

THE LEGISLATIVE ASSEMBLY OF MANITOBA
2:30 o'clock, Friday, August 21st, 1964.

Opening Prayer by Madam Speaker.

MADAM SPEAKER: Presenting Petitions

Reading and Receiving Petitions

Presenting Reports by Standing and Special Committees

HONOURABLE STEWART E. McLEAN, Q.C., (Attorney-General), (Dauphin):
Madam Speaker, I wish to present the first report of the special committee composed of all members of the House.

MR. CLERK: Your special committee composed of all members of the House beg leave to present the following as their first report. Your committee was appointed on the 17th day of August, 1964, by the following Resolution: That a special committee of the House, composed of all its members, be appointed to consider Bills referred to it, and that the Attorney-General be appointed Chairman of this committee. The Quorum was set at 23 members. Your committee has considered Bill: No. 8, an Act to amend The Queen's Bench Act, and has agreed to report the same without amendment. Your committee has also considered Bills: No. 4, an Act respecting joint stock companies and other corporations; No. 6, an Act requiring the registration of mortgage brokers; No. 7, an Act requiring the registration of real estate brokers and real estate salesmen; No. 10, an Act to amend The Department of Municipal Affairs Act; No. 13, an Act to amend The Civil Service Superannuation Act; No. 14, an Act to amend The Teachers' Pension Act, and has agreed to report the same with certain amendments, all of which is respectfully submitted.

MR. McLEAN: Madam Speaker, I move, seconded by the Honourable the Minister of Education, that the report of the committee be received.

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

MADAM SPEAKER: Notices of Motion

Introduction of Bills

Orders of the Day

MR. MARK G. SMERCHANSKI, (Burrows): Madam Speaker, as a matter of interest to the House I'd like to make an announcement which I consider to be of great importance to the members and the people of Manitoba.

We have heard much said about the potash development in Manitoba over the last three or four years and I can report that an exploratory hole for potash in the St. Lazare area has, at a depth of 3,126 feet intersected about 12 feet of commercial grade of potash of the same high quality as is found in Saskatchewan. Additional exploration and development by drilling is going to continue and at this time I'd also like to mention that both the Department of Mines and Natural Resources and the Department of Industry and Commerce have contributed much to the present exploration program. Because of this outstanding discovery in the first exploratory hole I feel that there is good reason to believe that Manitoba can develop a large sized potash mining operation. Thank you.

HONOURABLE STERLING R. LYON, Q.C., (Minister of Mines and Natural Resources), (Fort Garry): Madam Speaker if I may, I'm happy to have had the confidence of the Honourable Member from Burrows in notice that he was going to make this announcement on behalf of the company and from the government standpoint we certainly wish him and his company every success. What has happened thus far appears to be most heartening and we hope that more of this will occur in the future and that what he prognosticates will in fact come about for all of Manitoba.

MR. GILDAS MOLGAT, (Leader of the Opposition), (Ste. Rose): Before the Orders of the Day I'd like to address a question to the Attorney-General. There are indications that the Tallin Commission desire wider powers. There have been news reports to that effect. Is there any decision by the government in this regard, and when will they be prepared to make an announcement?

MR. McLEAN: Madam Speaker, Dean Tallin has made no request to me as yet.

MR. E. R. SCHREYER, (Brokenhead): Madam Speaker, could I direct a question to the Attorney-General? According to information in the press yesterday, it was intimated that the Attorney-General's Department upon receiving certain case complaints, etc. had referred them to the Dean Tallin Commission even though these complaints were dealing with matters outside the scope and terms of reference of the Commission. If this is so I would ask the Attorney-General on what competence this decision was made.

MR. McLEAN: Madam Speaker, I don't know what the honourable member is speaking about.

MR. SCHREYER: Madam Speaker, I can repeat the question or give it to the Minister in written form, whichever he likes. --(Interjection)-- I didn't get any indication from the Attorney-General which he wanted.

MR. McLEAN: A written question or Order for Return, Madam Speaker.

MR. GORDON E. JOHNSTON, (Portage la Prairie): Madam Speaker, I'm wondering if the Minister of Health is prepared to answer the question that I asked yesterday regarding the progress, if any --what progress has been made towards establishing a meat stamp program for use by the small meat packers of the province.

HONOURABLE CHARLES H. WITNEY, (Minister of Health), (Flin Flon): Madam Speaker, an answer will be forthcoming in due time.

MADAM SPEAKER: Order for Return. The Honourable the Member for Lakeside.

MR. DOUGLAS L. CAMPBELL, (Lakeside): Madam Speaker, I move seconded by the Honourable Member for Selkirk, that an Order of the House do issue for a Return showing (1) a copy of the report presented to the House on March 1st, 1960 by Honourable Mr. Lyon for Mr. Speaker from the Special Select Committee appointed to consider the rules of the House (2) copy of the rules of the House in effect at that time (3) copy of the rules of the House dated 1940.

Madam Speaker presented the motion.

MR. CAMPBELL: Madam Speaker, I think it's the former Governor-General of Canada, the late Lord Tweedsmuir, who is credited with saying that nothing is more confusing than to have too simple an explanation of a complex matter, and I fear that I must be guilty of giving too simple an explanation of what I have been asking up to date and in order to try and place the matter before the House once again I am asking for these documents.

I would like to have the first one, Madam Speaker, a copy of the report that was presented, because it is of course the official document which was agreed to by the committee that sat to consider the rules. I would like to have the second one, the copy of the rules of the House in effect at that time, because as every member will know, it was those rules that the committee was dealing with and was revising and so they are the ones that form the basis of the committee report.

I would like to have number three, a copy of the rules of the House dated 1940 because I think it will appear from a perusal of those rules that the matter that I think needs to be corrected was responsible for the wording that we have now. I do not give the date in the second question because unfortunately there appears to be no copy of those rules in the Library. I believe that the date is 1951 but when I went to the Library to get a copy there just isn't one there at the present time, but certainly there is a copy --there is a rule book in between our present one, 1960, and the one of 1940 -- I believe the date is 1951. I want that one so that we have it to use in comparing the recommendations in the committee report that's mentioned in number one to see whether the point that I have been making is valid or not.

Now Madam Speaker, I would be very distressed if I conveyed the impression to the members of the House that I was wanting to quibble about the rules. I do not want to quibble about the rules. All I'm interested in doing is getting the rules in the proper perspective. I have no interest whatever, personally, in the question of whether we do or do not give to the Honourable Leader of each of the other two parties a right to be exempted from the forty minute rule. I can say in all honesty that I don't think that either one of them would offend in any degree at all, so that I have no concern about that; but I maintain that from my recollection of the committee, that we did not make a change in the rule as it then existed and that at the time that the committee was sitting that the rule did not give that exemption to the leaders of the other parties -- and just as an example of how our recollection of these matters can

(Mr. Campbell, cont'd). . . . become clouded as the days pass, and with the multiplicity of other matters that we have to deal with, I give you this example Madam Speaker, that the Honourable the First Minister a few days ago, in replying to the Honourable Member for Rhineland, said if I heard him correctly-- I haven't taken the time to check this in Hansard-- he said to the honourable member that the rules of the House provided for what constituted the recognized opposition party in the House. I believe that is not correct any more. This is what used to exist and it was at the time that it existed that the rule also existed about the leaders of those parties having the exemption from the forty minute time limit on their speeches.

Now, all I'm asking --because the Honourable the First Minister seemed to think that there was not much point to the suggestion I was making and said that the Clerk had made some researches-- all I'm asking is that the official document be laid on the table here, the copy of the rules that we were working with at that time, and that then we can see whether there is a misprint here in this rule or not. Now if there's a misprint we don't want it to continue, I'm sure. If my honourable friend the Leader of the New Democratic Party or my honourable friend the Leader of the Social Credit Party desire to reinstate that rule I have no objection at all. My only point is that as I recall it that was not the decision of the committee and I think we should find out and set the matter to right. Therefore, I hope that my position in this matter is understood, when these are laid on the table, if the House agrees to lay them on the table, then I shall be prepared to follow the matter further.

HONOURABLE DUFF ROBLIN, (Premier), (Wolsely): Madam Speaker, just a very brief word. We'd be glad to assist my honourable friend to clarify this point and get to the facts of the matter and see where we stand, and if we find that our apprehensions about it are in any way incorrect then we can have a chance to review the matter, so we certainly will do our best to produce the documents he asks for.

