

## THE LEGISLATIVE ASSEMBLY OF MANITOBA

8:00 o'clock, Tuesday, April 19, 1966

Opening Prayer by Madam Speaker.

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

HON. STEWART E. McLEAN, Q.C. (Attorney-General)(Dauphin): Madam Speaker, before the Orders of the Day, I should like to place on the table a Return to an Address for Papers dated the 11th day of February, 1966, on motion of the Honourable the Member for Logan.

MR. GILDAS MOLGAT (Leader of the Opposition)(Ste. Rose): Madam Speaker, before the Orders of the Day, I would like to address a question to the First Minister. I posed the question the other day to the Leader of the House in his absence regarding the Orders for Return that were still outstanding, and there are quite a number of them that refer back to Orders for Return and Address for Papers that were put into the House last year, and presumably on which some of the work was done. In view of the fact that the House at the time of adjournment had not settled whether or not they should be returned, I presume they were completed and I'd like to know when we may get them.

HON. DUFF ROBLIN (Premier)(Wolseley): Madam Speaker, my honourable friend the Minister gave me the information about this and I've circulated a memorandum to all the Ministers asking them to expedite the Returns.

MR. DOUGLAS L. CAMPBELL (Lakeside): Madam Speaker, before the Orders of the Day are proceeded with, I would like to direct a question to the Honourable the Attorney-General. I notice that the Honourable the Attorney-General tabled one answer to an Address this evening and, if I recollect properly, he had promised me an answer to my questions on either Monday or Tuesday of this week, and I gather this is Tuesday of this week. Is the Honourable the Attorney-General in possession of those answers and will he lay them on the table?

MR. McLEAN: I have to confess, Madam Speaker, I had forgotten about it. I'll check on it the first thing in the morning.

MR. RUSSELL PAULLEY (Leader of the New Democratic Party)(Radisson): Madam Speaker, before the Orders of the Day, I wonder if I might direct a question to the First Minister. Could the First Minister indicate to us generally what the procedure will be insofar as the Order Paper is concerned. I draw to your attention, Madam Speaker, that Committee of the Whole House has been the first item for quite a while now and then second readings. I wonder if the First Minister could indicate for our benefit what might be the order.

MR. ROBLIN: Madam Speaker, I would think it would be advisable to proceed with the second readings because our most urgent business now is to get the bills through second reading so they may go to committee outside the House. So that's why we're not proceeding with the Committee of the Whole stage. They can be dealt with at our own leisure. I am trying to get the other bills out so that the public can come say, Thursday morning, if that should be possible to the Law Amendments Committee.

Madam Speaker, if you would be good enough then to go directly to second readings beginning with Bill No. 71, I suppose we can proceed with those.

MR. SAUL CHERNIACK, Q.C. (St. John's): Madam Speaker, you have not yet called the Orders of the Day and I wanted to address a question if I might. I'd like to address a question to the Honourable the Attorney-General. In view of the fact that two years ago and one year ago you reported that the Law Reform Committee had been working on amendments to the Limitation of Actions Act, is there any plan or possibility that amendments such as were contemplated would be brought to this Session?

MR. McLEAN: Madam Speaker, this has proved a much more difficult task than I had anticipated and I am very doubtful that we will be able to have legislation for consideration at this Session.

HON. MAITLAND B. STEINKOPF, Q.C. (Minister of Public Utilities)(River Heights): Madam Speaker, before the Orders of the Day, I was asked a question yesterday by the

(MR. STEINKOPF cont'd).....Honourable Member for St. George pertaining to Hydro and the question of Canada Pension Plan payments had been taken in December instead of for January. I've checked and found out that the law stated that payments made in January for December services had to be deducted from the pay.

MR. NELSON SHOEMAKER (Gladstone): Before the Orders of the Day are proceeded with, I would like to address a question to my honourable friend the Minister of Agriculture. In light of the very shocking report contained in this survey called - well, it's Publication No. 425, Seed Grain Survey - 1965, Manitoba, and the recommendation contained therein. I wonder if my honourable friend does intend to make amendments to the Seed Cleaning Plant Act, or whatever it is called, to provide for more liberal arrangements in the Act. This is really a shocking report.

HON. GEORGE HUTTON (Minister of Agriculture)(Rockwood-Iberville): Madam Speaker, the honourable member is questioning me with regard to government policy and I am in no position to answer his question tonight.

MR. MOLGAT: Madam Speaker, I would like to address a question before the Orders of the Day to the Honourable the Minister of Mines and Natural Resources. Some time ago I asked some questions regarding the Sproule Report and I obtained copies of the report and the answers to the questions. What I'd like to know from the Minister now is whether there were any changes in the regulations as a result of the Sproule Report. What action has been taken by the government?

HON. STERLING R. LYON, Q. C. (Minister of Mines & Natural Resources)(Fort Garry): Yes, Madam Speaker, as I announced, I think it was two years ago, changes were made in the regulations particularly with respect to incentives for deeper horizon drilling. This was part of the incentive program that was announced two years ago. The Sproule Report, among others, was part of the motivation for those changes.

MR. MOLGAT: Madam Speaker, were there any other changes apart from that one made as a result of the Sproule Report?

MR. LYON: I would have to take that as notice, Madam Speaker. I wouldn't want to answer categorically without checking.

#### ORDERS OF THE DAY

MADAM SPEAKER: The adjourned debate on the second reading of Bill No. 71. The Honourable the Member for Lakeside.

MR. CAMPBELL: Madam Speaker, when this Bill first came to our desks I looked at it with a good deal of interest, because as you know, Madam Speaker, I frequently pay a lot of attention to the authority that is given in some of our bills to the Lieutenant-Governor-in-Council to do certain things. I think I have been consistently an advocate of putting into the legislation itself, so far as possible, the powers that we are implementing in the Statute rather than leaving the law to be made by the Cabinet of the province.

So I was at pains immediately to consider this bill in the light of the powers that are given to the Lieutenant-Governor-in-Council and I noted immediately a variation from the usual form, because what usually happens is that we have a bill of some length that sets out some general powers and then we have a section saying that the Lieutenant-Governor-in-Council, for the purpose of carrying into effect the provisions of this Act and things that are not at variance with it, can do certain things, which are listed. But this bill - this one starts right out immediately after the short title - it starts right out with the bold decision, right off the bat, the Lieutenant-Governor-in-Council may of its own volition or upon petition in writing from a college mentioned in Section 55 of The University Act, establish that college as a university, and then the rest of the Act goes on to set out the general provisions that might have been expected in an ordinary act.

Now others who have spoken have covered this subject so well that I do not need to dwell on it at any length, but I certainly do wish to go on record with a definite protest against universities being established by Order-in-Council. If there is a college that should be established as a university, then let's have the recommendation brought here; let us pass the legislation regarding it. As far as I am concerned, I have been aware for some time that Brandon College is, and I think properly, aspiring to the status of a university. I think it has some good reasons for expecting to reach that status. It has one distinguished member of the government side of the House as a graduate of that institution and there may be others that I don't know of, but I know of at least one, the Honourable Minister of Municipal Affairs.

HON. ROBERT G. SMELLIE (Minister of Municipal Affairs)(Birtle-Russell): I must inform the honourable speaker that I never graduated from that college, although I did make two attempts to get through second year and eventually made it.

MR. CAMPBELL: Then, Madam Speaker, I was going to have to put him in a higher category than myself, with some reservations I must admit, but now I'm delighted to find that his record is no more distinguished than my own. I also am an alumnus of that college but I did not graduate. I thought my honourable friend had completed what I had started, and I must confess that in spite of my honourable friend and I having failed to achieve the graduate circles, that the college has certainly shown its liberal tendencies in the fact that it gives a liberal education by having among its graduates Tommy Douglas, Walter Dinsdale, and Mrs. John Diefenbaker. Now when you add those three people to the Honourable the Minister of Municipal Affairs and myself, you can see that this college is certainly deserving of some recognition.

MR. LAURENT DESJARDINS (St. Boniface): The place will never be the same now.

MR. CAMPBELL: Well, I admit the point that my honourable friend from St. Boniface is trying to make is that those people having left the university it will certainly not be the same as when they were there, because he recognizes with me the pretty enlightened group that once graced those halls. Not at the same time I must -- I suppose the college was hardly liberal enough in its views to have accommodated all that group at one and the same time, and the people can tell from looking at my honourable friend and me there is a bit of difference in some -- at least of the age groups represented there.

Now there is a move on foot, and my honourable friend the member for Brandon I'm sure could give us more information on this subject, to have Brandon College achieve the status of a university, and if the government will initiate a bill here that confers that status upon them, they can count on my wholehearted support. In fact I would not argue too strenuously about any one of the different names that have been proposed. I understand that some are suggesting Brandon University, some are suggesting the University of Western Manitoba, some the Western Manitoba University, some the Assiniboine University, and there may be other names that I have not heard of. I'm not particularly concerned about the names. It seems to me that any one of those would be first class. Personally, I'd be rather inclined to tie in the Western Manitoba feature, but any of those names would be all right.

What I think should be recognized is the extremely courageous and successful struggle that Brandon College has made through the years to keep afloat under very difficult circumstances, and to make a really outstanding contribution in the field of education and of good citizenship to a very large number of students who have had the privilege of taking some part or all of their higher education there. So I repeat that if there is a disposition to confer that status upon Brandon College, I would be one of the very first to applaud that decision. If a bill comes in, I shall certainly give it my wholehearted support, but I certainly do not think that it is proper for us to pass a bill which gives to the Lieutenant-Governor-in-Council the authority to confer this distinction upon that college or any others that are mentioned in Section 55.

When our Manitoba-born historian, Professor Morton, wrote the history of the University of Manitoba, he gave it the intriguing title that was taken from the Act - The University Act that the leader of this group mentioned this afternoon - "One University." That's the title that he gave to that history - "One University." That's what the Act says now, "One University," and if this is going to be changed - and I'm quite in favour of it being changed - if it's going to be changed, then it should be changed in my opinion by an Act of this Legislature.

I have no particular comment to make on the other sections of the Act. After all, all of them in my opinion impinge upon the first one and derive their authority from it, and inasmuch as I definitely disagree with that controlling power that is given, I do not find myself in support of the Bill.

MR. MARK G. SMERCHANSKI (Burrows): Madam Speaker, this Bill seems to have some peculiar circumstances surrounding it in that it fails to bring to the attention of this House as to its exact purpose. Surely we don't establish universities in this province on a wholesale basis, and if there is a need for additional universities, these can be dealt with as they are required. In a province of some one million there is not much room for the establishment of several universities. The University of Manitoba has, some five years back, encountered a very large influx of additional students, and in its wisdom it established what is known as a college within the university, and this establishment of the college in the university complex is along the lines of the modified English system.

(MR. SMERCHANSKI cont'd)....

Now I can agree with the remarks that my colleague from Lakeside made in that if there is the intent of making Brandon College a university, then this should be spelled out in precise details and presented along those lines, because, Madam Speaker, how do we know that possibly somebody may want to establish a University of St. Boniface, and there might be somebody else wanting to establish the University of Dauphin. Now as mentioned earlier in the day, the establishment of a university in today's highly mechanized and specialized field, if you are talking of the scientists, you are talking of a large capital investment in equipment in order to perform the proper experiments for the under-graduate student. If you are talking of engineering courses, there are many complicated expensive pieces of equipment that cannot be duplicated in institutions of learning. You take some of the physics equipment at the University of Manitoba that runs into literally millions of dollars, how can we so flippantly recommend the establishment of other universities to cover the whole field of various faculties.

Now if there is a need to break up the Department of Agriculture or the Faculty of Engineering or the Faculty of Science or the Faculty of Art into separate colleges, then there is a certain amount of wisdom in this, but to simply bring in a bill for the establishment of additional universities, as if Manitoba is lacking several universities -- is this the inference we get from this Bill, Madam Speaker? This surely is the inference that is made from the presentation of this Bill.

Now I'm quite certain that our present University of Manitoba, its Board of Governors and its President, are fully aware of the requirements of university training in this province. They have been preparing for the ever-increasing registration of university students at the University of Manitoba, not in the last two or three years but in the last fifteen years, and I do not see the wisdom of bringing a bill in of this nature, to simply make a statement that we must establish more universities, because this is the inference of this Bill.

Now, Madam Speaker, we are not a large enough province that we require an unlimited number of universities, and I will state in closing that if there is a requirement for additional universities, and after the study is completed by the commission that has been set out to do this study, well then it will be at this time that we should take a good hard look before we establish another university in the Province of Manitoba, and at that point we should take action specifically in reference to the university that would be recommended at that time.

