the school board was apprised of a feasible method whereby the number of pupils in Grade V and VI classrooms could be reduced, but so far neither the board or the staff has seen fit to carry out the suggestion." Next quote: "There are no authorized textbooks in V and VI Social Studies period. Detailed curriculum pamphlets are supplied free of charge to teachers by the Department of Education. They should be in the possession of Mrs. Cairns, the teacher. Suitable reference books are available from the Textbook Bureau and can be supplied promptly on order." Quote: "All text orders received by the Gonor School District have been filled promptly. There are no unfilled orders on file from the Gonor School District."

Now it's unfortunate that my honourable friend missed that correction three days later in the same newspaper and I would just like to say that, with respect to the debate on that subject, the statement of November 19th of course I think clears things up and I should point out that I am informed the bus provided by the Department of Agriculture and Conservation is providing transportation to approximately 45 pupils at no expense to the district or to the pupils. One answer to the problem of loss of assessment would appear to be consolidation of neighboring districts and this is a matter which I hope to discuss with the Gonor School District in the near future. In fact we were hopeful to getting together in the next few weeks. One neighboring district affected by the floodway has already dissolved and has consolidated with Oak Bank School District. The question of compensation for the loss of property is another matter which still hasn't been decided and which we will be discussing with the district shortly. Again while I'm on my feet, if I may, the Member from Brokenhead asked why the Agassiz School Division has stopped picking up elementary children. . .

MR. SCHREYER: Mr. Chairman I didn't mention the Division; there are actually more

(Mr. Schreyer, cont'd)... than one involved.

MR. JOHNSON: Well we won't bother with that explanation then. A matter of patriotic exercises was brought up by the Member from St. John's. These are reviewed from time to time by the advisory board, reviewed and amended, and at the present time the regulations are in process of being registered but the advisory board is not finished. The reference material is to be printed with regulations very shortly. The religious exercises -- the regulations are registered and the proof came in from the printer's last Friday. I think we can answer those. Reference was made concerning consolidation and I would inform the Committee, Mr. Chairman, that since '58, 445 small School Districts have consolidated either with one another or with neighboring consolidations. Since '53, seventy-six new consolidated districts have been formed. Officials of the Department attend upwards of 125 meetings per year, wherever local authorities require information and advice on the matter. Many delegations of trustees and parents come to officials of the Department for advice and since January of this year 58 Districts have either been consolidated or are in the process. This I think is just information for the committee with respect to questions that were asked from Friday last. I think that cleans me up to date except for some remarks on the advisory committee which the Department are preparing.

MR. FROESE: Mr. Chairman, not being in the House Friday night I am not sure whether this matter has been brought to the attention of the Minister or not. However late last fall or early winter we had certain press reports claiming that there was venereal disease in some of the city schools. I would like to know from the Minister what are the facts in this case? Do we have students in school with the disease? And if so, what is being done about it? I think this is a matter of great concern to the parents that have pupils in school and I think we should know the facts.

MR. JOHNSON: With respect to the last question, this was brought to my attention with respect to rumours of such an outbreak in one community. On investigation it was found to be very restricted. This is a matter that -- as you know, within the Province of Manitoba we have what is known as a facilitation process where anyone suffering from the disease reports to a physician, to encourage him to send in reports, and cards naming the person and trying to get the source of the contact immediately he is sent free penicillin or the material he requires to treat the case in order to encourage him to do this. And these, of course, are immediately sent over to the Director of the Venereal Disease Control Department, Communicable Disease Section of the Department of Health and this in turn is sent to the local health officer, if a local health unit exists there; if not, to the Public Health Nurse in the central office here. A complete registry is kept. A nurse keeps a registry on this and follow-up contacts of contacts is made through the Department of Health and in the particular case when this was -- there was a rumour that was quite enlarged actually -- it sounded quite big and sounded as though there were many hundreds of cases or something. This was immediately referred to the Director of the Health Unit concerned, the matter was investigated immediately, and so on. I think that like any disease entity things are with us all the time and they tend to break out in epidemics. This is one area where constant vigilance is required and its one of the reasons why you have a Department of Health. And they can only do their best within their ability to know of a problem and within schools of course principals, as soon as they hear or can glean anything out of the ordinary, have a mechanism which can be put into force almost immediately.

MR. CHAIRMAN: The Honourable Member for Selkirk.

MR. HILLHOUSE: Over the weekend I've had an opportunity of discussing with certain teachers the question of the new pension plan and I understand that there is a group of teachers who have a real grievance in respect of the new pension plan. My instructions are that until 1957 all women teachers on the Winnipeg teaching staff were compelled to retire at the age of 60. But under the new Act it is permissive -- they can retire at 60 but the compulsory retirement age is 65. Now under the new Act a person, that is a woman teacher will receive 100 percent pension retiring at the age of 65 with 35 years experience. Under the old Act, I think the teacher retiring at 60 had to have 40 years service. Now, the actuarial revision downwards based on age 65 is drastic. If a teacher retires under the new Act between 60 and 65, six percent of pension receivable is deducted for each year below the age of 65. Thus a teacher who had retired prior to the age of 65 and after 60, even though her total years of service exceed 35 years or even exceed 40 years, will receive relatively less than a teacher

(Mr. Hillhouse, cont'd)... who has retired at the age of 65 with 35 years of service under the new scheme. Now, to take one example of a teacher who retired on June 30th, 1962, at the age of 62, with 45 years of teaching experience; another teacher retiring with only 35 years of teaching experience at the age of 65 under the new scheme will receive a higher pension, even though the teacher has ten years less of teaching experience or service, and has ten years less contributions to the plan. These teachers with whom I have discussed this matter feel that those teachers who retired prior to 1958, there is an actuarial adjustment downward revision for them based on the age of 65, while the teachers who retired after '57, and who had fulfilled their requirements for a full pension, are the ones who are suffering an injustice. These teachers have asked me to bring this to the attention of the Minister with a view to having this matter investigated, and with a view to correcting the injustice which they are suffering under the present Act as amended at the last session of the Legislature. I would therefore ask the Minister to take the matter under advisement and inform me as to whether or no there is anything that can be done to correct that injustice.

Mr. Chairman, I have several other matters that I'd like to raise it would take some little time and if the Committee would agree to call it 5:30 I'd appreciate it.

MR. CHAIRMAN: Carry on 'till 5:30, and then we'll adjourn.

MR. HILLHOUSE: Well, I wouldn't want to break what I have to say, Mr. Chairman.

MR. CHAIRMAN: The minister can reply.

MR. HILLHOUSE: Unless you want to reply to the pension.

MR. JOHNSON: Mr. Chairman, since coming in as Minister, I noticed that there are certain requests that have been made formally through the Teachers' Society groups and through trustee organizations with respect to the recent pension plan of last year and the question of the Winnipeg teachers is now under consideration and taken under advisement as requested. But I would point out that every one of the group mentioned did receive an increase in pension with the new Act. However, the thing is under reconsideration now for the City of Winnipeg group referred to.

MR. SCHREYER: Same point it may have escaped me if it was asked, under 1 (c) what accounts for the reduction of ninety thousand?

MR. S. PETERS (Elmwood): We are still under 1(a).

MR. SCHREYER: Well, I'll ask it under 1 then. There is a reduction of ninety thousand in teachers' superannuation.

MR. JOHNSON: Bond funding mechanism of the plan.

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