MR. RUSSELL PAULLEY, (Radisson), (Leader of the New Democratic Party): Madam Speaker I'd just like to say one word in connection with it, this is in reference to what constitutes according to the Statutes of Manitoba, a political party, and it is contained within the Election Act itself, being Chapter 68 of the Revised Statutes. It says, "a political party for the purpose of certain sections is an affiliation of electors comprised in a political organization whose candidates received in the aggregate at the last preceeding general election at least five percentum of the votes cast thereon." Now that constitutes a political party and I would suggest the duly appointed or elected leader of that party, if he is sitting in the House, is recognized as the leader at least insofar as the Election Act is concerned. The other points raised by my friend the member for Lakeside as to what transpired in the committee and what's contained in the report I'm sure will be discussed at a future time if we're all around. I was a member of that committee which was set up to consider the rules at that time. I have some opinions as to what transpired --it may or may not differ from those of the honourable member for Lakeside but I too join with him in awaiting the production of the document he is now asking.

MR. CAMPBELL: Madam Speaker, if no one else wishes to speak I would simply say in reply to what my honourable friend the Leader of the New Democratic Party has said that though it's a most interesting observation and it's good for us to have our memories refreshed I'm sure at times as to what the various acts say, yet it has no bearing whatever on the rules of the House. The rules of this House by a majority vote of the House can decide completely as to who shall and who shall not be limited to or exempted from the 40 minute rule and the Act that my honourable friend reads though it deals with political parties does not deal with the rules of this House. So far as the remarks of the Honourable First Minister are concerned, I appreciate the consideration of the government in making these documents available because I'm sure that they will be useful in trying to further clarify this matter.

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

MADAM SPEAKER: Order for Return standing in the name of the Honourable the Member for Brokenhead.

MR. SCHREYER: Madam Speaker, I move, seconded by the Member for Seven Oaks that an Order of the House do issue for a return showing, in the period 1958 - 64, No. 1 on how many occasions have Department of Agriculture soils and crops specialists appeared

(Mr. Schreyer, cont'd). . . . in court in response to a subpoena or summons ordering them to testify in cases where they performed soils and crops investigation and gave advice to farmers and so on, which farmers subsequently commenced litigation of any kind. No. 2, the total number of man hours involved, and the cost to the Department of Agriculture arising out of such involvements.

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

MADAM SPEAKER: The adjourned debate on the second reading of Bill No. 5. The Honourable the Member for Gladstone.

MR. NELSON SHOEMAKER, (Gladstone): Madam Speaker, I had not intended to speak on this particular resolution or bill that is before us, but I thought I would be derelict in my duty if I did not bring some information forward at this time. I am indeed happy that the government has seen fit to introduce legislation of this nature, and I regret along with most of the members I believe on this side of the House that the bill only deals with firms who are dealing in money and finance. In my estimation there are altogether too many characters --and parliamentary rules prohibits me from using other words that more adequately describe some of them-- that are concerned only in making a fast buck.

Now other factors that have prompted me to speak on this bill were a couple of telephone calls that I received, two yesterday I think, and one or two this morning, bringing to my attention the fact that the fast buck boys were getting faster all the time. Now whether or not we can control these characters by legislation of this kind I don't know what kind of a police state you would have to have to stop them, but it strikes me that some of our neighbouring provinces has legislation that's a little more rigid on these fellows than we have in this province. Perhaps we could improve our licencing regulations, the licencing and bonding of salesmen of all kinds, and stop their methods, their unethical practices and methods in this fashion. But regardless of how it's done we've got to do something to stop it. Now Madam Speaker I did not intend to name anyone in my talk this afternoon but I may be forced to do that, if I'm encouraged. Now the, Pierre Berton, I think in his most recent book on the "The Big Sell", --I've been trying to get a copy of it all over Winnipeg and it must be pretty popular at this time because they haven't one in the library here. I understand there is a copy out at the Phillips Branch library and they're going to send one in to me. But he devotes I understand, an entire chapter to a bunch of characters --I've used that before-- that are operating down at 125 Garry Street. These firms, organizations and corporations etc., are all pretty well known to the public today because they are before the Tallin Commission. So that if Pierre Berton wants to name them in his book and expose them to the public, if he thinks that this should be done and if it is in the best interests that they should be named then I see no reason for me to withhold their names although I do so in dealing with the principle of the bill that is before us.

Now the first telephone call that I had yesterday was from the Farmers Union and I know that there are a lot of people here who do not hold out much love perhaps for the Farmers Union but I maintain that they are very useful. They serve a very useful purpose in our society. Every member here is certainly familiar with the brief that they presented to us on January 21 last. I think they presented it to the opposition groups later than that, it was probably presented to the Cabinet on January 21 last, and on page 16 the Farmers Union expressed regret that the government had failed to bring in legislation dealing with these corrupt practices that I refer to. I believe that I read at the last session one paragraph of their brief under the heading of "Business Ethics," and I want to read it again, and I quote, "During the last two years we can conservatively estimate that the farmers in Manitoba have paid out over three quarters of a million dollars to business operations which class themselves as so-called discount clubs or wholesale associations, and whose business operations have no relationship whatsoever to that which their respective salesmen present to the individual farmers." Now they are referring only to the discount clubs and they say that the farmers have been gypped to the tune of three quarters of a million dollars. They've only scratched the surface. There's literally hundreds of other types of salesmen out in addition to the discount clubs that's referred to here, and so I maintain that we must have some kind of, "consumer protection," I think is the word that my honourable friend from St. John's uses and I think it's a very good word to use. We must protect the public from these characters. How

(Mr. Shoemaker, cont'd). . . we are to do it this I maintain is up to the government to decide. I suppose that my learned friends will remind me that we have done business in Manitoba for many decades under the old caveat emptor principle of let the buyer beware, and that might have been fine and dandy in the early days but it certainly in my estimation does not follow today.

I had the privilege and pleasure of meeting for about a half an hour or so with the manager of the Winnipeg Better Business Bureau earlier this morning and he tells me that he has been manager since about 1953, and when he first took over the office there the number of complaints coming into --well the number of enquiries, I'll put it that way-- the number of enquiries coming into their office in Winnipeg were between 7 and 800. In 1963, ten years later, they totalled 25,000. Now I know that our population is increasing but it isn't increasing at that rate, Madam Speaker, and this I think points up, well it points up two things, Madam Speaker, it points up the good work that the Winnipeg Better Business Bureau are doing --I believe they have changed their name to The Better Business Bureau of Metro Winnipeg, or something of that kind now-- it points up the good work that they are doing and what they are attempting to do, and the manager tells me that many of their inquiries today are limited to inquiries as to the integrity of certain individuals, corporations and companies and the like. Before they make a purchase they're enquiring. Now this is good but they can only do so much.

Now the other telephone call that I had --or one of the other ones, Madam Speaker, was from a friend of mine in the city referring me to page 13 of last night's Free Press and page 16 of the same paper as well as page 20 of The Tribune and appearing another place in the Tribune --yes, page 19 and 20 of the Tribune, the same ad, and I would like to read it, it's a very brief one and no doubt my honourable friend the Attorney-General knows all about it because it has appeared in both these papers I believe for at least two months. I'm quoting: "Siding you never have to paint. Colour baked on. Will cover the average home. Clearance only \$250.00 regular price \$850.00. Phone Wh3-7921." Now I believe I did say, Madam Speaker, that there was absolutely no difference in the ad. I believe there is a slight difference so I will read the one now from the Free Press, the other one was from the Tribune. There is a slight difference. This one says, "Siding you never have to paint. Colour baked on. Will cover average home. "Closeout" clearance only \$250.00, regular price \$850.00. Phone Wh3-7921." So what do you think we did, Madam Speaker? We phoned Wh3-7921 two or three times last evening and a couple of times this morning and they answer with a simple "hello"--and that's a nice greeting I will admit but it doesn't give you much information-- and upon a certain amount of bugging you learn that it's the Standard Regal Building Products or something of that kind down at 125 Garry. I have it here somewhere. Regal Standard Building Corporation, that's what they are. When you drive around to 125 Garry, anyone that has and probably you all have by this time because it is so much in the news these times, you find a plaque on the door and it says "First Financial Federation, Western Building Products, Allan Home Improvement Company, Centurian Security Building Products Corporation Limited, Regal Standard Building Products Corporation, Empire International Mortgage Investment Corporation, Home Owners Finance Company --and all 125 Garry. Now in their ads I must say this that some of them say "First Federation Building" as the address but when you look it up in the phone book under the list of apartments and blocks and so on to learn where First Federation Building is you find it at 125 Garry. So it's the same address.