MR. PAULLEY: I just want to clarify the position of my party - my group - insofar as Bill 71 is concerned. My colleague from St. John's went to some length to outline his thoughts, which we join of course in, in respect of Bill 71. However, I want to repeat, Madam Speaker, what he said while speaking on the Bill, that we are not going to oppose the Bill going to second reading in order that members of the Council of Higher Learning and/or representatives of the universities or the colleges that might be interested in this Bill will have an opportunity of appearing before the committee to give us the benefit of their views. We think it is important insofar as the subject matter of the Bill, the creation of universities, changing from colleges to universities, that we should have the advantages of the advice of members of the Council of Higher Learning and the colleges and university themselves, Madam Speaker.

So we will not oppose the Bill going to second reading for that purpose, and we have some reservations of course about the Bill, but we do think that the matter should be considered outside of the Chamber in order that we might benefit from the wisdom of others as well.

MR. ELMAN GUTTORMSON (St. George): Madam Speaker, those of us on this side of the House would have no objections to considering a bill which would set up Brandon College as a university. For that matter, we'd be prepared to consider a Bill to consider perhaps United College as a university, but we think it's wrong in principle to have the Cabinet decide on what colleges should be called a university. We think it's wrong in principle that this is being handled in this way and I think the Minister would be wise to reconsider the position.

HON. GEORGE JOHNSON (Minister of Education)(Gimli): Madam Speaker, in rising to close the debate on the bill before us, I never anticipated, frankly and honestly, for one moment that the Bill would be looked upon as it has by some who have spoken. Others I think have made very excellent suggestions and I think the debate has been an excellent one because I think really we are all on all-fours.

I think the method of approaching the establishment of the Council of Higher Learning as has been carried out has been proven to be most wise. Rather than creating a super structure to initially examine this whole area, those colleges or affiliates who are now affiliated with the university, and the one non-denominational college, Brandon College, are studying this whole

(MR. JOHNSON cont'd) . . . . area with the university people, with members picked by each of these colleges to serve on the Council, with neutral chairmen of the Arts and Science Council and the Council in charge of other courses, and overseen by an outstanding Manitoban serving as chairman.

They have been charged with - and the Member for St. John's - I can assure him, have been charged of not only looking with the concern of the affiliates and looking to their future in the province in the field of post-secondary education, that the very kind of duplication he mentioned and others mentioned would be avoided, that in effect in a province of a million people we would at an administrative level have a meeting of minds, because we are all aware in the House of the increasing importance of the role being played by our affiliates and the need to rationalize this.

The fact that we don't want the universities to be introducing, say a Board and a Senate, could well introduce a course in Hellenistic Greek as could each affiliate, and this of course is something which we think must be underlined at this time. I think, in other words, the spirit with which these people are going about their task I think is excellent. We have had very frank discussions. I have not spoken to the council since shortly after they got under way. I have no idea just when a recommendation will be coming forward; whether there'll be interim reports or not. I know that a great deal of discussion is going on with the department concerning our role in technical training and post-secondary training of all kinds, the concept of junior community colleges and so on.

I wanted to emphasize, as I said in introducing the Bill, representations have been made - especially as has been echoed in the House here - concerning Brandon College, and in the past year, frankly we have worked with the Board of the College to bring them into fiscal alignment with the university. We used to receive their budget after they had started spending it really, and this has been brought into line. As of this year, their current budget as passed this year will go into effect the 1st of April the same as the university. There's a Bill before the House concerning the Board of Governors on a college which has a non-denominational college receiving most of its budgets through public funds, and it was felt advisable to bring in such a Bill as a measure which could be done at this Session.

It was also, not knowing just when recommendations might be forthcoming from the Council of Higher Learning, it was felt it would be anticipating the Council to establish Brandon College a university if it had been so brought at this time. It was thought eminently desirable to await the hearing and the recommendations of the Council. They are not being influenced other than by public opinion, and of course are given copies of all resolutions which come to me and suggestions which have come to me. I pass copies on to the Secretary and to the Chairman of the Council. The Council is being asked to examine these entire areas, and I would imagine that certainly it would be an intent of the government not to create any new universities without the plans from the Council of Higher Learning coming down.

However, it was felt it might be desirable - it would be desirable to have enabling legislation which would enable a start to be made in the founding of a university should the Council so suggest. Whether there would be one or two others, I do not know anymore than any of the members of the House. But as the Honourable Member from St. John's said, it may well be that one can imagine different combinations or different recommendations which might be passed to the government for recommendation, and I would imagine, although I don't know - I have no way of knowing - that it might be very desirable, if there were more than one university established, to have a continuing Council on Higher Learning, some central overseer. This concept, I think, might well be something that we can entertain as the -- or the Council itself may give consideration to.

But the whole nature of the Bill was really an enabling piece of legislation which was lifted out of The University Act - the present University Act - which sets up the mechanism for the establishment of a Senate, Board of Governors, and so on, which might be a step which might be initiated should a report come to us recommending such a course. On the other hand, it may well be that the Council will decide to make a complete report to underline what they consider the future role of our affiliates and Brandon College. Incidentally, the bill, as you are aware, only refers to -- it wouldn't allow the establishment of a new university unless it is one of our present affiliated colleges.

The Leader of the Opposition mentioned the preamble in the present Act. I note, as a matter of interest, that Act was passed in 1881 and the preamble of the present Act is substantially in the same form as it was in 1891 - 1881 or 1891. The Act says, as the Leader of

(MR. JOHNSON cont'd). . . . . the Opposition pointed out, "There shall be only one university for the whole of Manitoba." In point of fact, the preamble states as it did in 1891, "Whereas it was desirable to establish and is desirable to continue one university for the whole of Manitoba . . . . ." The preamble is merely a statement of belief and has, as we know, no force in law. It's a statement of philosophy at that time. The fact that it was desirable to have one university of course, as has been expressed by the honourable members, doesn't mean it is still desirable and there should only be one. It is desirable that there be at least one university, but the existence of two or more would not be contrary to the purpose as stated in the preamble, that is as it went on to say, "for the purpose of raising the standard of higher education in the province and of enabling members of all classes and denominations to obtain the advantages which may be afforded by universities."

So while I appreciate the remarks of the Honourable Leader of the Opposition and members who are not in favour of this method of doing things, it appeared to us that, on balance, it would be desirable at this time to have such enabling legislation which, should a report be rendered, a start could be made. There's no doubt that the full report of the Council would be available to the honourable members and it may well be that further legislation would be required. I find from experience that from year to year legislation has to be changed quite often. However, I think the government believes it desirable to be able to act on a recommendation that might come forward without necessarily waiting until the next Session of the legislature.

I can assure the honourable members of the committee that I'll be happy to give any further explanations as to the nature of the bill in committee, but the whole matter has been brought forward, I can assure honourable members, in the best of faith. We have no desire to create instant universities, as it were. We have every desire to await the report of the Council of Higher Learning, but should a recommendation come to us with respect to, for example Brandon College, the necessary machinery would be on the Statutes to enable a start to be made in this area.

MR. CHERNIACK: Madam Speaker, may I be permitted to ask the Honourable Minister three questions?

Firstly, has there been any written form of recommendation from the Council of Higher Learning?

MR. JOHNSON: The answer is no.

MR. CHERNIACK: Secondly, is there any legislative control in this bill over any university that is created from mushrooming?

MR. JOHNSON: No, this bill would only apply to the existing affiliated colleges.

MR. CHERNIACK: I mean any one of these affiliated colleges becoming a university and then growing in terms of graduate studies, higher degree of that type, is there any control in the bill?

MR. JOHNSON: There's no control in the bill, as I see it, other than that the institution as a university receiving public funds, would have to come to the administration for these moneys, but this is where I believe the Council of Higher Learning may have further recommendations concerning this as we go on.

MR. CHERNIACK: Third question, Madam Speaker. Is there any legislation to permit the creation of a central overseer, like a continuous Council of Higher Learning, that would be able to oversee all the universities that would be created?

MR. JOHNSON: Well I think this is something that will have to await the report of the Council of Higher Learning. All I can say at this time is I have only had informal discussions with the chairman when the Council was initiated, giving them the terms of reference as I have mentioned to the honourable member, and have just had informal discussions with the chairman with respect to the desirability, in his opinion, of such a continuing council when he has a chance to examine the whole area.

MR. CHERNIACK: Madam Speaker, the Honourable Minister I think didn't hear my question. I asked is there any existing legislation to permit a continuous council to have the overseeing powers.

MR. JOHNSON: Not that I know of, but I could check that.

MR. MOLGAT: I wonder if I might ask the Minister a question. If he has had no recommendations from the Council of Higher Learning recommending this, if I understood him correctly, and that when the recommendations arrive to him that he may have to introduce other legislation, could he tell me why he is introducing this legislation now?

MR. JOHNSON: Well, it's a matter of government policy as my colleague says. But the point is this, you're damned if you do and you're damned if you don't. Everyone in this House and on this side, as laymen looking at the whole broad field of secondary education and looking at our geographic distribution of our people, are all giving vent to the desirability for a University of Brandon. We have an excellent facility there; we think it's maturing; we think it's ready to be given university status; but we don't want to anticipate the Council of Higher Learning in this matter. We were rationalizing their board and their fiscal arrangements with us last year, and we're bringing in enabling legislation, should we receive a report from the Council that it would be desirable to create this a university, we have the legislation to do so. If we didn't have this and the Council were to report that there was no problem in proceeding with this at this time, we would proceed. If we don't get the recommendation, I don't believe we'll proceed.

MR. T. P. HILLHOUSE, Q.C. (Selkirk): Madam, would the Minister permit this question? Wouldn't it be much more logical to await the establishment of the Council of Higher Learning so that you could enact the legislation which they request?

MR. SMERCHANSKI: Would the Minister permit two questions, please?

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

MR. MOLGAT: Yeas and Nays, Madam Speaker.

MADAM SPEAKER: Call in the members. The question before the House, the adjourned debate on the second reading of Bill No. 71, An Act respecting the establishment of Universities. A standing vote was taken, the result being as follows:

YEAS: Messrs. Baizley, Beard, Bilton, Bjornson, Carroll, Cherniack, Cowan, Evans, Froese, Groves, Hamilton, Harris, Harrison, Hutton, Jeannotte, Johnson, Klym, Lissaman, Lyon, McDonald, McKellar, McLean, Martin, Mills, Moeller, Paulley, Roblin, Shewman, Smellie, Stanes, Steinkopf, Strickland, Watt, Witney, Wright and Mrs. Morrison.

NAYS: Messrs. Campbell, Desjardins, Guttormson, Hillhouse, Molgat, Patrick, Shoemaker, Smerchanski, Tanchak, and Vielfaure.

MR. CLERK: Yeas, 36; Nays, 10.

MADAM SPEAKER: I declare the motion carried. The adjourned debate on the second reading of Bill No. 75. The Honourable the Member for Carillon.

MR. GUTTORMSON: May we have this matter stand, please.

MR. ROBLIN: Madam Speaker, may I just remind the House that this matter has been standing now for six of these Sessions - two days. I hope the honourable whip of the opposite side will give us some assurance that the member for Carillon will be here tomorrow, because I don't think we could let it stand any further.

MR. SMELLIE: Madam Speaker, on a point of Order, I understand that the Member for Carillon adjourned it for the Member for Selkirk. Perhaps he might like to proceed.

MR. HILLHOUSE: The Honourable Minister seems to know more about it than I do, Madam.

MADAM SPEAKER: The adjourned debate on the second reading of Bill No. 82. The Honourable the Member for Rhineland.

MR. J. M. FROESE (Rhineland): Could I ask the indulgence of the House to have this matter stand.

MR. ROBLIN: Madam Speaker, I hate to appear disobliging but this matter has been standing in my honourable friend's name for at least twice now. It stood - perhaps it hasn't been called but certainly - adjourned once and stood once, I heard. We would appreciate it if he could make his views known on this matter now.

MR. FROESE: Madam Speaker, I am not prepared to speak on it. I have been speaking on other bills and as a result I didn't do the necessary work on this one.

MR. ROBLIN: Madam Speaker, we'll not insist on it being proceeded with tonight, but I would hope that my honourable friend would take this as a warning that we would not be prepared to have it stand tomorrow.

MADAM SPEAKER: The adjourned debate on the second reading of Bill No. 89. The Honourable the Member for St. George.

MR. GUTTORMSON: Madam Speaker, I adjourned the debate for the Member for La Verendrye.

MADAM SPEAKER: The Honourable Member for La Verendrye.

MR. ALBERT VIELFAURE (La Verendrye): Madam Speaker, I want to thank the Honourable Member for adjourning the debate for me. I don't intend to oppose this bill. However, I

(MR. VIELFAURE cont'd). . . . . would like to draw to the attention of the committee that in my opinion this is taking some power away from the annual meeting and giving both the directors and the registrar a lot more power.

I understand that we now have some credit unions that are fairly large and are operating in a rather big way and need more - elbow room maybe would be the word - on the part of the directors. However, I think it is important that we remember that the credit unions and the Caisse Populaires, which in my case are the ones I'm more familiar with, have done a terrific job in the local communities, and I think one of the main reasons why they were able to do the good job that they have done was the fact that the shareholders and the annual meeting had practically all the authority in the matters of administration.

Now, as I say, I understand that maybe the larger credit unions have to give the directors more power, but we should be very careful that we do not take all the powers of the annual meeting away. The credit unions and the Caisse Populaires have served a good purpose in small communities in helping people who were operating in a rather smaller way and very often could not establish themselves as potential lenders with bigger organizations because of the lack of equity or similar matters. However, in their own community they were able to enjoy the benefits of the credit union on the basis of their honesty and the fact that they were known, they had lived there, and so on.

Also, the fact that these credit unions have operated, as I said, was in my opinion because of the fact that the people were really taking part. I think giving too much authority to the directors is going to remove some of this interest from the local people in their organization and deteriorate their position. We should remember, I think, that credit unions in most cases are really not in opposition to larger lending institutions but rather filling a need of, as I said, financing at the local level.

Another point that I notice is the changing of the share account to -- it's not actually changing the share account to the current account, however, the fact that one can withdraw his shares and benefit of the interest, even if he does so in less than a year period, which is usually the length of time that is established for one to benefit from the interest of its shares, if he wants to benefit of the higher interest on shares, he has to leave the money and deposits for a year. Now these deposits are usually the capital of the credit union. I think that making it so that people can draw the interest even if they withdraw within a year will have a tendency to discourage people to investing in shares, and that will certainly affect the credit union movement.

Also, I think the fact that most of the credit unions have a branch or a credit union that operates within the school has been very very important. Now this Bill is not removing this possibility but I think it is due again to the fact that the people at the local level are really taking interest in the management of their affairs.

Another point I notice is the appointing of the credit committee and the supervisory committee by the directors. I think there again this will remove some of the interest of the annual meeting in the conducting of their affairs. And then again the fact that they will be named by the directors, I think, will make it so that they will not be in the position to remove them as easily as the annual meeting would do.

So these are some of the opinions that I have on this bill, and, as I say, I can understand that this might be beneficial to some of the larger ones, but I think we should make very sure that we do not remove completely all the powers of the annual meeting because this will have a tendency to simply make our credit unions more like banks. It's not that I'm saying that banks are not right, but the way the credit unions have operated, they have filled a need which was essential, I think, to small communities. So really I do not oppose the bill as such, but I thought I'd make these views known, because in my opinion the interest of the local people in their organization is very important and removing too many of the powers of the annual meeting would deteriorate this way of organization.

MADAM SPEAKER: Are you ready for the question?

MR. MOLGAT: Madam Speaker, before the Minister closes the debate, I would just like to say a very few words on this bill. I do not rise to oppose the bill; I intend to support it. I think that the points made by my colleague the Member for La Verendrye constituency are important points. The credit unions, particularly those in rural Manitoba where they are established on a geographical basis, usually in some of our smaller centres where there is not any other banking institution, I think these credit unions have done a particularly fine job of providing a service to the people in the area.

(MR. MOLGAT cont'd).....

But over and above that, Madam Speaker, and I think I can speak here for all of the credit union movement, they have provided a means whereby people conduct their own affairs; where a group of people, whether they be from an employee group or from a geographical area, get together and set up a corporation which in effect is there to service themselves and other people. I think that these are very very important items in our type of society. I think that participation in something like this is an essential element in our democratic system of government and that we should at all times be very careful that we do not take steps that will reduce the interest of the regular participator in a credit union movement in the functioning of the credit union itself. But the more that we can do to find the average individual who belongs to the credit union and puts some money into it, the more that we can do to make him part and parcel of the operation of that credit union, the better the credit union itself will be and the better job it will do for the people in the area. So I would hope that whatever recommendations are made in this bill, or whatever proposals are made here, will in effect keep that issue, which I think is essential in the credit union movement, very much in the foremost.

Now in the past we have had some bills on credit unions appearing before us and there has been controversy by what we might call two different views of the credit union movement. I think it is important, insofar as the members of the House, that when this bill comes to committee, that the views of the people involved in credit union movement be heard. I think it is very useful to the committee members to have there the representative of the league and of the credit union movement to present to us their views on how this will affect the credit union movement.

So I would hope that when the Bill receives second reading that the Minister would be in a position to advise those groups who are interested in this legislation and ask them to appear before us so we can get the benefit of their views, because I think that many members of the House are not in a position to know the details of the operation of the credit union movement and this would be very beneficial to passing a Bill that will in effect be doing the right thing for the credit unions.

MADAM SPEAKER: The Honourable the Minister of Agriculture.

MR. HUTTON: Madam Speaker, I think that listening to the comments of two of the members in respect to this bill illustrates quite well the difference in the approach to this whole question of credit unions. The Honourable the Member for Rhineland is concerned in big strong credit unions; he wants to see them grow. The Honourable Member for La Verendrye is concerned that we preserve the traditional character and nature of the credit union, that is a group of people with a common bond, with a personal interest in one another as well as an interest in their own well-being, working together to the mutual benefit of all.

I think that there is an increasing difficulty as credit unions grow, as they become wealthy and their business grows and their organization - their internal organization grows, the relationships between the members in the organization become more impersonal, more detached. This is not to say that they don't provide a service to the members, but the character of those organizations changes.

When we draft legislation to accommodate the credit unions, we have to take into account the different kinds of credit unions that we have, those that are organized where the common bond is quite strong, where the relationship of the members is quite personal; and then we have to provide for the big business organization. If you will notice in the bill where we provide for authority being given to the Board of Directors to appoint the credit committee and the supervisory committee, we also retain the right of the credit union to elect these committees where their by-laws provide for the election of such committees.

I really don't have too much to say at this time. I tried to deal with the principles that were involved in it when I introduced the bill at second reading. I might say to the Honourable Member for Rhineland, I think that he should note what the Honourable Member for La Verendrye had to say about the credit union movement. I think that it is difficult to reconcile the desire - or the apparent desire of the Honourable Member for Rhineland to have these strong financial organizations, and also with, at the same time, an unmistakable request that we extend to this kind of an organization the kind of supervision and service that we extended to the smaller organizations. You see when this whole movement started and the government provided the supervisory service for these credit unions, they were not - these credit unions were not in a position to provide their own auditors, etc., and because of the co-operative nature of the organization, the government was asked to see to it in a sense that everything was correct and

(MR. HUTTON cont'd).....run properly, and not only just to audit the books but to provide a consultative service in respect to the financial matters of these credit unions.

Well, the Honourable Member for Rhineland made quite a point of the fact that today some of the credit unions retain the services of auditors outside of the government and that in this case they should be forgiven the dues that they pay, that they should be forgiven at least 90 percent. Well this past year it cost about \$72,000 to supervise the affairs of the credit unions in Manitoba. The Honourable Member for Rhineland pointed out the tremendous growth in the credit union movement, and he is absolutely correct. The credit unions contributed \$4,000 of the \$72,000 of the cost.

So I think there's still a substantial element of subsidy in the service that's been provided for them and I don't really think that the environment in which the credit unions are operating is too hostile, because their rate of growth and the way they have prospered must be an indication that the legislation and the supervision under which they operate has contributed to the growth rather than to inhibit it in any way. So I think it's not unfair to ask the strong, the wealthy credit unions to subsidize the smaller credit unions, because after all this was the principle on which the government service was established in the first place.

Now I'm not going to say any more, but to assist the members in their work in committee when they come to consider this bill, I have had prepared explanatory notes in more detail than what are available in the bill. I'm going to ask the Page Boy to distribute them to the members and you'll be able to look it over and maybe be better prepared to deal with this when we come to the committee stage.

MR. MOLGAT: Madam Speaker, I wonder if I could ask a question of the Minister. Will he undertake to ask the people who are involved in the credit union movement to be at the committee meeting whenever it meets?

MR. HUTTON: I expect that they will be notified and it would be of interest, I'm sure, to the Honourable Leader of the Opposition and other members to say that the provisions in this bill have been reviewed in principle by both the Caisse Populaires, the Federation, and the Credit Union League, and we believe we do have some consensus of opinion with respect to the provisions here.

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. 92. The Honourable the Member for Selkirk.

MR. HILLHOUSE: Madam, I adjourned this debate for the purpose of checking this bill to see whether or no there was anything in it that required attention. I find that as far as the bill is concerned I have no objection to the principle involved in it, but I wish to take advantage of this opportunity, Madam, to again urge the government to do something with respect to those civil servants who were pensioned on salaries that arose out of the depression and whose pensions today are nowhere near the pensions received by those other civil servants who served the Province of Manitoba in more prosperous times.

As I've said on previous occasions, Madam, I'm not asking that any change be made in the principle of The Civil Service Superannuation Act, but I do urge the government to set aside a sum of money by way of a gratuity which would be used to supplement the present pension paid these pensioners and thus bring that pension more in line with the pension paid their more fortunate fellow workers who were pensioned on wages much above the wages that were paid civil servants of Manitoba during the depression. I urge the government most sincerely to look into this matter with a view to setting aside a sum of money for that particular purpose.

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. 97. The Honourable the Member for Emerson.

MR. JOHN P. TANCHAK (Emerson): I suppose I can't adjourn it any more. Madam Speaker, Bill No. 97 - I think the purpose of this bill is to integrate the teachers pension with the new Canada Pension Plan. Now I understand that the Manitoba Teachers Association have been able to reach some kind of an agreement among themselves, among the members on this integration, and I have no quarrel with this bill as of now. If it meets the approval of the teachers and other parties concerned, fine and dandy. They are the ones who are mostly concerned in that. We would like to hear their comments when this bill shows up in committee.

I listened to the Honourable Member for St. John's in his discussion this afternoon - or this morning it was - different points which he had brought up. I agree with most of those points, but one of his contentions was that it may not be too fair to the different boards who

(MR. TANCHAK cont'd). . . . . have to bear further burdens - the taxpayers I mean - the burden of about \$19 and some odd cents per teacher per year as their contribution towards the Canada Pension Plan. But since this is the federal regulation I do not see what alternative means we can use to alleviate that unless teachers pay the full share, but I think that our teachers have earned this extra little bit of consideration and appreciation for the services rendered and I don't think we should begrudge them that too much because it isn't a very great sum.

The main thing, or the main - not exactly an objection but an omission that I note in this bill - I'm sure that I'm right when I say or make this statement, that I've heard the Honourable Minister of Education previously telling us that he was in favour of portability of pensions, and I regret that in this bill, as far as I can see unless I don't interpret it right, this bill does not provide for portability of pensions.

I think it would have been a desirable provision in this bill that teachers that travel from one province to another carry their pensions with them. I know that we have been losing a goodly number of our teachers to other provinces and one may argue that if we make our pensions portable that they can take it with them to another province, it may aggravate the situation, but I am sure that discussions could have been arranged with other provinces, neighbouring provinces and in farther away provinces, to have some kind of reciprocal laws or regulations whereby other provinces would permit their teachers to carry their pensions or take their pensions with them or have portability of pensions too, and thus it would have become a two-way street.

If you lost some because this was an incentive for our teachers to go if they don't lose any part of their pension, it would be just as great an incentive for other teachers to come if they could take their pension with them, if the pensions were portable in other provinces, and to retain our teachers, I would suggest that we in Manitoba create a more proper, or a proper atmosphere here so that our teachers would stay in Manitoba and other teachers would be attracted from other provinces. By this I mean that our working conditions, or the working conditions of our teachers in Manitoba could be improved - and there's a lot of room for improvement - I mentioned that before. In the estimates of the Department of Education, I gave them a few suggestions as to how it could be improved. Then as far as our salaries are concerned, I think that we could probably make our salaries more comparative or more in line with those paid by other provinces.

We're not opposing this bill at this time. Let it go forward to committee and then we'll hear what the teachers have to say about it, but in the meantime I would like the Minister to comment on the portability - the desirability of the portability of pensions.

MR. FROESE: Madam Speaker, just a few words on this particular bill. I am happy that the bill makes allowance for teachers who will substitute, that in certain cases they will be allowed to contribute towards the pension fund, and as these times will add up during the year, that they will in this way gradually build up credits.

Now the way I see it, the teacher may make the contributions. I take it, Madam Speaker, that the onus is on the teacher then, is it, to have the contributions made or the deductions made and submitted to the pension fund; and that the Board, in a case where they probably just get a substitute teacher for say two or three weeks, would not be responsible if the teacher did not indicate beforehand that she was going to contribute and that the deduction was made, because if the onus is on the school board itself, they would have to make sure that the deduction was made from the salary before they paid the teacher. If the Minister can correct me on this, I would appreciate it.

Other than that, I have no further comment to make. I will approve the Bill on second reading in order to hear representations from other organizations at the time of the committee meetings.

MR. MOLGAT: Madam Speaker, I regret that I did not hear the Minister's comments on the introduction of the Bill for second reading, but I would trust that at some stage or other he could give us some information as to how the pension plan now proposed in the Province of Manitoba for the teachers compares with that of our neighbouring provinces, particularly Saskatchewan and Ontario.