Now what I want to point up in addition to the fact that there are seven firms operating down there is that this ad indicates and the inference is that the law is catching up to them and they're going out of business by reducing this siding and getting rid of a lot they had on hand. That was my first thought or impression of it -- and I hope they have. I hope that people of this kind are stopped of their unethical practices. It points up another thing that if they are prepared to sell you siding that will cover your entire home for \$250.00 and in fact they did charge \$5 or \$6,000 as the Tallin Commission Investigation appears to be revealing, then it points up the exorbitant profit that has been made if they are now prepared to sell you siding for \$250.00. Now when you quiz them as to what the cost of installation might be they use a figure of \$100.00 today.

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

Now there are many other types of operations going on within our boundaries, of which my honourable friend the Attorney-General is quite familiar, because he knows of my own experience I am sure or that of my son-in-law and daughter because I have been talking to almost everyone in his department but himself I think in this regard and I get this impression every time I leave the department down there, the Attorney-General's department, that the people working there say, they say to me, "Well there's really nothing we can do. These men are operating just within the law. They're skating around on some awfully thin ice but they haven't fallen through yet, most of them haven't, and we're watching --This is what they tell us, "We're watching them all very, very closely but we can't nail them because they're just within the law." Well why in the world, Madam Speaker, can't we amend the law then and make the ice a little thinner and nab a bunch of them-- this is what I'm saying. Madam Speaker, they have just delivered on my desk and I don't intend to read it -- (Interjection) Pierre Burton's book "The Big Sell". No doubt a lot of you have read it and if you haven't I commend it to you.

A MEMBER: Do you get a royalty?

MR. SHOEMAKER: No, Madam Speaker, my honourable friend on the right asked me if I get a royalty? I want to assure the House that I do not. --(Interjection)-- I haven't read it, I have not read it I'm just taking for granted what was told me about it. What I think that we should be doing in the type of legislation or licensing we need is pretty well outlined, Madam Speaker, and my honourable friend the Attorney-General for your information in "Enacted Incorporation in By-laws" put out by the Better Business Bureau of Metropolitan Winnipeg, and I've just underlined a few. The corporation, this is what they attempt to do --and we need a lot more people besides them attempting to do a lot of things and not only attempting to do it but getting it done. The Corporation may pursue and carry out the following objects: " to promote and assist in maintaining truth, honesty and accuracy in advertising." Cut out all this misleading in advertising. I know that in certain states in United States that they do have laws in this regard, corrupt advertising. " To improve and maintain the overall ethical standards." Let's set up a standard of ethics, business ethics here. "To expose trade practices that are regarded as unethical; to inform and educate the public as to honest and legitimate advertising and so on."

Now I wish the honourable the Minister of Agriculture was in his seat because you, Madam Speaker, and everyone else in this House has heard me refer to the green sheets and the red sheets and so on as being nothing but propaganda from time to time. I would like to see him put out one of this subject. The General Manager of The Better Business Bureau told me this morning that in many areas of this province the ag reps in the area and the home economists have been given information on firms who are considered to be unsafe to do business with and they've also been given the names of firms that they consider good reputable firms. Well then if this is so and if it is a fact that the ag reps and the home economists in the various areas have this information, why not let the people know; let the farmers know; let the Farmers' Union know that this information is available at the ag reps office, if it is a fact.

Now, Madam Speaker, I did want to tell you about another operation that is going on --and I believe it too is referred in the book "The Big Sell." A firm here in the City of Winnipeg and I don't know much about its operations, I will not name it, but their efforts are directed to selling some type of a food blender or a food mixing apparatus or appliance.

MR. T. P. HILLHOUSE, Q.C. (Selkirk): 600 gallons of powdered milk.

MR. SHOEMAKER: That's right. Madam Speaker, the Honourable Member for Selkirk says and 600 gallons of powdered milk. Now their approach apparently is this; they call on Mrs. Housewife and they say, how many in your family, how much milk do you use? If she says, well you use 5 quarts a day, well you're paying .23 cents a quart so that's \$1.15. Now look, if you were using powdered milk well you could drink it all day by the barrelful here at about .50 cents and you'd save .65 cents. And you know what you can do with the .65 cents? Buy a \$300 food mixer or something. Now this is the practice they're doing. This is what they're doing. Find out for yourself if you don't believe it. This is what's going on.

(Mr. Shoemaker, cont'd). . . They're selling about a \$125 or a \$100 food mixer and at the same time selling you barrels of this powdered stuff they call milk. Now I maintain that the Minister of Health should look into this. I believe the Federal Minister of Health did look into it. And let's find out if the milk that they're selling is good for human consumption. Let's check into this one. The Attorney-General and the Minister of Health. Let them both get cracking and any other Minister that would like to help them out because we're not getting along very fast in this regard, Madam Speaker.

Now Madam Speaker, there is another matter that I did not want to refer to at this particular time and I certainly don't want to infer now that the people that I'm going to talk about are in any way connected or a parallel with the people that I've been talking about, but all I'm going to say is that when I had some dealings with them just recently I wondered how much conscience they had --in fact at times I thought probably they were minus conscience altogether-- and we are dealing with a bill that concerns the conscience of people and the actions resulting from people that have little or no conscience. That's what we're dealing with I understand, and therefore I would like to touch very briefly --and Madam Speaker I must say this at the start too, that what I have to say is no reflection whatever on the medical profession. I'm not reflecting on their ability, their profession, in any way, shape or form, but I simply say that this Legislature gave the MMS --I've got to use their name now-- the Legislature gave them too wide powers away back in 1942 I think it was, by a special Act at that time, and I maintain that it's not in the interests of public welfare for them to take advantage of some of the wide powers that have been given to them. Now I know that --well I'm pretty certain that just everyone in this House is aware of the fact that Mrs. Shoemaker had open heart surgery at Rochester on June 4th and I had an MMS contract and they refused to pay any part of the bill. Now I asked them on two or three different occasions to pay me exactly what they would have paid had the operation been done in Manitoba and I wrote them to this effect. I wrote them --the night prior to the operation I sent a letter to them, I think pretty well a duplicate copy to them that I sent to the Manitoba Hospital Commission, simply asking them for an outline of what they were prepared to pay in this regard and I wrote it from Rochester because I stayed there for six weeks. I got a very nice letter from Pickering, the Commissioner of the Manitoba Hospital Plan, outlining the out-of-province benefits under the Plan. Quite happy with them. A letter from the Red Cross outlining what they were prepared to do to replace the blood that was used there --11 or 14 pints or something like that. A letter from MMS saying that the case would be presented to their committee, and that letter was dated June 8th and on July 8th I got a one-sentence letter from them just simply saying that it had been presented to the committee --the medical review committee-- and they weren't going to pay anything, because the operation could have been done in Manitoba.

Now I then immediately wrote them back and I sent a copy to the Honourable Minister of Health --just a copy. I wrote them and I asked them for papers to register an appeal against their ruling because surely in our society there's provisions for an appeal I thought, against anything. I mean in the insurance contract and any other contract that you enter into you can generally appeal against a ruling of an individual and they don't have any provisions for an appeal other than to sue them in court. So I appeared before them on Monday of this week and spent an hour and a half with them but I didn't get anywhere so, as the old saying is, I might as well have stayed in bed. I didn't get anywhere. But, I think a lot of it stems from the fact that we legislators gave them a little too much power at the time. According to the Honourable Leader of the New Democratic Party they have just recently increased their rates without asking anybody whether they could do that and they do a lot of other things. Now I just want to read the powers that they have here; powers exercisable by the board: "The powers of the Association shall be vested in and exercised by the board and without limiting the generality of the foregoing the board may make and pass by-laws, rules and regulations not contrary to the law of the provisions of this Act and with power to amend, repeal or re-enact the same for all purposes relating to or bearing on the affairs, business property and powers of the Association, its management, government, acts, objects and interests, the fixing of the aforesaid rates, charges and dues, the drawing, making and endorsement of bills of exchange, promissory notes and cheques, the execution of documents, the engagement and removal of remuneration paid to all officers and so on and so on; they can

(Mr. Shoemaker, cont'd). . . do anything they want. And then they say that when you pay your premium you have agreed to everything that the board has done. Now when I signed my contract in 1961 this "elective care" that they refer to in their present contract was not present in it. It is present now but I've paid a couple of premiums since that time and thereby I have agreed apparently to everything that they've done in the interval. And I object to this type of treatment.