We have had some discussions in the House here in the past about the loss of teachers to these areas and I hear regularly about our loss of teachers in particular to the Province of Ontario. I know that areas like Kenora and Fort Frances, Red Lake, have a large number of Manitoba teachers. The appeal to go there, as I understand it, is largely the salary appeal.

(MR. MOLGAT cont'd).....Similarly, every year we have people who come from the Province of Alberta to recruit, particularly in the Province of Manitoba, for teachers for those areas, and there are ads in our newspapers here from various school boards from the Province of Alberta. I believe they have at times sent people here to do some actual recruiting. Once again, the information that we get is that the main attraction is salary, and I would like to know from the Minister what are the comparisons of the pension plans between our own province and those others to whom we are losing teaching staff now.

There are two groups - other than the House itself here, and by virtue of the House the people of Manitoba - there are two other specific groups who are vitally concerned of course with the question of teachers pensions, and that is the teachers themselves and the school trustee associations. I would like to know from the Minister whether the two associations have been consulted; have they in fact made recommendations to the Minister as to what they would like to see done in this regard; and will they be present at Law Amendments to present their views on this Bill.

MADAM SPEAKER: Are you ready for the question?

MR. JOHNSON: Madam Speaker, I'd like to close the debate, answering in the reverse order, if I may, some of the questions raised on the principle of the Bill. Both associations - we had discussions with the Manitoba Teachers Society going back to last November - October and November - and they agreed to this plan; and we have also had discussions with the MAST and my information is that both groups are satisfied with this legislation. This pension plan in Manitoba in the last few years has been evolved to the point where it is as good, if not better, than other teacher pension plans across Canada. My understanding is that none pay more than 70 percent of the average annual salary over the last 10 years, which this has now reached.

I also point out with respect to the School Board's contributions to the pension plan, when I said it was 79.20, this is for the 1.8 percent on salary over \$600 and up to \$5000 per year. The maximum contribution made on behalf of any one teacher by a school board toward the CPP is 79.20. For example, on a salary of \$4,000 the contribution by the Board would be 1.8 percent of \$4,000 minus \$600 which is \$61.20, so the contribution by the individual boards varies according to the salaries - \$79.20 on \$5,000 and over -- up to \$5,000. Over that there is no CPP contribution.

The other point I would just mention is that it is an evolutionary - I think this legislation is on balance. The combined pension as I understand it of the CPP and TRAF will be slightly higher to the individual teacher than previously, and I would hope to try and reach the organizations concerned to have them present at Law Amendments if they wish to make representations to it.

MR. MOLGAT: Madam Speaker, I would like to direct a question to the Minister if I may. If I understood him correctly, he said that the pension structure, the 70 percent of the last ten years, is similar to that of Ontario, Saskatchewan and Alberta. Is that so?

MR. JOHNSON: I said I know of no other jurisdictions where the pension exceeds for 35 years' service the maximum of 70 percent of the average annual salary over the last ten years, which is what our Act now reads.

MR. MOLGAT: The salary schedules in those provinces are still somewhat higher than our own though, are they not, and in that case, 70 percent of a higher salary schedule means actually more dollars. Is that not so?

MR. ROBLIN: That is clearly out of order, Madam Speaker. It's a statement not a question.

MADAM SPEAKER: Are you ready for the question? --(Interjection)-- I'm putting the motion on this question.

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

MR. ROBLIN: Madam Speaker, the Member for Selkirk was good enough to say that on consultation he now advises that Bill No. 75 was reserved for him and that he would be willing to speak now if the House would be willing to hear him. If that's the case, I would be glad to suggest that we do hear him now on Bill 75 if we have permission.

MADAM SPEAKER: Have we permission of the House to hear him? The Honourable the Member for Selkirk.

MR. HILLHOUSE: Thank you, Madam, and I thank the members of the House for allowing me this concession. As a matter of fact, I understand that the Honourable Member, Mr. Barkman, he did adjourn this Bill for me, but unfortunately he never conveyed that information to me and I knew nothing about it.

(MR. HILLHOUSE cont'd).....

I have gone into this Bill quite thoroughly. There are quite a number of amendments to The Municipal Act contained in this Bill which in my opinion are good amendments, particularly one amendment there dealing with appeals in respect of liability for taxation and appeals against the quantum of assessment. Particularly, the appeal dealing with liability for taxation is a good amendment. It clarifies an old section in the Act which was a little difficult to enforce and gave the courts considerable trouble due to the time limit that was allowed in the old section, but now there's a straight appeal to the court in respect of liability for assessment and there's no halfway step to the equalization assessment appeal board. You go straight to the court, and I think that's a good amendment.

There is another amendment here in Section 381 of the Act dealing with contributions to the pension fund. Now I understand that that amendment was requested by the Secretary-Treasurers Association which would increase the amount of contribution from five percent to six percent, but I presume the Minister is aware of the fact that by putting that amendment in, it will also increase the obligation of the municipality in respect of pensions payable to other employees, and I was wondering whether that question had been taken up with the municipalities and whether the municipalities were aware of the fact that there would be a liability of an additional one percent against them in respect of employees, other than secretary treasurers, who are not officers of the corporation. I simply mention that because I think that it should be brought to the attention of the municipalities before the legislation is passed.

Now there is that section which I understand the Honourable Member for St. John's took exception to, that is the section dealing with joint tenancy, and where a Judgment is registered and one of the joint tenants dies, the Judgment attaches the interest of the survivor. I understand he has raised an objection to that which would appear to be valid - and the Minister informs me that there is an amendment coming in which will meet the situation.

Still further objection I think was raised by the Honourable Member for St. John's in respect of where a municipality acquired title to land by tax sale proceedings, they could sell that land for a nominal amount and other consideration, to be used by any person for a purpose deemed by the council to be beneficial to the municipality. Now I think the example given by the Honourable Member for St. John's was that the municipality might sell that land for a shopping centre or to some other commercial organization, and I think he felt that the right of a municipality to sell land for a nominal consideration should be confined to charitable organizations and other organizations of a community nature.

The Minister advises me that there is an amendment coming in to this section to clarify that point, but I still would like to point out to the Minister that the Winnipeg Land Titles Office has taken exception to transfers being registered there where a nominal consideration of \$1.00 and other valuable considerations shown, and where that transfer was part of a development scheme in a municipality where perhaps a company would be developing certain land and they would undertake to put in all the trunk sewers and all the laterals and all the local improvements. Now the land might have been sold to them say for \$1.00 a lot or for other nominal consideration, and for some time the Land Titles Office would refuse to take these transfers if you simply stated for consideration of \$1.00 and other valuable consideration.

Now I still think that we should have some type of amendment in The Municipal Act to cover cases like that, although I can see the point of the Honourable Member for St. John's in raising an objection to a municipality having the right to sell land for \$1.00 or other valuable consideration, where they are the sole judges of what is beneficial to the community, and I can see that there should be some safeguard in respect of transfers of that nature. But on the other hand, I can also see that there is a need for giving a municipality the right to describe the consideration as \$1.00 and other valuable consideration where the transfer is being made under a development agreement.

Outside of that, I think the amendments are good and I think they are timely, and it is my intention to support this Bill on second reading.

MR. DESJARDINS: Madam Speaker, I would just like to get some clarification of one of the clauses from the Minister before he closes the debate.

Referring to 42 (b) and 43, where they are talking about - previously any building and land used for religious, educational, charitable and recreational purposes, were exempt, and now this would be limited to religious and charitable purposes only. I would like to get some clarification out of this - some information. For instance, where would the Legion Halls stand? Some of these people have been exempted in the past. I wonder if this is aimed at them and if

(MR. DESJARDINS cont'd). . . . . it is the intention that now the municipality will tax the Legion Hall. I wonder if the Minister would clarify this when he closes the debate.

MADAM SPEAKER: Are you ready for the question?

MR. SMELLIE: Madam Speaker, if no other members wish to speak, I would like to answer some of the questions that have been raised.

I would like first of all to thank the Honourable Member for St. John's for the lucid way in which he drew to our attention the two sections - the one dealing with liens in joint tenancy, and the other one dealing with nominal consideration. Both of these sections were introduced to cover specific problems that certain municipalities were facing, and I must confess that I hadn't taken the interpretations from them that he did, but that I find that his criticism was valid in both cases and we have therefore sought amendments which we hope will clarify the situation, and it would be my intention to move these amendments in committee if the bill should reach committee.

The first one, the one dealing with joint tenancy, the situation has arisen where in one case that I think perhaps the honourable members may be familiar with, where a man and woman had been living together for some time and were deemed to be man and wife in that community, and a lien was registered against the husband for welfare services of one kind or another performed by the municipality, and some of the service had been actually on behalf of the spouse - the wife. In any event, to make a long story short, the husband died and title was held jointly, but apparently the municipality hadn't understood this. The lady in question was not the legal wife of her common law husband and the title stood in her legal name, and as a result she acquired title and the municipality could not collect on the lien. However, this can be cured, I believe, by an amendment in Subsection (2) in that same Section 38, which would cover this point and we could eliminate the Section 39 that the honourable member complained about.

The other point, the question of sales of land acquired through tax sale for nominal sums, has two applications. The Honourable Member for Selkirk has put his finger on the second one which was not intended to be covered by this amendment. The amendment was introduced really to cover the cases where land is sold by the municipality to the school board, to a service club, to any one of a dozen different charitable or other organizations that are providing a benefit to the community and where the municipality did not want to charge to that organization the price that it might charge to others who were performing no real service to the community. I would propose to amend that section also by a reference to certain sections of Section 984 of The Municipal Act which deals with persons or organizations that are entitled to exemption or partial exemption from taxation by reason of their community service.

The Honourable Member for Gladstone asked some questions concerning the local improvement levies, and he raised the point that taxation is now possible on lands for local improvements, lands which do not enjoy the local improvements that they're paying for. The section of the Act which deals with this provides that three-sevenths of the cost of a local improvement must be charged against lands in the local improvement district that benefit. The remaining four-sevenths of the cost of the local improvement may be charged over all of the rateable property in the municipality. As a result, under this section, which is used by almost every municipality that's gone into a local improvement program, four-sevenths of the cost is going to appear as a local improvement charge against the assessment of properties in areas other than the local improvement area as well as properties in the local improvement area.

There is no change really in the division of responsibility of properties to pay for the cost of local improvements. The change is in the method of levying the local improvement against lands within the local improvement district. In the past, it could be charged by a frontage tax or a mill rate on the assessed value of land only, or on a mill rate on the assessed value of land and buildings.

The chief purpose of a levy on an acreage basis is in areas where for example you may undertake a drainage work in a local improvement district that benefits all of the lands in the district and yet some of the lands which benefit do not front directly on the work. So you can't charge them with a frontage tax and it may not be a fair method even to charge them on an assessment basis, but it may, in the opinion of the municipality, be a fair method of taxation in that area to charge them on an acreage basis for the lands that actually are in the local improvement district and benefit from the work.

(MR. SMELLIE cont'd)...

He then asked a question about senior citizens homes and the relief from taxation. It's not intended that the senior citizens homes would be in a different position than they were previously, but there was some difficulty with the definition of a senior citizens home. The new definition is being added here to cover certain properties that were not covered under the previous wording, and where the dispute arose between what is in fact elderly persons housing and the municipality because of the wording of the previous section, so that we hope that this will clear it up and make certain that those people are entitled to their exemption. I want to assure the honourable member that it's not going to affect the taxation of the senior citizens home in Neepawa.

His third point had something to do with grants in lieu of taxes and I must confess that my notes are not clear to me at the moment as to what his question was. If he'd like to ask me privately, I'd be glad to give him any information he desires.

The Honourable Member for Selkirk raised another point concerning the pension plan for municipal employees. The previous section of the Act provided for municipal employees pension contributions at the rate of five percent of earnings. When the Canada Pension Plan was introduced, the Secretary-Treasurers Association requested that this be stacked on top of their present five percent pension. It was felt by many that this was not desirable and that they should be in the same position as civil servants and the teachers retirement allowances fund. So rather than allow stacking, we have increased the amount of the municipal employees pensions to six percent, the same percentage as the other two funds mentioned, and the provision now is that it would be six percent instead of the five percent it was previously.

The Honourable Member for St. Boniface asked a question about the change in the wording used of one of the sections - of the subsections, allowing an exemption under Section 984. The section previously read that it included buildings and appurtenant lands up to two acres used for religious, educational, charitable and recreational purposes. This section has caused us some difficulty because certain institutions - and to give you an example, I would think of one of the commercial schools in downtown Winnipeg who claimed that they were an educational institution and claimed the exemption. They were not one of the educational institutions that were intended to be exempted and so we have had to amend this section to make certain that it covered just those people that were intended.