When the MMS made application to the Legislature for the Bill they said what their intentions were and the purpose of it and the desirability of it and I must say now Madam Speaker that I think they have done a wonderful job. It's just that there's certain things that we should correct in this legislation. I say this too, that it seems to me that the medical profession, by and large, continually warn the public about the possibility of state medicine and their number one fear, the fear that they express to us is that we will lose our freedom of choice in the medical profession. Now this is the inference that I have. I don't know if anyone else takes this inference from it or not but this is what they tell us. Well then if they tell me that they won't pay my doctor's bill when I go out of the province are they not limiting my choice of a doctor? They're doing the very thing that they say beware of if you have state medicine and I don't think that this is right.

Here's an outline of the evolution of Manitoba Medical Service right from their own book MMS, first paragraph, "The purpose of medical men in society is to render medical care. If the public demands a change in the methods of rendering this service it is entitled to be heard providing that it is willing to ensure reasonable remuneration to the doctors. This is the basic principle of the Manitoba Medical Service." That's what they say there. It's the basic principle. If the public demands a change in it and they're willing to pay the doctors a reasonable amount for their services then the public are entitled to be heard.

Now according to my honourable friend the Leader of the NDP Party, he suggested that they weren't starving to death --that is the medical profession were not starving to death -- and I said the other day at the hearing that if one percent of all of the operations that are presently performed in Manitoba were performed outside of this province-- and that's something that will not happen, there wouldn't be one out of a thousand I don't suppose in the same category as mine --but let's suppose there's one percent of them, and if by that fact that they agreed to extend their contract to pay for those, on the same basis that they would pay for them within the province, then so far as the cost of that care would be concerned all they would have to do would be to raise their premium by the same percent, one percent-- which is pretty small peanuts. They've just finished raising it 20 percent I believe or something of that kind.

However, Madam Speaker, I know that I have nearly exhausted my 40 minutes and I don't want to belabour this point any further but I think that the Legislature should take a look at the wide powers that we have apparently granted to MMS, and see if it is a fact that the majority of people want a change in their contract then let us prevail upon the medical profession for this change. Madam Speaker, I will admit that the MMS from time to time have made changes, good changes. Just recently I believe they have incorporated a subsidiary --they refer to it as a subsidiary, under United Health Insurance Corporation Limited-- it says, " a non-profit subsidiary of Manitoba Medical Service" and the coverages that are offered by this subsidiary of theirs is intended to fill some of the gaps that are inherent in their contract today, that's the purpose of it, no question about that. And it's interesting to note some of the benefits that are offered under this or by this subsidiary of theirs, and it's also interesting to note Madam Speaker that the cost for care outside of the Province will be paid at the same rate as in Manitoba, by the subsidiary; but not so by MMS contract themselves, not so by them. If MMS insist on refusing to pay for care such as I have referred to outside of the Province then I think they should change their advertising program to read that MMS is designed for residents of Manitoba only, that part of it's true, to cover cost of care in Manitoba only. Thank you.

HONOURABLE GEORGE JOHNSON, (Minister of Education) (Gimli): Would the honourable member permit one question?

MR. SHOEMAKER: Certainly.

MR. JOHNSON: Is it not part of the contract of the MMS that when a person under

(Mr. Johnson, cont'd)...the --as I understand it the doctors contract to perform medical services within the Province of Manitoba-- if the Manitoba doctors are contributing towards this scheme or it's a partnership with them, did they not speak at any time about the --is there not a panel of experts that review any case that request to go outside or to some other major centre for certain work, and if this committee --don't they pass their opinion on this type of case that the honourable member has brought up? I just wondered if that was in the contract.

MR. SHOEMAKER: Well Madam Speaker, to get the question straight, you're saying that prior to going outside that you should enquire before you go out. (Interjection) Before the operation is performed, not after. Is this what you mean? Perhaps Madam Speaker, to answer that question I should read, (Interjection) pardon. Was it a question?

MR. JOHNSON: Yes it was. Did you know of the possibility that there was a panel that reviewed these cases prior to proceeding outside to another country?

MR. SHOEMAKER: Madam Speaker, I will read that section of the contract that MMS referred to me and said this is the grounds on which we are refusing to pay. Quote, "it comes under out-of-province care-- and I want to repeat what I said earlier, Madam Speaker, that this contract is dated December '62 I think. That is, the conditions of this contract came into effect I believe in December 1962 whereas the one I had signed was in 1961, and the section that I am now about to read did not appear in the one that I signed and I want to bring this point out. However, I'll read this. It comes under the heading of Out-of-Province Care, section 2, "Elective Care of Treatment." "In the event of a subscriber or dependent requiring care or treatment" and they have in brackets "excluding services for diagnosis outside Manitoba," when in the opinion of the Association the necessary therapeutic or remedial services or facilities for such care or treatment are not available in Manitoba, he is entitled to receive the services as herein provided, provided that he obtains the prior approval of the Association for such service or facilities as aforesaid, outside Manitoba as may be authorized by the Association. The Association shall pay only qualified medical practitioner who is not a medical member of the Association and who renders the services the same amount as would be payable to a medical member of the Association in accordance with the Association's schedule of fees for specialist members or the actual charges, if less. The subscriber will assume all liability for charges over and above the amount assumed by the Association." Now Madam Speaker, if I may be permitted to comment and answer the Honourable Minister of Education's question, the former minister -- no the present Minister of Education...

MADAM SPEAKER: The member should answer the question directly. I think he has expired his time.

MR. SHOEMAKER: To answer the question, "There is provision here". They allow you to make it, but it wouldn't have made a particle of difference. It all hinges on whether or not the services are available within the Province, and my point is this, who are they to decide whether or not the same quality of service is available within the Province and when a human life is at stake and I say to myself I would be better served by having an operation done Timbuctoo, then that's where I'm going to go and if I want to spend \$10,000 of my money in addition to the \$500 or \$600 I get from them then that's my business and they should pay the same amount outside as inside.

MR. ARTHUR E. WRIGHT, (Seven Oaks): Madam Speaker, would the member permit a question? (Interjection) Does he consider his contract with the MMS to be unconscionable?

MR. SHOEMAKER: Madam Speaker, did I not say at the outset that I was not placing this in the same category as the other people I have mentioned. I distinctly made that point and I also said that --in addition to saying they were not in the same category I said I held a great deal of respect for the medical profession in this Province. I said that. Now, I said that I think the Legislature has given them too great powers in their Act. I think that we should probably look into the powers that are given them, invested in them by the Legislature.

MR. SCHREYER: Madam Speaker, I think I should at the outset apologize in advance to the member for Gladstone for anything which I may say from this point onward

(Mr. Schreyer, cont'd). . . which he might take to be personally offensive but I feel that there are some rather important matters involved in the speech made by the last speaker, important enough to merit some elaboration at this point.

I must confess that I do not understand the tactics or the attitude of my honourable friend or of his colleagues in the Liberal Party. It seems as though overnight they have decided to abandon the philosophy and teachings of Adam Smith, because here we have a group of members who have continually up to now professed their belief in free enterprise and so on, and here what do we hear them say today, yesterday and the day before but that they want yet another regulatory agency, which is in effect what they are asking for. I submit Madam Speaker, that this is hardly the forum to bring up individual or specific cases of grievance involving unscrupulous or near-fraudulent sales practices because if one does we all can, and I'm sure that all members here have files about that thick citing cases of hardship, individual hardship or near-fraudulent practices on behalf of one or another firm. I have several cases involving the very same firm, involving siding installation, also one or two cases involving people who have been "taken for a ride" to use the colloquial expression, by vacuum cleaner sales firms, and that's just to mention but a few. The position of our group is clear. Now, last year and for five, ten, fifteen, and twenty years we have advocated such measures as are necessary to protect the low income brackets and the consumers from those firms which do not see fit to follow any code of ethics in business enterprise, and so we can with considerable consistency then advocate not just a bill such as Bill 5, which is quite weak, and not nearly adequate enough, we can with consistency ask something much more than that. But when the members to my right ask for some further regulations to protect the consumer I would ask them what do they propose? What specific regulations would they propose? What sort of agency of control would they propose, and furthermore I would ask them to give the philosophic foundation which would justify their advocating such regulations to protect the consumer. I'm sure that of course this wouldn't be forthcoming from them because they do not really attempt to be very consistent in this Legislature. Their tactics seem to be more connected with what is popular and newsworthy at the moment.