This is another section that I would intend to amend in committee to make the wording more clear, so that it will be clear that this will be limited to buildings owned and used for charitable purposes. The other exemptions in that section will come out because both the church properties, the religious connotation, is covered in another section, and so is the one for those educational institutions such as schools, and universities are also covered in another section and will still be entitled to the exemptions that they have become accustomed to in the last year.

As the member for Selkirk pointed out, some of these amendments are things that have been overdue for some time. They are matters that have come about as a result of experience in dealing with the Act and where problems have been encountered. I would recommend the Act to the House.

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

MR. DEPUTY SPEAKER: The adjourned debate on the second reading of Bill No. 105. The Honourable Member for Gladstone.

MR. SHOEMAKER: Mr. Speaker, I was one of the members that was on the Boundaries Commission during the recess and I am not opposed to the principle of the bill that is before us. However, I am a little bit concerned about certain remarks that were made by the Minister upon introduction of the Bill, and the remarks that he made and contained in Hansard No. 64. He is answering a number of questions that were put to him on April 4, and on Page 1491 he is answering the Honourable Member for Ethelbert Plains. He says, "... asked if this was the first step towards the establishment of larger municipal units and the reduction, at least in some areas, of local government districts. I would have to say that one of the things that will be referred to the commission will be the recommendations that were made by the Fisher and the Michener Commission, both of which recommended certain minimum standards that should be used in establishing municipal units that they felt would be desirable."

In the next paragraph he repeats it again, and he says, "However, there are certain practical problems involved in the criteria that will be established for the commission would

(MR. SHOEMAKER cont'd)... be the recommendations that were laid down in the Fisher and Michener Commissions, and these would be referred to the Boundaries Commission." And he repeats that several times, that the recommendations, and in fact more or less the terms of reference that will be handed to this Commission, will be the Fisher Report and this famous Michener Report.

Down on the bottom of the page my honourable friend says, "When the Michener Commission made their report, they indicated that the matter was so far-reaching that they felt that they did not have the time to make the study and to give any accurate recommendations concerning boundaries, and they gave two proposed plans for municipal boundaries, both of which they indicated were in all probability subject to a great deal of argument and many many varieties of opinion." Well I think that's an understatement. There certainly was a variety of opinions in the municipal men that met before us.

Now I don't know what the Fisher Report cost the taxpayers of this province, but I understand that this one cost nearly a quarter of a million. I don't know how far I'm out - the Michener one - and according to my honourable friend, the Michener people didn't have nearly enough time to study the whole problem in depth - that's a term that my honourable friends like to use - so I'm wondering, in light of the large sums that we have already spent in this field, both with the Fisher Commission and the Michener Commission, what in the world is this new commission likely to cost us?

Then in light of the proposals and recommendations and briefs that were made to us when we were touring around the province last fall, I wonder what the government will do with the recommendations of the newly appointed Commission when they table their report. That will make three reports in total, and what are we going to do with them when we do get them?

The recommendations, as I understand, in respect to boundaries and divisions made by Michener, he and his committee recommended that the 106 rural municipalities presently should be reduced to about 40 in number, and at the same time the report recommended that as a long-range objective the province be divided into 11 administrative regions with a view to decentralizing increasing provincial government services.

They proposed, I think, and suggested - and my honourable friend in answering a question put to him by the member for Rhineland - they recommend that Metro, that Greater Winnipeg be in fact one of the areas. My honourable friend says, "The Member for Rhineland asked if we were going to establish one big city in the Metropolitan area. I think that is not the intention of the legislation but certainly it would be a possibility," he says here.

Now I hope - I hope - I hope that all of the recommendations contained in the Michener Commission will not be the terms of reference that will be given to this new commission that is to be established because there are certainly a lot of things in the Michener Commission that I do not like. I suppose that what my honourable friend did intend to say was that the boundaries as recommended by Michener would be considered and recommended to the commission that he intends now to appoint.

I notice too that my honourable friend - some member of the House asked him - I think it was the Honourable Member for Seven Oaks, asked him if the chairman of the commission had been already established because he had read certain newspaper reports - I think it was my honourable friend - and Mr. Smellie says, "I gather from reading the newspapers that some of the reporters have already determined who the chairman is and I would have to advise this House that the government has not yet made that decision, but we will consult the reporters before any definite decision is made." Well, are they appointing the chairman or is my honourable friend appointing the chairman? That was on April 4, and probably by this date he has consulted with the reporters and they have come up with a joint recommendation. However, these are some of the -- (Interjection) -- Well, that's the suggestion that my honourable friend made on Page 1492. He says that he will consult with the reporters before making any definite decision.

Now, Mr. Chairman, I would like to have my honourable friend answer some of the questions that I have put to him.

MR. DEPUTY SPEAKER: The Honourable Member for Rhineland.

MR. FROESE: Mr. Speaker, I too would like to give comments on Bill No. 105. I listened with a great deal of pleasure to some of the speakers this afternoon commenting on the Bill. I think the Leader of the New Democratic Party made quite an extensive speech on the Bill.

I would take exception to having the new commission that is going to be set up to have to take into consideration the recommendations of the two former commissions, the Manitoba Royal

(MR. FROESE cont'd.) . . . . Commission on Local Government and Organization and also the Municipal Inquiry Commission, because if they have to consider those and if it appears that the report is to be slanted - the new report is to be slanted according to that one, we already know what the flavour of the new report will be. I think Section (e) of Part 7 should be deleted from this bill so that we would have something fresh and something new come forward.

I find that in the preamble or the second part of the bill that it lists a whole number of local government bodies which are supposed to be considered, and the boundaries of those established. But later on in Section 8 (a) we find that it is limited to a smaller number, to school areas, school divisions, school districts and vocational school regions. So I would like to hear from the Minister which is correct. Is Section 8 (a) the one that the commission is going to make its report on or are they going to report on all the government units listed under Section 2?

Then Clause 9 says that a separate report will be made on each of these various classes in 8 (a), and in a further section it states that reports will be made to all these local bodies before a final report is drafted. The way I understand it, these bodies will all receive a report before the Legislature ever sees a report. I just wonder whether -- is this a normal practice, a procedure that is being taken by such commissions? It seems strange to me that they would be reporting back to these smaller and local bodies and not report back to the Legislature first.

These were some of the points that I thought I should question. While I was a member of the committee that conducted hearings last summer and held hearings in Brandon, Swan River and Winnipeg, I already have indicated on a previous occasion that I differed from the report, especially in connection with making a recommendation for such an inquiry. I did not go along with that and I still have my reservations on it. However, I will not object to having this bill go to committee and pass second reading, but I certainly reserve my right to object to it on third reading if necessary.

MR. DEPUTY SPEAKER: The Honourable Leader of the Opposition.

MR. MOLGAT: I beg to move, seconded by the Honourable Member for Lakeside, that the debate be adjourned.

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

MR. DEPUTY SPEAKER: Adjourned debate on the second reading of Bill No. 111. The Honourable Member for Assiniboia.

MR. MOLGAT: May we have this matter stand? Mr. Speaker, I don't see the member in the House. I'll be prepared to speak on the matter in the morning myself.

MR. DEPUTY SPEAKER: While they are looking for the Honourable Member for Assiniboia, the adjourned debate on second reading of Bill No. 16. The Honourable Member for Emerson.

MR. TANCHAK: Mr. Speaker, I would like the indulgence of the House to have this matter stand. I just adjourned it at 5:30 and there's some information that I could not get after 5:30.

MR. DEPUTY SPEAKER: The Honourable Member for St. John's.

MR. CHERNIACK: Mr. Chairman, I've sort of made it my ambition, Mr. Chairman, not to adjourn debates for the rest of this session, so I want to stick to it.

I want to begin with a minor comment. There is a provision in this bill which purports to make one-third of the school trustees indemnity income tax free, and I want to point out to the Honourable Minister that this government does not yet have power to make declarations as to federal income tax, and I would suggest to him that the marginal comment is misleading and I am quite sure that there would have to be some sort of complementary legislation on the part of the Federal Government in order to create what is set out in the marginal comments. So although I have no objection to the principle involved, it applies equally to a school trustee as it does to a member of this Legislature, but I don't think it is correct to say that by the Legislature passing this bill that it will automatically make that one-third income tax free. I've had occasion to state definitely that it will not make it income tax free unless there is other legislation passed in the Federal Income Tax Act.

I want to just ask the members of this House, Mr. Chairman, to envision the description that will be written some day by somebody writing a thesis on this government's historical development of the school division program. I remember when it was started as a result of the Royal Commission and the Honourable the Attorney-General, who was then the Minister of

(MR. CHERNIACK cont'd.) . . . . Education, worked on this thing. I remember the enthusiasm with which he spoke about it and I don't remember how long ago, but it was so long ago that I barely remember when it was. It must have been about six years ago - maybe more - seven years ago? Eight years ago, he called out from across the way, so that it is a long time ago and this was a tremendous advance - and it was.

We're still groping our way along to this objective which was set out these many years ago, and I want to suggest that when that history is written, they will say that the concept was a tremendous step forward but that the execution was slow and tortuous and deliberate and - did I use the word "plodding", because that word comes to mind again. It was not bold or dramatic except in content. The execution is just going along.

And again we find here another little forward advance, a forward one and yet a step back, because we find now that there is a proposal that the Minister may refuse to give his approval to a new consolidation of a school district. It reads that no consolidated school district shall be formed without the approval of the Minister. All right, so he is taking that and he is saying now, I'm going to hold this up. I assume he is saying that because I assume that he wants to be able to point in the direction of one school division for both elementary and secondary. I'm not sure that he has actually said it, but I give him the credit for wanting it, and I give him the credit because I hope that's what he wants.

But what he is doing here is saying, well I can hold up this step which may not be a step designed to bring about the greater good for the larger number of students in that area, and he goes further and he even says that if there is a by-law passed to form or enlarge a consolidated school district, it may be referred to the Local Government Boundaries Commission which is not even required to hold a hearing. So it goes further. He not only has the right to withhold his approval, he can also refer it to the Local Government Boundaries Commission which may refuse to hear the matter altogether.

Well this would seem to be a definite weapon which he has taken hold of. But then we find about three or four pages later that he is now asking for a right which he didn't have, and that is to regulate respecting the amount of additional grants to be paid to any consolidated school district or any division within the meaning of Section 443, and terms and conditions of such grants. So first he freezes the situation by saying, well now, I'm not going to permit these consolidated school districts to go along - at least I'm going to have the right to refuse to permit it; and then he says, but I am going to give myself the power to give them grants in spite of the fact that they may not qualify. I think that in one step forward to stiffen the resistance to this development, he then takes a step back in order to be able to appease them or to help them in some way and actually weaken the power which he has requested.

Now this is the way I read this, because I am still in the position where I'm not clear on the government's clear-cut policy of what they want to do, not what they want to hear from the school districts that the school districts want to do. I would like to hear what this government wants; and I would like to hear that this government, having decided what it wants to do, will go ahead and do it and will not sit back and wait and entreat, as apparently it has done for some eight years - with some success, for which I give them credit - to entreat the school districts and the electors to come along and vote themselves into a situation which the government should have sole - or should have taken responsibility for at some time within the last eight years, but certainly not to be still tussling with this project which I assume it really wants. I am only afraid that they're going to take so long that when the final line is drawn and we can say the objective has been accomplished, it will not be that government that will be able to draw the final line and say so, because it has taken them so long that they may well not be here for that purpose.

So I would urge the Honourable Minister not to gamble on losing the control of his ministry before he is able to carry through this plan which, as I say, is taking a long eight years and has not yet developed. So I would only ask the Minister, when he has an opportunity to close debate, that he will indicate exactly where he stands and indicate whether he is prepared to take hold and do the job, or whether he still wants to go on and attempt to sell it.

MR. DEPUTY SPEAKER: The Honourable Member for Emerson - it stands in his name. Agreed?

HON. GURNEY EVANS (Minister of Industry and Commerce) (Fort Rouge): Mr. Speaker, I think we might - since the Honourable Member for Assiniboia is not available, I think we might ask formally for agreement of the House to allow his item to stand - No. 111, I think.

MR. DEPUTY SPEAKER: Agreed that No. 111 stand in the name of the Honourable Member for Assiniboia? -- Agreed.

The second reading of Bill No. 108. The Honourable the Minister of Agriculture and Conservation.

MR. HUTTON presented Bill No. 108, an Act respecting The Establishment of The Manitoba Agricultural Productivity Council, for second reading.

MR. DEPUTY SPEAKER presented the motion.

MR. HUTTON: Mr. Speaker, the other day when we were considering this in committee, the Honourable the Leader of the NDP pressed me to the point where I think I said everything in committee that I intended to say at this stage at second reading.

There is one thing I would like to underline here, that I am not proposing to the Legislature that the establishment of a board or a consultative board would be in itself a useful thing in achieving productivity, but it is my belief that by retaining the services of people who have already proven themselves in leadership and in their contribution in their chosen field, to agriculture, whether it be in the production field or in marketing or in the university field or what have you, that by getting these people together I believe that they can make an even greater contribution by working together with the people from other sectors of the agricultural industry than they have indeed made to date working in their own chosen vocation.

I look to this board as being a catalytic agent which can weld the very considerable ability, the very considerable resources of the total agricultural industry in the province into a unit that will help the industry achieve its potential. In the Third Annual Report of the Manitoba Economic Consultative Board, they called for such a body to be responsible for a continuing assessment of Manitoba's agricultural performance. I look for something more than just a continuing assessment or criticism. I am looking to this board to more than analyze; I am looking to the board, as I said before in the committee stage, to determine the goals - the legitimate goals, and to contribute to a ground swell of attitude and action which will help us to achieve these goals.

Again I say that it isn't just the establishment of the board, it is my hope that the very many distinguished, able people who have been serving industry, the agricultural industry in Manitoba to this date, will be able to make an even greater contribution through the medium of the Agricultural Productivity Council.

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

MR. PAULLEY: Mr. Speaker, a thought occurred to me as I was listening to the Honourable Minister of Agriculture and Conservation in respect of this bill. I certainly am not going to enter into any great debate with my honourable friend, but the thought that occurred to me as I listened to him, and then I read the contents of the bill, was that from time to time we of the New Democratic Party are chastized because of the fact that we want government to do everything and the government to take over everything, and that the government interferes with voluntary and private contributions by individuals in the conduct of the affairs of state and of the community; and then when I take a look at the likes of Bill 108, it seems to me that the Tory Government of Manitoba is doing by legislation what they accused us of the New Democratic Party of doing, that is to curtail voluntary participation in the affairs of our province. Here we are once again with a bill to establish a council, a council which will be paid remuneration as fixed by the Lieutenant-Governor-in-Council; a council whose objectives shall be a definition of the goals and objectives with respect to the agriculture industry and the means of achieving it.

When we were in the resolution stage, I pointed out to the Honourable the Minister of Agriculture in the committee that Hedlin and Menzies had in their booklet, which was available free as the result of the pool activities, outlined propositions and problems and goals for the agricultural industry in Manitoba. I sometimes wonder, Mr. Speaker, whether or not the government, instead of establishing as they are by this bill another Council, might use their sweet persuasive invitations - I almost said power - invitations to men and women of goodwill to sit around the table and given them guidance without the necessity of legislation which directs that they shall meet at the call of the Chairman not less than once in three months and the like, such as is contained in this bill.

So I say to my honourable friend the Minister of Agriculture, in my opinion we have in the Province of Manitoba groups of individuals who voluntarily, or groups of individuals, for some financial consideration, would give to the Department of Agriculture in Manitoba what

(MR. PAULLEY cont'd.) . . . . the Minister has as his objective under the bill that we have for our consideration before us.

Also, Mr. Speaker as I said during the Resolution stage of this bill, we have within our own Department of Agriculture, I am sure, qualified personnel who are capable of defining goals in respect of the agricultural industry. We have in the University of Manitoba likewise, in the Faculty of Agriculture, with the Dean and members of his staff also qualified personnel which will or can give the guidance that the Honourable Minister is suggesting will accrue as far as this bill is concerned.

So, Madam Speaker, I'm not going to oppose the second reading of the bill. I merely want to re-emphasize what I said at the Resolution stage, that we have the qualified personnel who are, in my opinion, willing and prepared to give the guidance to the Minister, and he, by this bill, indicates that he needs guidance. It's the bill that says this, not me. And I say, Madam Speaker, we have the personnel, the Faculty of Agriculture; the likes of, as I say, Hedlin and Menzies; and others in the field of agriculture already, that could give the advice to the Honourable the Minister if he would but ask them to set the goals for agriculture here in Manitoba.

MR. FROESE: Madam Speaker, I listened to the debate the other day before this bill was introduced, when we discussed the Resolution that preceded this bill, and as far as I am concerned, I have come to the conclusion that I will not support the bill at all. I find that we have ample ways and means of providing this service that is contemplated here. We have the Economic Consultative Board; we have our own Department of Agriculture; we have the Dominion Department of Agriculture who have an office here in Winnipeg; we have the Ag Reps; we have the University of Manitoba; we have all these different aspects from where we can get help and consideration. There is too much overlapping already, I think, and further than that, we have other private firms who would be only too happy to help us. We have the line elevators, the various grain companies, schools, UGG and all the other private grain companies who would be only too willing to help us in any case if we asked them, and I certainly don't see the need for what is contemplated in this bill.

MR. CAMPBELL: Madam Speaker, I move, seconded by the Honourable the Member for Selkirk, that the debate be adjourned.

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

MR. SMELLIE presented Bill No. 109, An Act to amend The Metropolitan Winnipeg Act, for second reading.

MADAM SPEAKER presented the motion.

MR. SMELLIE: Madam Speaker, this again is one of those amending bills which contains not one principle but many. There are some that I think perhaps might be advisable to bring to the attention of the House, and no doubt our purposes could be served better then by answering questions on other points that members may wish to bring up.

There is in this bill, at the request of Metro, included some sections on procedure for Metro Council. This in the past has been done I understand by by-law of Metro Council, but they request that it be put right in the legislation and that is now being done.

There is a change in the method of apportionment of the levy on the different municipalities from the assessment of those municipalities to the equalized assessment.

Then follow several changes that deal with planning, in an attempt to cut out some of the red tape that is involved in the planning process, particularly in Metro. Now Metro has found themselves in a very awkward position in planning, particularly on applications for changes in land-use permitted by reason of the Supreme Court Judgment in the case that most of us are familiar with, the property over at the corner of Maryland Street bridge. As a result of that Judgment, the law officers of Metro have advised them that they must hear anyone wishing to be heard and they must give notice of every time they intend to meet to discuss any particular change in land-use that affects the individual.

They have interpreted this to mean that they must hear representations at each of the three readings of the by-law and at each committee meeting that discusses that particular by-law. They suggest that really it's only necessary for a public hearing once by Metro itself, with the opportunity for the public to be heard in appeal at the Municipal Board. This in effect is the system that's used in all other municipalities in Manitoba under The Planning Act, so these provisions are being introduced. You will find the first one in Section 18 where it provides that Metro may amend a by-law after the public hearing without further notice to the

(MR. SMELLIE cont'd.) . . . . parties, provided that the amendment does not add additional land to the by-law or that it does not change the classification to a more restricted classification, or a less restricted classification. In other words, if it's just removing some of the property that was intended to be re-zoned from the by-law, that can be done without any difficulty; or if it's a proposed change from R-1 to R-2 and they decide to leave part of it as R-1, they may do this.

There is a section here which may cause some concern because it says the Council may refuse to hear delegations. This is in the area dealing with land-use control and zoning. The proposal is that the delegations dealing with this matter should appear before the planning committee. In other words, they will be using the same procedure that we use in this House where delegations don't appear before the House, they appear before a committee of the House where they are heard, and before final decisions are made as to the passage of the legislation.

There is also a provision that certain minor variations may be heard by the Board of Adjustment, and the procedure and the power that's to be given to the Board of Adjustment to hear these minor variations is set out and prescribed. I think that this is necessary because we are going through the actual procedure for the change in the land-use pattern in order to make very minor changes, and affecting in many cases only one piece of property. This has worked to the detriment of Metro planning as a whole, and they have had to spend so much time on this sort of thing that they have not devoted the kind of time we would all have preferred to see on the development of the master development plan and the land-use control by-laws that would accompany it. I think it is really preferable that if changes are minor in nature that they should be handled by the Board of Adjustment rather than by taking up the whole time of the planning section and Metro Council to the detriment of the master development plan.

There is also a broadening of the section dealing with Metro streets. In the past, the streets have been described by complicated and detailed plans. This amendment would allow the designation of a street merely as naming it by its name and referring to a map or plan of that area of the Metropolitan Corporation. It would be proposed that Metro could then deal with minor variations in that Metropolitan streets without coming for the approval of the Lieutenant-Governor-in-Council. Those minor variations that I refer to are, in some cases, widening; in other cases, where there has been a yield right-of-way and a curve to ease traffic, either past a stop light or a stop sign which has greatly facilitated the flow of traffic.

At the present time, each one of these matters - if Metro wishes to put in one of those traffic easing curves, they have to come to get an Order-in-Council to approve this addition to the Metropolitan street system. It was felt that for matters of this nature they should be permitted to do this without an Order-in-Council. If there is any matter of a major nature, for example if it's a street widening which might require the expropriation of additional property or matters of that category, it would still require a review by the government, because it does require the approval of the Minister of Highways before an expenditure of that nature can be undertaken.

There are two other minor amendments, one dealing with the uses to which the corporation might put its parks and the other dealing with Dutch Elm disease, both of which are similar to other legislation that's been before us either this year or in previous years.

And now, Madam Speaker, I think that perhaps we could best look after this bill by having members ask questions that they want answered dealing with any of the other amendments.

. . . . . continued on next page

MADAM SPEAKER: Are you ready for the question? The Honourable Member for St. John's.

MR. CHERNIACK: Madam Speaker, I appreciate the explanation that was given by the Honourable Minister. I would ask him one question. When the change has been made from the assessment to equalized assessments, could he indicate — I forget myself just what the impact is, but could he give us an example insofar as, let us say, the City of Winnipeg is concerned. What will this change do to the City of Winnipeg's percentage contribution to the Metropolitan tax base and to the levy it will make on the City of Winnipeg. Possibly the answer to that would clarify just what the change really will be.

Stepping to the question of the zoning changes, I certainly agree with the Minister that a very awkward, unwieldy method was devised by this Legislature, not in the first instance but in the changes which this government brought about, whereby — I once kept a diary of one matter that I was looking after, and as the Minister indicates, it seemed to me I was in Metro often and I think it took either eight or ten months to get through a comparatively simple change which was never opposed at any time. And yet the red tape that he mentions existed; it existed at every level and before every step that had to be taken.

Now there had to be an application made to the committee; the committee reviewed it and made a recommendation to council; the council reviewed it and you had a right to appear there and then agree to a public hearing which had to be advertised, and the public hearing, as I recall it, was not by council but by committee. And after the public hearing representation was made, then it went back to council for second reading and representation could be made, and after second reading it then went to this Minister, and this Minister, if he learned that there was any objection at the public hearing, then referred it, I believe, to the Municipal Board which then had a hearing and then recommended back to the Minister, who then decided -- I presume that in every case he accepted the recommendation or decision of the Municipal Board.

And if he did that, then I want to indicate a criticism which still applies with this change, and that is that the ultimate decision is left to an appointed board of, I was going to say civil servants — I don't mean that in any sense other than they are not elected people — and it seems to me that the whole work of the development plan and zoning should be decisions made in the final case by a body that is responsible to the people that elect it. I would see greater value in an appeal to the Municipal Board before it goes to council in the final reading, say an appeal to the Municipal Board from the Board of Adjustment or from the committee and then to the Municipal Board and with the recommendation by the Municipal Board to go back to the council of Metro whose ultimate and prime — that's both ends of the responsibility — should be that of the council responsible — as I think it is — to the people who elect the council, so that I'm still not enthused about the present plan, or the proposed plan, except of course that it will shorten the proceedings. To that extent it's good.

I don't see how council will be able to refuse to hear someone who appears before council and says, "I want to speak. There are 11 members of council; the committee which I spoke to consisted of five people — the quorum was three; I made my application to three members of City Council, and now I want the right to appear before all eleven." It will be a very tough council that will take the position that they will refuse to hear. And if they do hear one then they will lay themselves open for not hearing other cases, and I'm not sure that we're really saving an awful lot. But we are saving some, and especially where the Board of Adjustment is involved, we are saving more.

But I make the point again, that I think that the Municipal Board is a healthy step in the proceedings but that I think it should not report to the Minister which automatically accepts its recommendation, but should go back to council who should have the final responsibility.

And now, Madam Speaker, I would like to say something about what is not in the bill. I would like to suggest to the Minister what is, I believe, an oversight, and I think it has been clearly shown, one thing that's wrong in principle in the Act, and that is the principle that a member of council may not offer his services to the public in any other elective capacity unless he has resigned from council. And I say that, and I'm in a better position to say it than most because I was, when I wanted to offer my services to the constituency of St. John's to be elected here, I was compelled to resign from the Metropolitan Council before I filed nomination papers here, and I say I'm in a position to say so because I was elected and enabled to make whatever contribution I can at this level. But there were two others, one who preceded me and one who followed me, who wanted to, or were called upon to offer their names for

(MR. CHERNIACK cont'd.) . . . . nomination for other elective offices, who resigned and were defeated, and those people were lost to council for the contribution which they could have continued to make. And I would suggest that it wouldn't be contrary to the principle of the Act at all which says that a member of council should not sit on any other body. It would not have been contrary to the principle if an amendment were brought in to this bill saying that a person must resign if elected to another office, but need not resign if he is nominated and runs and is defeated, and in that way we would not lose the services, and furthermore we would make it possible to have good people - and I must say that the Metropolitan Council consists of many, and most, I would say all of them, are good public servants in that sense - would make it possible for them to run for another office without having to give up this one and not know whether or not they would be elected to the other. This would have been a simple change; I think it's one not contrary to the principle, and yet I think it would be a right one, and I hope it's not too late for the Minister to consider that and bring it to committee.