Let me say that Bill No. 5, Madam Speaker, is in my opinion acceptable if for no other reason because it does no harm. I don't think it does any great amount of good but it does no harm either. It is a very bare and minimal extension over the protection the consumers in this Province already have, either by some statutes such as the Mercantile Act by the old Common Law; but it doesn't do any harm so I suppose we shall support it. But as the member for St. John's said yesterday, if we are to be justified in calling this bill or act Unconscionable Transactions Act we should include in the provisions thereof protection not just against unconscionable loan transactions but against unconscionable transactions of any kind, not just loans but including time sales and so on. And also I think in this particular bill there should be included some provision for interest rate disclosure or revelation. Now I know some men learned in the law will say that this is not in the constitutional purview of the Province, but I want to remind them that we have not really tested what the constitutional power of the Province is with regard to interest rate disclosure, and I feel it is a responsibility incumbent upon this government and upon this Legislature for that matter to probe the very limits of our constitutional power, because unless we do so we shall never know whether we are giving as much protection to the consumer as is possible.

And furthermore it seems to me we should be testing these limits, getting Supreme Court interpretation and unless we do so we shall not know in effect how far we can go in providing this protection.

Well I don't know whether the Minister or the rest of the government are very enthusiastic, or even anxious to go into this direction or into this tangent of interest rates disclosure but I hope that they are at least thinking about it because with the growing complex society we live in it seems to me that more and more is being purchased on time; interest rates are becoming more and more important and more and more a source of hardship to people, and if we want to with any amount of sincerity say that we are doing our best to guard against unconscionable transactions we shall eventually have to deal with this problem. And it's not good enough to say, "Well we don't know our constitutional position." Let's find out by testing.

MR: FRED GROVES (St. Vital): Madam Speaker, I would like to say a few words on this bill before the debate is closed. I was a member of the committee that considered this and a number of other bills during the recess and I believe that this bill although it's a small step is a step in the right direction. There was a great deal of discussion in the committee on this bill and a great deal of discussion on matters of consumer protection that went far beyond the bounds that are set within the terms of this Act.

The Honourable Member from Lakeside and myself, two that I remember, brought before the committee examples of victimizing of consumers which we realized at the time were not within the scope of this Act and yet that we felt might be looked into in the future when further consumer protection measures were considered. Since that committee has met the Tallin Commission has been established to look after and to investigate the type of transaction that the Honourable Member from Portage la Prairie brought to the attention of the House yesterday.

I think that the extent of this problem, that is the problem of those transactions beyond the scope of this particular Act, are indicated in an article in last night's newspaper, from which I would like to read two small quotations: "Counsel for the Commission, Charles Huband said today as the Commission reopened public hearing that a request may be made to the Attorney-General to expand the commission's terms of reference to include all types of transactions in the credit granting fields not just those involving mortgages." And later on in the same article Mr. Tallin is quoted as saying, "That since taking over his new duties Mr. Tallin has interviewed by telephone or in person, more than 200 persons who felt they had been victimized. At least 30 of these cases revealed dealings relevant to the terms of his enquiry." Now Madam Speaker, there were 170 of the 200 cases of alleged victimization that did not fall within the terms of Mr. Tallin's terms of reference. I would assume that if a request is made by the commission that the Attorney-General would in all probability expand the terms of reference of this commission to include other financial transactions besides mortgages.

I would hope too that in addition to the self-policing that has been asked of the credit grantors of this city that these committees that were set up to consider credit granting in general--the sittings of these committees will also result in recommendations that will be forwarded to the government and that probably, and I underline probably, would be brought before the next session of this Legislature. We are led to believe that this would be so from the reports of the setting up of this committee and what meetings they've held.

I think also that we should bear in mind that following the discussion which took place in the committee on the last day in which I think all members of the committee including the Minister agreed that this field must be looked into further than was being done in The Unconscionable Transactions Act. The following day, the day after this committee completed its work, the Minister is quoted in a press report as saying that, "All matters of consumer protection would be taken under consideration and committees would be set up by the government to look into them." Now I hope that -- we have seen some of this take place and I hope that these committees and the others that may be set up will deal with this whole field. I would venture to guess as I said earlier that a big majority of the 170 out of the 200 cases that Mr. Tallin interviewed would lie within the field of consumer protection that's beyond the mortgage and finance and even the credit field.

I don't agree with the Honourable Member from Brokenhead. I think that this committee, or this House is the place to share some of these provided that we use our good judgment and not subject the members to a great deal of repetition of the same type of case.

Now the one that I'm going to share with the House and it's not going to take me very long doesn't concern itself with credit or mortgages and yet is an abuse that is victimizing many hundreds of people in this city and unfortunately, it is victimizing people that are both uninformed and that cannot afford the monies that this practice is costing them. Some time ago a little yellow or red card was circulated to people in my constituency -- and I unlike the Honourable Member from Gladstone am going to use names -- by the Orion Television Service Company. The card says that the television service company is government licensed -- and I think that's important -- that they've had 16 years of TV service experience

(MR. GROVES (Cont.) in all makes, that the holder of this card will get 10 percent off on all parts and tubes; that they are open seven days a week 24 hours a day; that you get same day service; that all parts are guaranteed and that they test your tubes on the most modern testing machine. Then they give a phone number and an address and a little coupon at the side that says special service with this card service charge is only \$2.00.

The case that I am referring to, the names of the people are Batryn and they live on St. Anne's Road. Both of these people, it's a married couple, are well over 70 years of age and are depending entirely on the Old Age Pension for their livelihood. They contacted this company; a representative called and no doubt tested their tubes on this most modern tester and then advised them that the machine could not be fixed in their home they would have to take it to their shop. It was taken to the shop and a few days later the machine was returned with a bill attached of \$41.45. They put in five tubes, a condenser and something else that I can't read. The total cost of the parts that were put into this machine were \$26.95, then there was the service charge of \$2.00 that was advertized on their pink card, and then a labour charge of \$12.50, making a total of \$41.45. Now then if one checked the retail value of the parts that were put into the machine -- and you can do that because you can buy these tubes -- we find that tube No. 1 for which they were charged \$5.75 that the highest retail price you can buy it for is \$4.75; they were charged \$3.60 for tube No. 2 which retails anywhere else at \$3.05; they were charged \$3.50 for tube No. 3 which retails for \$2.80 and \$3.50 for tube No. 4 which retails for \$2.80. Well, these people when this television set was returned were told that unless they could pay this \$41.45 that they would not get their television set back. Madam Speaker, if this same operator went into that home and removed this television set without sending the orange card he would be arrested and thrown in gaol for stealing, and, Madam Speaker, I maintain that what he has done to these old people is the same thing. He has stolen from them \$41.45 and has used in order to gain their confidence the fact that he has a license from the Department of Labour which certifies to his competence as a TV repair man, so that he is using the government license in another field entirely to convince these people of his honesty and of his high ethics. So this machine, Madam Speaker, at no charge to the people concerned was sent to the T. Eaton Company, to their television repair department, and I have in my hand dated May the 14th a report from that which I would like to read. "Report on repair to Viking television, property of Mr. Batryn of 126 St. Anne's Road. Tubes quoted are not original and have been replaced at some time," and then they list the tubes and the condensers, etc. that they feel were put into the machine. He goes on to say, "No evidence of condenser being changed, although there is a charge for a condenser, certainly not at the quoted price of \$4.75." Then he goes on to list the four tubes which I listed showing the normal list price prices and the prices that were charged on the bill. He goes on, "A 10 watt resistor \$4.10 for which the normal list is a dollar, a condenser for which the person was charged and there is no evidence of any such a part being put into the machine and a resistor which the persons were charged \$1.75 the normal list of which is a dollar." Then he goes on to say, "Comment: tube shield missing on IF tube and mixer tube on tuner. Check on IF alignment shows this has an adverse effect on the response. AC switch has been replaced at some time with single pole switch instead of double pole, therefore the spot elimination switch had shorted out." So despite having paid the sum of \$41.45 this man still had a television set that did not work and this was rectified by the T. Eaton Company at no charge.

It would be bad enough, Madam Speaker, if the matter rested there but lo and behold not too long after the gentleman had the trouble with the Orion Television Service Company he got exactly the same type of card from Bill's Television Service Company with exactly the same information on it -- that the service charge is only \$2.00 and that they're the largest TV service throughout Canada, are government licensed etc., etc. and my information is that both Orion Television Service Company and Bill's Television Service Company are the same person so if they don't get you coming they're going to get you going. And I understand Madam Speaker that this is amongst -- and I would like to say as the Honourable Member from Gladstone said, I don't want to infer from what I say that all of the Television service people in Winnipeg are dishonest because they're not. There are a great number, a

(Mr. Groves cont.)....large majority of them that are going a good service for the public, they are charging a reasonable fee for their services and the people are getting value, but this what I have described is a common practice amongst a number of the unethical people in this particular trade, that they have two, three and even four companies owned by the same person with different telephone numbers and different names, to which they direct advertising to the same people so that if somebody gets stuck by the first one and then they get an advertisement from another, they feel that maybe the odds are such as they couldn't get stuck by two different outfits one after the other. But this is not so Madam Speaker. So I state again that this type of person is using the licence which they get from the Department of Labour, which deals only with their ability to work with television sets, they're using this as a means of gaining the confidence of persons that they're intending to cheat. (Interjection). Yes, good old free enterprise.

Madam Speaker I have discussed this with law enforcement agencies and with the Better Business Bureau and the answers that I get are that this type of thing is grounds for a civil action, that if it's fraud, which it's some form of, that it should be reported to the police, and that one cannot legislate against ethics and that one cannot protect people against themselves. Well this isn't good enough in my opinion, Madam Speaker. Something must be done and I think that something should be done to protect people in Manitoba from this type of abuse. I think that we can do it if we put our efforts to it and I think furthermore if one looks through the reports that we've read in the newspapers over the past few months and if one takes into cognizance the discussions which took place on the last day of our committee, that we should expect at the next session of the Legislature that legislation dealing with all these fields of victimizing the public would be presented before the House.

The type of thing that I have referred to and the type of things that some of the other speakers on this bill have referred to don't involve large amounts and they don't make spectacular news stories, like the ones that are being heard before the commission at the moment, but thousands of this type of transactions are taking place in the province and particularly in Greater Winnipeg. They are victimizing old people and people that are not in a position to be able to afford this type of thing. They can't afford to lose this money because they're in a position where if they lose money to this type of operator they have to make it up by going without some of the necessities of life. The savings of these people are being siphoned into the pockets of crooks and gangsters and I think that it should be stopped. These crooks and gangsters are being protected in many instances by the -- how should I say, I don't want to say protected by the law, but protected by the fact that the law doesn't go far enough as it stands and in many instances such as the example which I have given, licences or other forms of certificates which they already hold that are issued by other departments of the government are being used to gain the confidence of people that it's intended that they fleece.

I said in the committee Madam Speaker that if we thought that we were going to get away with just passing The Unconscionable Transactions Act that we were kidding ourselves and I think that everybody on the committee, including the government members, and the Minister, agreed with this. I don't think that we are going to get away with merely passing legislation to deal with financing, mortgages and money, that while we're at it and while this whole type of transaction is in the public eye that we should do a proper job now, or at the next session of the Legislature, and see to it that these loopholes in our present law that allow this type of thing to happen should be plugged. So I look forward, Madam Speaker, on the basis of what has been done since the last session, to legislation at the next session that will alleviate all of the types of transactions that have been described by members of the House that spoke on this bill at this session and on the various resolutions and on estimates during the last session.

MR. LAURENT DESJARDINS (St. Boniface): Madam Speaker I did not intend to speak on this and I'll be very short but I think that finally I see a chance to agree with something that the member of St. Vital is saying in this House and I don't want to miss this chance. If I heard him correctly I think he suggests that we are not sufficiently prepared to go on with this bill. He feels that something should be done, that we should study this a little more and bring in something worthwhile at the next session and I certainly agree with this. Nearly every...

MR. GROVES: I said that we should go ahead with this bill and then deal with the other matters at the next session.

MR. DESJARDINS: Well I was partly right. I know that he has to go along with his party where I don't really have to -- I can listen to them but not do as they say all the time anyway. Nearly every speaker that touched on this subject started by telling us a story about somebody in TV and some salesman and so on and I agree but I think that this is a waste of time because, well I must say that I'm in the funeral business myself and I think some of the biggest crooks are funeral directors. My friend in front of me from Selkirk is laughing but I think the lawyers are probably in front of us and there is many doctors and so on and I think that that would prove that people are unscrupulous -- some people, and not necessarily the professions or the trades. I think this is the important thing to remember. I don't think we can point the finger at the insurance people or lawyers or anybody like that. When there's a chance to make some money there are some people that belong to all walks of life -- and in every party I should add for the Honourable Member from Brokenhead -- and I think that we should study this and I think that we should bring something worthwhile. I think we'd be going a little too fast if we do something now. We see by the newspaper that the Tallin Commission would like more power and I think that we should give him this. I think it would be unwise to do something just because of the story -- the stories in the newspapers certainly wake us up once in a while and we can see the necessity for that but let's do something right and I think that should be done at the next session.

Now I might say that I'm sure that on this thing that we're all of the same accord, we all want to protect the people. I'm not ashamed to admit that, even after listening to the Honourable Member from Brokenhead. I wasn't a Liberal 60 years ago, in fact I wasn't born so I don't know what happened then, but I always felt that the Liberal policy was to let the people live in freedom, in liberty, and to me -- this business of freedom and liberty, is not only a word, a theory, it has to be done in practice and as long as I'm a Liberal, or as long as I'm in this House I certainly will not be ashamed to try to -- I don't know, even if it goes against the would-be policy of the Liberal Party, I don't understand it the way he does, but I certainly won't be ashamed to vote and bring in some motion that might protect the people. I think that sure we believe in free enterprise and I'm not ashamed of that either but I certainly don't believe that we should have the abuse and the abuse is not only in private enterprise. I'm sure that some of the people working for the railroad, and maybe we can ask the Leader of the Opposition to the -- excuse me, I was going to say the opposition to the opposition but I meant the NDP -- I'm sure that he can tell me that -- in fact he might have been part of those people that had three or four coffee breaks in the morning and maybe four or five in the afternoon so I think that -- I'm not accusing him of this, I know that he doesn't like coffee -- but I do think that we should stick together on this and realize we're trying to protect the common people. It's all right to joke about this and maybe I'm doing my part now but I think this is serious; I think that we have a responsibility to see that freedom and liberty and all these words are not just this, words, and that people are given a chance to live like free people, that we have to protect them and I don't think that we're getting anywhere by talking about different trades, different professions, because I do think that the trades are honest, the professions are honest, but it is the people that are unscrupulous. I would like to see the result of the Tallin Commission and I would like to see the Attorney-General -- and I suggest to him that he doesn't wait 'till he's asked, that he should give more power to the Tallin Commission and I would like to see a report come in on this and maybe we should have a committee of the House that would sit between the session. I'm not making any motion, these are just suggestions and maybe in five or six months when we come to the next session we'll have something real good that we can all shake hands on it and we won't be jockeying for position; we'll all be in accord and we'll try to protect the people of this province.

MR. PAULLEY: If I may just say a word or two in connection with this resolution, and I want to thank the Honourable the Member for St. Boniface for his kind words regarding the Leader of the Opposition to the opposition, and I think, Madam Speaker, that what he has said in this House today, and also what a number of other members have said, both of the Conservative Party and the Liberal Party have said, vindicate the being or the fact of being of the New Democratic Party in the Province of Manitoba and the adherence of a socialist concept of economics indeed throughout the whole universe.

I know on many occasions, Madam Speaker, I have stood in this Assembly and made suggestions as to what is necessary for the protection of consumers, protection of individuals, and I have been chastised because I have advocated measures for the protection of citizens and individuals, chastised because this would be contrary to the concept of the free enterprise system which I said yesterday was neither free -- or the day before -- neither free nor enterprising.