I would also like to suggest now, Madam Speaker, that I believe it was the vast majority of this House at the time this original Act was passed creating the Metropolitan Corporation, that the vast majority supported the bill. I think it received the support of the majority of all members of the political parties that were represented in the House. And it indicated that this was a real accomplishment, where this government took the responsibility in the face of opposition which it knew it would receive from area municipalities, to carry out this and create this new level of government - and I don't like the word "level" because it seems to imply higher or lower, but this new field into which the Metropolitan Corporation was brought.

Now, this government should have had opportunities since that time to review what it did in terms of principle and policy - I'm not talking about the mechanics with which this bill deals - but I would like to suggest that now that the government must have had an opportunity to reflect and to read the report that was returned by a committee headed by Councillor Huband on police protection, I feel sure that the government members must have read it. I read it and derived a great deal of respect for the work that went into it, and I would suggest that it made a very strong case for a metropolitan police force, and I would like to think that this government is thinking in terms of expanding, of developing the contribution that a metropolitan form of government could make to Greater Winnipeg. I would like to hear from the Minister whether there has been thinking along these lines. Are they aware of Councillor Huband's report and that of this committee? Has it considered the whole fire protection problem for Greater Winnipeg and the duplication that exists today, or the different levels or qualities of service that are offered? Can we look forward to this government undertaking changes of this type instead of getting involved in these street transfers to and from Metro and involving itself with the problem of protecting the small right-of-way curves that are now being made possible to be done without this government's intervention.

At first, when the Metropolitan Corporation was created, it was given the power to decide which streets it was willing to undertake as a metropolitan responsibility, and because of the pressures of certain area municipalities this government bowed and said, "All right, we'll take away this power and we will assume it to ourselves," and this government, which has created the creature of the Metropolitan Corporation as indeed it does in all other municipal cases, is still involving itself in problems which it should well leave to a municipal council on a local level which has the responsibility and, I believe, the confidence of its electors, and I'm not now speaking of the area municipalities because the fact is that when the council did offer itself for re-election some little time ago at the end of the four-year period, I think there was only one change in the makeup of that council, so certainly the members of council received the support.

I believe that since they received the support and proved themselves to the people of Greater Winnipeg, that this government ought to recognize it and start strengthening the Metropolitan Council by active support and by considering with it those areas in which it can make an even greater contribution to the metropolitan area of Greater Winnipeg. And I want to add only, that the environment and the whole attitude has changed considerably, I believe, in terms of the support that the area municipalities give it. I don't think you'll find one of the area municipalities which now would say that the Metropolitan Corporation is redundant and unnecessary. I think that the time is right and that the government should take the lead once again as it did some years ago.

MR. DESJARDINS: Madam Speaker, I'd like to move, seconded by the Honourable Member for Selkirk, that the debate be adjourned.

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

HON. J. B. CARROLL (Minister of Welfare) (The Pas) presented Bill No. 121, An Act to amend The Social Allowances Act, for second reading.

MADAM SPEAKER presented the motion.

MR. CARROLL: Madam Speaker, there was fairly full discussion at the resolution stage. However, I might just run over some of the important principles involved. To begin with, this bill contemplates the passage of the Canada Assistance legislation that is supposed to be introduced to the House of Commons shortly and which we understand will be retroactive and become effective as of April 1st of this year. The Canada Assistance plan is based on the needs principle, legislation very much like the one passed here in 1959.

Now during the next fiscal year we're in the peculiar situation here in Manitoba where we will be sharing under the Canada Assistance Plan partly, and sharing under the old Unemployment Assistance agreement as well. Most of the municipalities I think will be sharing under the Unemployment Assistance agreement but some may wish to qualify for sharing under the Canada Assistance Plan, because there are some additional benefits to municipalities, namely, the eligibility to receive certain administration costs for full-time personnel added to staff after the year 1964, and they can become eligible as well for cost-sharing of work activity programs.

The Canada Assistance Plan will also require that we remove the resident qualifications, which is one of the important features in this Act and which will be a requirement of all municipalities if they are to share under either of these programs. To share under the Canada Assistance Plan, they must establish an appeal procedure and establish a schedule of assistance based on the cost of providing for the basic necessities of an individual or a family.

I think these are the essential points under the bill, Madam Speaker. I will be very pleased to answer any questions that there may be.

MR. SHOEMAKER: Madam Speaker, I beg to move, seconded by the Honourable Member for Assiniboia, that debate be adjourned.

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

MR. JOHNSON presented Bill No. 103, An Act to amend an Act to incorporate "Brandon College Incorporated," for second reading.

MADAM SPEAKER presented the motion.

MR. JOHNSON: Madam Speaker, this bill is a short bill but it is an important bill - I'm speaking to the principle of the two major items contained in this bill. The Act to incorporate Brandon College Incorporated was assented to in April of 1939 and set up the Board of Directors from amongst the interested citizens and those who belonged to the corporation as spelled out in that bill. This Board has served Brandon College of course, as we know, so well over the years and they have developed a budget which this year is close to \$1 million in total. For some time we have been working with the president and staff and board of Brandon College in bringing their fiscal arrangements into concert with that of the University, and at the same time have been discussing the advisability of an alteration in the structure of their Board. In view of the non-demoninational college and receiving pretty well all their support through government funds, it was felt advisable that a Board be established which recognizes that fact today.

I can report to the House that I have met with the Board of Brandon College in Brandon and outlined the nature of the legislation which was being proposed, and I think they concurred in the concept that this was timely. You will note the bill makes provision for one member of the Board to be elected from the alumni, three from the corporation. From its life members -- they have a long list of people who have contributed to the College over the years whom they would like to see represented on this Board, and the provision has been made as outlined in the bill. I can pay tribute to the excellent co-operation, the excellent job which the Board of Brandon College has done in recent years of course, and their tremendous co-operation in the past couple of years that we have been looking at the structure of their Board and contemplated that measure at this time.

With respect to the last section of the bill, there are agreements being negotiated between the Centennial Corporation, the City of Brandon and the College, concerning the creation of an auditorium on the Brandon College grounds where it was contemplated it could be made as an

(MR. JOHNSON cont'd.) . . . . adjunct not only to the City of Brandon and the people of that area but to the College itself, and the authority in the bill, the first section which refers to "subject to the Lieutenant-Governor-in-Council" was inserted because these agreements between the Centennial Corporation, the City and the College have not been completed. Largely it involves, so far as the Brandon College is concerned, the Board have requested that they be given the authority to enter into an agreement as they contemplate the erection of this building on the grounds of Brandon College.

MR. CAMPBELL: Madam Speaker, may I ask a question of my honourable friend the Minister who is sponsoring this bill. I understood him to say that he had discussed the proposed bill with the Board of Brandon College and that they seemed to be in general agreement. Would he tell me that the Board, in his opinion, is in agreement with the fact that they themselves will have only five representatives on this Board of Directors and the government will be in a position to appoint seven. Does that meet with their approval?

MR. JOHNSON: Well I outlined to them the suggestion that the Lieutenant-Governor-in-Council have the power to appoint seven members out of twelve to this Board for the simple reason that this Brandon College has now grown to the point where practically the entire budget comes from the Consolidated Revenue, and as a matter of principle and evolution, as a matter of government policy, it was felt that we should have, on behalf of the people of Manitoba, the majority number of appointments to the Board. In general, I felt that in explaining this reason to the Board that they could recognize this fact at this time.

MR. CAMPBELL: Madam Speaker, I move, seconded by the Honourable Member for Selkirk, that the debate be adjourned.

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

MR. McLEAN presented Bill No. 110, An Act to amend Certain Provisions of the Statute Law and to correct certain Typographical Errors in the Statutes, for second reading.

MADAM SPEAKER presented the motion.

MR. McLEAN: Madam Speaker, this is a bill which comes in each year and which doesn't have any particular principle involved. I direct members' attention, however, to three matters. The first is that there is a provision in this bill which relates to the Centennial Corporation and proposes to increase the membership of that board from 15 to 30, as there is provision with respect to the Insurance Act which makes it clear that a municipal corporation may impose a business tax in respect of an insurance business the same as in the case of other businesses - apparently there has been some question raised about that. And I would like to inform the members of the House that in committee we will propose a further amendment which was overlooked in drawing the bill, having to do with educational assistance which is provided by the Province of Manitoba in co-operation with the Government of Canada and at the expense of the Government of Canada. There is presently authority for the province to enter into an arrangement with the Federal Government to give assistance to educational institutions outside of Canada, and this is to extend it to governments outside of Canada. It's the same principle, and a very short amendment is required in order to make this possible. It would add the word "Government" to the present divisions of the University Act. I want to just direct members' attention to the fact that we will propose that amendment when the bill is in Committee.

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

MR. STEINKOPF presented Bill No. 122, an Act to amend The Public Utilities Board Act, for second reading.

MADAM SPEAKER presented the motion.

MR. STEINKOPF: Madam Speaker, this is a bill that deals with a matter of business, and in all bills of this nature it is pretty hard to anticipate the needs of the business world in order to have legislation on the books at all times that can anticipate the whims and the nature of business and the changing conditions. There are some administrative changes in the bill which are self-explanatory, but probably the most important are the provisions that provide, or give the Board the authority to prohibit the owner or owners of a public utility from declaring or paying any dividend if it considers that the declaration or payment of dividend may reduce the assets of the owner below what is necessary to carry on and provide proper service to the public, and the Board, too, may upon application after hearing, authorize an owner of a public utility to declare and pay dividends if it is satisfied that proper provision has been made for all costs in the event of any abandonment of service to make sure that all their costs are fully

(MR. STEINKOPF cont'd.) . . . . paid, and that if the company is authorized to distribute any of its funds by way of dividends, that this will not seriously prejudice the public from using the service.

This amendment, of course, was brought about because of the situation created by the short notice of the Winnipeg Central Heating Plant to its customers. Some of them were seriously affected by the short notice. Installations were in some cases put into homes for service of central heat not too long before the company decided that it could no longer continue, and the Public Utilities Board, after receiving the application for abandonment and having made a fairly comprehensive study, found that there was very little that the Board could do but to permit the company to abandon the service that it was rendering.

There are not many private companies in the public utility field in Manitoba, and it is not anticipated that there will be a great number of them in the future, so it should be a relatively simple matter to now regulate these and to see that they have sufficient funds to meet any contingency and to develop over the next few years even a more comprehensive method of meeting the situation in case it arises, and at the same time not inhibiting the growth of these private utilities.

I don't anticipate any serious objection from a utility because of this amendment to our Act or the provision that we are now putting into it. As a matter of fact, I think those that are in the business now in Manitoba will welcome this because it will safeguard their customers and themselves against a repetition of what has just happened. Also, we have the one large public utility; its services should be safe, as safe as the province itself, from this kind of treatment, and these private utilities are in a sense competing in many of the services that are rendered by the public utilities. They will, I think, like to compete on the same kind of a safe basis, in other words to be able to ensure the customer through the very fact that we have the legislation, that if they would connect to the services being rendered by the private company that they would be assured of fair treatment and with no chance of a short notice in case the company should find it necessary to discontinue its operations for one reason or another.

MR. MOLGAT: Madam Speaker, there was certainly a good deal of concern in the City of Winnipeg recently over the Central Heating Company's decision to retire from the heating field and leaving, as it did, some very large number of residents without much notice as to what would happen to them and certainly faced with very substantial extra cost.

I wonder what other situations of a similar nature exist at the moment. I would guess that in the City of Winnipeg it would strictly be Winnipeg and Central Gas. The other areas then would refer presumably to the other gas companies outside of the City of Winnipeg. I'd like to know from the Minister if there are others apart from those gas companies. The utilities, other than that I think, are now all publicly-owned as I know them. I do not recall of any either telephone or electric -- (Interjection) -- is there still one telephone?

I wonder if the Minister could enumerate to us which specifically are covered by this bill now and what possibilities there might be, or what problems might occur and what areas they might be. I think in general that the bill will receive the support of the people of Manitoba if it provides for protection against the event that recently happened in Winnipeg, and certainly so far as our group is concerned we do not propose to oppose the bill in second reading.

MR. STEINKOPF: Madam Speaker, there's just the Winnipeg Central Gas Company in the Metropolitan Winnipeg area and other gas companies throughout the province. I believe there is one small telephone company still in existence in the province, but I will be able to get all of that information at committee time, if that's agreeable.