I think, Madam Speaker, today is one of the happier days since the time of entry into politics that I have enjoyed, because at long last, at long last the voices that have emanated from this small corner in this Legislature have been re-uttered from spokesmen for the so-called supporters of the free enterprise system. Amen, so be it. The Honourable Member for St. Vital told us this afternoon in no uncertain terms of the need for an association or an organization of consumer protection. The other saintly member -- St. Boniface member that is, Madam Speaker -- joined with him in expressing his opinion too that protection is necessary for the citizens of the Province of Manitoba, but if I am not mistaken, Madam Speaker, the Honourable the Member for St. Boniface at least on a couple of occasions since we have been in the House together has severely chastised me because I have suggested interference with the rights of the individual in a free enterprise system. My honourable friend says, "that's right." Yes, and he says he'll keep on. Then I ask my honourable friend, Madam Speaker, on what basis was he talking today when he was talking about the protection of individuals from other individuals?

So I say Madam Speaker, I'm not going to tarry long on this debate but to me, and I'm sure that I can speak on behalf of the members in this group here present and also on behalf of those members of the old Independent Labour Party, the former CCF Party, who sat as members in this House over the years and advocated during all that period of time that it was necessary for government to interfere if interference was necessary for the protection of the individual from unscrupulous merchants and others. And I say that it's not just sufficient, Madam Speaker, as has been indicated in this bill. We must go forward. And it was us in this group just a year ago, or last spring, that offered some solutions to the government. The Attorney-General set up this -- or the government I possibly properly should say, has instituted the Tallin Commission which are investigating matters. It now appears that their field should be broadened. Broadened to what, Madam Speaker? Broadened to the very field that my colleague from St. John's, my colleague from Brokenhead, said at the last session of the Legislature that investigation should be made and that a department of government should be set up in order that people who have been aggrieved may be interviewed and lay complaints to. My honourable friend, the member for St. Vital, illustrates the question of the TV incident, but where could it go to? He illustrates the fact that there are about 170 apparently that got in contact with Dean Tallin and his commission who could not be heard according to the terms of reference of that commission. But we have said in this group, Madam Speaker, we don't need particularly a set-up of a commission just as the Tallin Committee. We have suggested in this House that there should be a proper organization set up within the Attorney-General's Department so that anyone in any circumstances, even including the question of undertakers, if they felt aggrieved -- not the ones that they put down but those who are left behind -- felt aggrieved, could appear before a committee of, or a section of the Attorney-General's Department and have their cases heard.

So Madam Speaker, I do want to thank -- I sincerely do want to thank the members of this House this afternoon for at long last coming to realize, if I heard them right, that the free enterprise system just don't play . . . that the free enterprise system has its failings and that they have at long last recognized that until such time -- and I hope that there's at least a step along the line to recognizing -- that until such time as we have a system of government

(Mr. Paulley cont'd) of society and men whose objectives are the enhancement of the well-being of their fellow, then we'll always have situations like are being referred to here this afternoon. I welcome those members, Madam Speaker, who have spoken this afternoon into the fold and I only hope that they continue to study a proper economic system which will lead to a better society in this world of ours.

MR. DESJARDINS: Madam Speaker, the honourable member asked me a question. Would I be in order to answer it now? You did ask me a question? Well we'll wait to see. . . . You certainly did because -- he asked me a question, Madam Speaker, if you remember right. He asked me why . . . Can I answer this question?

MADAM SPEAKER: Order please.

MR. DESJARDINS: Can I I asked you a question. Can I answer this question?

MADAM SPEAKER: Order please. You must answer the question when it is asked, if he asked you.

MR. DESJARDINS: He didn't stop for a second. I didn't have a chance.

MADAM SPEAKER: Are you ready for the question?

MR. JOHNSTON: Madam Speaker, would the Honourable Member from Radisson permit a question?

MR. PAULLEY: Yes.

MR. JOHNSTON: Can the honourable member point out to the members of this House a socialistic government that is operating satisfactorily in the world today?

MR. PAULLEY: Madam Speaker, it may be the rules of the House could be extended to give me a couple of hours in order to answer my honourable friend. There are many countries on the face of the earth today who have socialist government, basically socialist principles, that are operating for the well-being of the people of their respective communities. I think possibly the shining example might be Sweden which has the lowest unemployment rate; it has a system of society in which there is adequate protection for the benefit of all of its inmates throughout their whole existence.

MR. CAMPBELL: Madam Speaker, I was delighted to hear my honourable friend the Leader of the New Democratic Party this afternoon put the philosophy of his party into concrete terms and to hear him welcome all the rest of us to join in that, and as I understood him -- and I believe these are his exact words -- I think most of us could go along with the revised edition of socialist philosophy.

A MEMBER: Even you?

MR. CAMPBELL: Here it is, his exact words. This party apparently believes, and now I'm quoting, "that it's necessary to interfere if interference is necessary." Well now, I think that's a good statement. I think we can generally agree with that. I think he was proper in welcoming us into his fold if that's the philosophy of the party. I think this bill is an exemplification of the fact that the government group has decided in this case that it's necessary to interfere if interference is necessary, and I think this is about what we are talking about in this bill, and while I agree completely with those who have mentioned that there are certainly other avenues, what we're talking about now is whether we pass this bill or not, and I believe that the Minister has a good argument in connection with this bill. I doubt that he bothered to use it or if he did I didn't notice when he moved second reading, but I think one good argument for going just this distance at the present time is that this particular legislation almost, I believe, in exact terms has already been tried in another province, has been found by the courts to be *intra vires*, and for my honourable friends, the Honourable Member for Lakeside -- for Brokenhead, and others who criticize the fact that we move too slowly in testing the courts on these matters, I think it's better to move slowly than to dash along too fast and to find that we have by encompassing too much lost the little bit that we could gain by a bill that has been found to stand the test of time. And I think that the Minister likely would say when he closed the debate -- and I thought maybe that to the extent that I understand the situation that I could say it for him here -- was that this has been pretty difficult type of legislation to get to cover even a portion of the difficulties that we all know exist, but if you can get a start made and if you can start with something that's already been tested in the courts and has stood up, then it's well worthwhile to do that. And so I must say that I think that the discussion in the special committee that we have performed a useful purpose and I, too, took the opportunity as some

(Mr. Campbell cont'd) . . . have done in the House here today, as the Honourable Member for St. Vital mentioned, to bring a particular case that didn't come within the purview of this Act or before the committee, but this is one of the good things about a debate of this kind that you get the opportunity even in debating this motion to at least mention the other fields and to give encouragement, as my Honourable friend for St. Vital did and others have done, as a government to keep up with researches and to see if they can move after establishing this bridgehead into some of these other fields. But, Madam Speaker, just because we're going to do that do we really need to establish a whole department of consumer protection just because we have an area here that — it definitely needs looking into. What we need is for the government to continue its researches, broaden the powers of Mr. Tallin if that be necessary, collect all the information it can, decide how much further we should go, but in the meantime let's pass this Act and then we have a start made. So I close on the philosophy of my honourable friend the Leader of the New Democratic Party — let us interfere when it's necessary if it's necessary to interfere.

MR. J. M. FROESE (Rhineland): Madam Speaker, I do not want to speak at length on this bill at all this afternoon. I've enjoyed the debate that has been carried on here this afternoon as well, covering I think most of the aspects that could be raised. However there's one matter that I feel should be raised also and that is the matter of bankruptcies. I feel that in this area we have a number of people who are making unconscionable acts when they go into bankruptcy. A lot of people get into a fix and then they will abscond with funds of other people as well by borrowing and then spending them and then later going into receivership. I think something should be done in this area and that we should have some form of board that would review these bankruptcies from time to time and where necessary take action, because having been an inspector on some bankruptcies I know of things that have gone on and I feel that this is an area that we should look into at this time while we're considering this Act.

We just the other day had an experience, or last week, where one firm went into receivership, or one individual whatever it was, and the amount of money involved and the people who will be losing monies because of this matter, and I feel that this is an area that should be looked into and that could be corrected to some extent.

The matter of getting discharge from such a bankruptcy I think is too easily obtained too. It's just after a short while that they can apply for a discharge and if it's so agreed he gets it. I feel that this is also a matter that should be looked into further so that it could act as a stronger deterrent to going into receivership.

MADAM SPEAKER: Are you ready for the question?

HON. MAITLAND B. STEINKOPF, Q.C. (Minister of Public Utilities) (River Heights): . . . Madam Speaker, if that's all there's going to be on this debate. There aren't too many questions I believe that have to be answered but I would like to say that when we brought this Act in at the last regular session as Bill 89, I believe it was stated that this was not an Act to look after every kind of a transaction but just those that were of the loan type that had to do with real estate and with loans, and that the Act at that time as stated by the Honourable Member for Lakeside was one that had been tried and had been put into effect and also fitted in with the other five business acts that we were bringing in at that time and would make them work a little bit easier. It was also felt that further after the Act had been passed we start considering and working on the other aspects of the financial transactions of all types, and that has been done, but as has been indicated here this afternoon the problem is very complex; it will be very difficult to bring in legislation that can be put into one Act. I don't see how that can be done. It may have to be a series of Acts. There are so many problems, problems directly related to legislation that are required to be looked into in order to make the legislation work, such as education -- a very broad field; the problems of advertising; problems of policing and enforcement; the method of how these Acts affect other Acts that are in existence, not only within the province but federally; the constitutionality of any legislation that may be brought in -- we've had all types of cases mentioned this afternoon and in addition there was the case or the series of cases mentioned by the Honourable Member for Gladstone last spring about the mail order type of fraud. There was the case suggested by the Honourable Member for Lakeside which had to do with transient salesmen, and it just seems that everywhere you turn there is some different type of way that you can get an extra dollar out of the unsuspecting

(Mr. Steinkopf cont'd) public.

Nevertheless, this all may sound rather depressing but I don't believe that the situation is any worse today than it is in times when we enjoy such a degree of prosperity as we are today. It always seems that it's easier to sell these kinds of products when there is more money about, notwithstanding the fact that they're sold usually on some credit basis. It follows too that the collection of these accounts usually come about in times of depression, and anyone who was a lawyer during the depression will remember that most of his time was consumed in collecting accounts for the sale of LaSalle Extension Courses of De le Val separators at the rate of about 25 cents a week from some poor creditor, and has gone through a rather heart-breaking period when the money really meant something to the individual even more than what it would today.

And this brings up an even more important problem that's inherent in this and this is, what causes people to do this? What kind of an organization, what kind of a system, what kind of a business environment do we have that permits or creates these kind of situations? And this is an avenue too that is being looked into at the same time as the other matters that are more specific by the various committees, and there are four separate committees working at the moment in addition to members of our department, and although we promised to have legislation of a type before the House at the next regular session I wouldn't like anyone to think that it would be an all-inclusive legislation because I don't think first of all it's possible and practical, nor would there be time to get it into shape to have it. But it was never intended that this bill that is before us now was one that would correct all evils, and if that were the impression I'd like to get that corrected. It is as the Honourable Member for Lakeside said, a bill that is tested; it's a step forward; and I hope that when it gets into law that it will just do that.

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

MADAM SPEAKER: The adjourned debate on the second reading of Bill No. 3 and the proposed amendment thereto by the Honourable the Member for Lakeside. The Honourable the Member for La Verendrye.

MR. ALBERT VIELFAURE (La Verendrye): Madam Speaker, I had no intention of speaking on this bill until yesterday afternoon after I heard the two members from Inkster and Radisson spending some considerable amount of time criticizing our group and, more precisely, the two members of our group who spoke on the bill.

The main reason why I am on my feet at this time is to explain to this House why I intend as a new member to vote against the bill and for the amendment. On Tuesday, Madam Speaker, the Honourable Member for Lakeside made, in my estimation, a perfect expose of this bill and moved an amendment to the bill before us. After him, two reputable members of this House, the Honourable Members from Brokenhead and Rhineland, gave their view on this bill. On Wednesday the Honourable Member from Selkirk, who is a well-versed man in the law of this province, gave his interpretation of this bill, and to me Madam Speaker, none of these members ever made any reference to the personality of the Honourable Member from River Heights.

Madam Speaker, the two members who spoke yesterday tried very hard to create the impression that we of this group were trying to attack the Honourable Member from River Heights personally. The Leader of the NDP said to us yesterday that if we think this is important we should have talked about it last spring. Well, Madam Speaker, we did not bring this bill in at this session -- the government did; and now how could we talk about it last year when we all knew there was a bill coming and it could have been brought in at any time?

As far as I am concerned this bill deals much more with the transaction of this government and the First Minister than with the action of one of its members, and it is my opinion that this case should be brought before the courts instead of the members of this Assembly attempting the function of judges. We are the highest court of the land and we make the laws of this province, but I don't think we should try and interpret them specifically when it involves the actions of one of our members. The courts of this province are specially designed to judge these conditions.

(Mr. Vielfaure cont'd)

It has been said in this House that the Honourable Member from River Heights is an honest and well-respected citizen and that he has done a great deal for the province. Madam Speaker, I do not doubt this for one minute. I do not know the honourable member personally except for the few words we had together since we were both elected to this Assembly at the same time, plus all the good reports that I have read about the honourable member convinced me that he is a number one citizen, and this goes for all members of this Assembly. I have said many times on public platforms as a new member that I was very impressed by the honesty and sincerity of all the members of this House. However, Madam Speaker, as far as I'm concerned this does not mean that we should come here and say to one another, "You are a fine fellow; don't worry. Whatever you do I'll be behind you."

Madam Speaker, my understanding of government is that there are laws establishing the functions of Parliament in this province. The government's duty is to provide the best government possible within the established laws and the duty of the opposition is to scrutinize every move the government makes, to make sure the people of this province are getting the best possible legislation. Madam Speaker, it is with this philosophy in mind that I will vote for the amendment and against the bill -- the main motion I should say.

Madam Speaker, if the courts of this province would find that the Honourable Member from River Heights, because of the nature of his transactions with the government, was not eligible to be a member of this Assembly, this in my opinion would not mean that his actions as such were dishonest, but I think it would prove to the people of Manitoba that members of the Legislative Assembly are interested in maintaining, in the Province of Manitoba, the highest possible standards of government.

Madam Speaker, I hope that these few words have made it clear that I am not after anybody's reputation and that I find it hard to vote as I said I would on this bill, but I think it is one's duty in this House to speak and vote according to his convictions and in the light of the information available to him.

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

MR. MOLGAT: Yeas and Nays, Madam Speaker.

MADAM SPEAKER: Call in the members. The question before the House is the proposed amendment of the Honourable Member from Lakeside to the Second Reading of Bill No. 3.

A standing vote was taken, the result being as follows:

Yeas: Messrs. Barkman, Campbell, Desjardins, Froese, Guttormson, Hillhouse, Johnston, Molgat, Peters, Schreyer, Shoemaker, Smerchanski, Vielfaure.

Nays: Messrs. Baizley, Beard, Bilton, Bjornson, Cherniack, Cowan, Evans, Gray, Groves, Hamilton, Harris, Harrison, Hutton, Jeannotte, Johnson, Klym, Lissaman, Lyon, McDonald, McGregor, McKellar, McLean, Martin, Mills, Moeller, Paulley, Robiin, Seaborn, Shewman, Smellie, Stanes, Strickland, Watt, Weir, Witney, Wright and Mrs. Morrison.

MR. CLERK: Yeas, 13; Nays, 37.

MADAM SPEAKER: I declare the motion lost. The adjourned debate on the Second Reading of Bill No. 3. Are you ready for the question?

HON. GEORGE HUTTON (Minister of Agriculture)(Rockwood-Iberville): Madam Speaker, I beg to move, seconded by the Minister of Mines and Natural Resources, 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 Second Reading of

MR. ROBLIN: Madam Speaker, I beg to move, seconded by the Honourable Minister of Industry and Commerce, that the House do now adjourn until 8 o'clock tonight.

Madam Speaker presented the motion.

MR. PAULLEY: Madam Speaker, if I may on a point of privilege, just before the question is put -- and I'm not attempting to debate the motion that we have before us -- It's my understanding that there was an undertaking given yesterday by the House Leader that insofar as the order of business with the completion of the amendment before the Throne

(Mr. Pauley cont'd)

Speech that this would be it. We had that understanding at the time we left that the motion would be called but I'm sure -- I'm trying to be a champion I think, Madam Speaker, for the Honourable Member for Rhineland -- he will have the opportunity I presume of giving his contribution this evening. Maybe the Deputy House Leader could explain what I'm trying to get at to the House Leader.

MR. ROBLIN: Madam Speaker, I think that I understand my honourable friend's point and perhaps it can be dealt with tonight. I'm sure we'll make an opportunity for my honourable friend from Rhineland to speak.

MADAM SPEAKER: Agreed.

Madam Speaker put the question and after a voice vote declared the motion carried and the House adjourned until 8:00 o'clock Friday evening.