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. 125. The Honourable the Leader of the Opposition,

MR. MOLGAT: Madam Speaker, I wonder if I might ask the indulgence of the House and have this stand? This came on our desks on Friday. I'll be prepared to speak tomorrow.

MR. LYON presented Bill No. 127, The Ministerial Exploration Assistance Act, for second reading.

MADAM SPEAKER presented the motion.

MR. LYON: Madam Speaker, I think a few brief words of further explanation might be in order on the second reading of this bill, in addition to those words that were spoken at the resolution stage.

As has already been mentioned on a number of occasions in this House, the progress that

(MR. LYON cont'd.) . . . . is being made in mining development and mining exploration in Manitoba today is excellent in that the value of production last year was estimated to be \$182 million, and that figure we expect will be increasing as each year goes by. Mining is certainly one of our major industries in Manitoba today. I was able to announce last year, confirm last year, announcements by companies of the commencement of two new mines, Fox Lake, some 28 miles from Lynn Lake being developed by the Sherritt-Gordon Mines Limited, and Soab Lake on the Thompson Road some 40 miles southwest of Thompson. In addition, the Hudson Bay Mining and Smelting Company are developing Osborne Lake, Anderson Lake, Ghost Lake and White Lake deposits, and these six new mines in addition to our present production don't tell the whole story. Exploration activity in the province is very high, with more than 25 companies having spent something in the area of \$5 million on exploration during the past year.

The purpose of this bill, therefore, is twofold. First, we wish to add further impetus to mining exploration directly to the expansion of this very promising industry; and secondly, we wish to encourage the extension of the rapid pace of mining exploration into less intensively explored areas of the province, and also to direct exploration activities toward minerals which are receiving only limited attention at this time.

It goes without saying that an industry expanding rapidly from a \$182 million per year base, offering good employment opportunities at high income levels, facing strong markets, is an industry well worth encouraging. We wish to reinforce our strength in this activity. We believe that mining can increase from its present important place to a leading position in the industrial complex of Manitoba. As new roads and accesses are being pushed further across northern Manitoba under the stimulation of the Nelson River Development and the forest development, the ease of opportunity for mining exploration in hitherto inaccessible areas is certainly improved. And as a complement to these forest and power developments we wish to encourage increased mining exploration in these remote areas.

This bill, it will be remembered, is in addition to incentives which were offered last year in the mineral development field such as cost sharing of roads into developed mining properties, new tax incentives under the mining tax legislation, and this bill coming in its turn as a program of incentives aimed primarily at increasing the rate of mining exploration and expanding the area of intensive activity throughout the mineralized areas of the north and into other promising areas in the southern part of Manitoba.

In brief, the main principles are that assistance will be awarded for exploration work of a kind approved by the Minister. It will be our policy to include a wide range of exploration activity as activity suitable for assistance. From time to time as conditions change and new opportunities present themselves, or as new technologies are developed, we may change the nature of the activities classed as shareable. The areas to be designated will be those on the periphery of the areas where intensive activity is occurring at the present time, and in the more remote areas of the province by and large, although this will not be a hard and fast or inflexible rule. We may designate some non-remote areas for certain minerals for which we wish to foster exploration activity. The bill provides for broad flexibility to direct incentives toward types of exploration areas to be explored and minerals to be sought within those areas.

Grants will be provided only under a contract or agreement between the individual or the firm carrying out the exploration, and the government. A firm or an individual in any one year may obtain for approved exploration expenses a maximum of \$50,000 or 50 percent of his approved expenses, whichever is the lesser. Not more than \$150,000 will be granted in respect to any one mining property. Repayment will occur only in those cases where a mineral deposit is discovered and the mine is developed. Recovery will be made under the contract from earnings of the firm developing the mine, and security for repayment will be ensured by a lien against the mining property pursuant to the agreement. It should also be noted that the province has an alternative means of collection provided in the Act whereby the province can take in lieu of repayment a participating interest in a mine which goes into production.

I believe these cover the main points, the main principles that are before the House in this bill, and I certainly recommend it to the House for approval on second reading.

MADAM SPEAKER: Are you ready for the question?

MR. SMERCHANSKI: Madam Speaker, I move, seconded by the Honourable Member for La Verendrye, that the debate be adjourned.

MR. CHERNIACK: Madam Speaker, I am ready to speak . . . .

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

MR. CHERNIACK: In doing so, I am carrying out the policy which I said I would carry out and I'm really sorry I'm doing it because I usually like to listen to the Honourable Member for Burrows before I participate in debate. However, in this case I know that what he is bound to say is to give his wholehearted support to this bill, because indeed he congratulated the Minister in committee and concurred with the program, saying it was excellent and good and he was highly pleased, and therefore I assume that he will say something along that line. -- (Interjection) -- He tells me that that's why . . . .

MADAM SPEAKER: Order please. I'd like to ask the members of the press gallery to please lower their voices so we might hear the debate. Thank you. The Honourable Member for St. John's.

MR. CHERNIACK: Yes, Madam Speaker. I want to remind the Honourable Minister that when we discussed this matter in committee I pointed out that I had previously, and for the last three years, suggested that the government ought to make sure that when private enterprise goes in to exploit a natural resource, it should also be given the responsibility of making sure when the time comes and it cannot continue that it does not leave a legacy of ghost towns and a burden of rehabilitation and replacement, and I quote from what I said on Page 1776: "These are resources that we know will be depleted. These are developments that we know will come to an end, and knowing that in advance we have to date done nothing, in my opinion, to guarantee that when the times comes that this organization, whatever it be in private enterprise, had made sure that it tidies up its house when it leaves." Now I spoke along these lines and the Honourable Minister did not reply at that time to my suggestion, and indeed I did not find that he dealt with that matter in the introduction just now.

Subsequent to the occasion when we discussed this in committee, we then had occasion to discuss the Public Utilities Act amendment - with which we've just dealt - also in committee, and I must say that I restrained myself from rising and speaking on that and indicating to the Minister how pleased I was that the government had recognized the principle involved in that bill just as I am suggesting it ought to be carried out in the case of mining, and I notice that the Honourable Minister was present while the Minister of Public Utilities spoke just a short while ago, but I want to read to him something that the Honourable Minister of Public Utilities said on April 14th in relation to the other Act but in relation to the principle.

It appears on page 1801 of Hansard and reads as follows: "The situation is now that we have realized maybe a little late in the day that utilities like anything else can go out of business, particularly if they're private ones, and that provision should be made to protect the customers so that the transition period won't be too hard on them, and also consider that there should be some provision for long-term employees. In connection with the first part . . . , " he says, and then I don't want to deal with the other bill, but he indicated that the government recognized the importance of protecting customers and that there was legislation about to be proposed, and that also the question of long-term employees was one that would be considered, but, as I understood the Minister of Public Utilities, he approved of the principle of proper safeguards and this, of course, I think is a very important and worthwhile proposal.

Now in the bill before us there are two provisions which I find quite acceptable. One is the provision that states that - and the Minister mentioned it - that the government may, if it wishes, receive a participating interest in the development of any mineral deposit discovered in a mining property in respect of the exploration of which a grant is made. Need I remind the House that I had occasion to make just that kind of a suggestion when I spoke on the Budget address, and indeed when I had occasion to speak on the development of the forest products, to indicate that where Manitoba money was invested, I mean the taxpayers' money, these same people through the Manitoba Government ought to participate in the benefits that could be derived, and I'm glad that the Minister of Mines and Resources is proposing in this bill this very principle, that the government may take a participating interest, and this is right. Because although it has been argued in the past that when they get some  $2\frac{1}{2}$  percent royalty,  $2\frac{1}{2}$  percent of the income, that that is participation, it has also been suggested that when income taxes are paid, that that is participation, but I think it is obvious now from this section in the Act that the government is thinking in terms of participation in the very company and in the very interest in that development, and I say that's good. Of course it says "it may," so I hope we'll hear from the Honourable Minister as to what policy will be in this regard.

Also, under this bill there is a provision that the government may, . . . . Lieutenant-Governor-in-Council, may make regulations prescribing the terms and conditions of agreements

(MR. CHERNIACK cont'd.) . . . . and the terms and conditions under which grants shall be paid or repaid. I wish that it had gone to the extent of spelling out the similar type of legislation which appeared in the Public Utilities Board Act, to actually say that it shall be policy to make sure that when the company, in that case the utility, closes up shop - and as the Minister says, this happens, and especially so with private enterprise - that there shall be a protection so that Bissett should not come to haunt us again, so that there will be a form of depreciation allowed, just as in the Public Utilities Act. I wish it said it in the bill, but it doesn't, and I don't know whether the Minister is prepared to amend the bill to indicate that, but certainly I think we are entitled to know just what the purpose is, and can it be that I am reading correctly the possibility that the government will accept as policy the very suggestion that I have made which has been accepted in this Public Utilities Bill and by the Minister of Public Utilities, because if he did, that, I think, is recognition of a responsibility to the people who are often those who suffer when an interest such as a mine closes up, because when that happens, the company that made the investment and derived the benefit, has declared its dividends; it has received its profit; and is then on a salvage operation to close up shop and just salvage what is left, but in doing that it leaves a community and it leaves human beings very much involved in the problems which are now taking place in Bissett.

I want, therefore, to encourage the Honourable Minister to indicate the policy in regard to the two matters, that is, the participation in the interest and the terms and conditions that may be imposed, and I want to welcome the Honourable the Leader of the Official Opposition into the fold, who has now - well I say 'now', I don't know how long ago - accepted this very principle in the Public Utilities Act, and although I didn't get the words down quickly enough, he said something along the lines that 'we support the bill if it provides some form of assurance' and he must have meant along the lines of protecting the customer.

That is the reason, Madam Speaker, that I'm looking forward to hearing from the Honourable Member from Burrows, to understand whether he too will agree with his honourable Leader and indicate that he recognizes the need for setting aside some part of the profits of this private enterprise to take care of the residue and the salvage operations that are left when the private enterprise involved gives up shop, so that I'm really looking forward to hearing from the Honourable Member from Burrows to see whether possibly all three parties in this House will approve of this principle, and I have yet, of course, to have confirmation from the Minister that he too accepts it.

MADAM SPEAKER: Moved by the Honourable the Member for Burrows, seconded by the Honourable the Member for La Verendrye, that the debate be adjourned. (Madam Speaker put the question and after a voice vote declared the motion carried.)

The adjourned debate on the second reading of Bill No. 124. The Honourable Member for St. Boniface.

MR. DESJARDINS: Madam Speaker, some members of this House expressed their concern over this bill. I suppose this was prompted by the method in which this government brought in different departments, talking about so many new Ministers, talking about enlarging different boards and creating so many boards. Now, Madam Speaker, I must admit that I am concerned also. My concern though, in this, is mostly that I hope that the government is serious about this bill and intends to finally do something in the field of promoting tourism, promoting sports and recreation.

Now I think that finally the government, who insists that it is progressive in this field, finally this government has seen the light and is forced to admit that it has done nothing or next to nothing in this field. We have had bills ready to be passed, I should say in this House, ready to take advantage of money forwarded from Ottawa but very little was done. I might say that the Minister, when this bill was introduced, talked about how much they had done and what they were going to do, but the thing that I remember mostly was that the previous government hadn't done anything at all. Of course they talked about the former First Minister of this House.

Well I might say that a few short weeks after my election in 1959, I started by asking the government to promote, to do something in this field, and I advocated at different times a department. It was felt that we should have a department, at least a branch of a certain department, to look into this, to do something in the field of recreation, promotion and so on, and I would like to quote, Madam Speaker, from Hansard of June 22, 1959. This was the first speech I ever made in this House and I said on page 155: "Mr. Speaker, I feel that the government should take into consideration the establishing of a new department with the appointment of

(MR. DESJARDINS cont'd.) . . . . a Minister. Some of the points that would be dealt with by this department are . . . rehabilitation, recreation, direction, physical education, and so on," and this was in 1959 when the members opposite didn't think this was too good an idea.

In the same speech I went on to say, "Someone should encourage organized sports which are so important to our youth, especially our boys. I feel sure that I am right in thinking that organized sports, properly supervised - and I must repeat, properly supervised - are very important to the juvenile, and the government should take a more active part in supervising, organizing and financing sporting activities of their young citizens. They should also promote the building of more rinks and so on. Yes, Mr. Speaker, I feel very strongly that the government should take into serious consideration the establishment of this new department which is so vital to the mental, moral, and physical welfare of the future generation of this province."

This was in 1959 just a few short weeks after I was first elected to this House.

Then, later on in the same session, on July 9th, in talking about this thing after some argument and somebody had told me in no uncertain terms that this wasn't much of an idea. To quote again from Hansard: "I am not accusing the government, the Honourable Ministers of the aforementioned departments . . . ." - I had named two departments that seemed to take a little bit of this work - "... the departments of not being interested. I know very well that they all know that what I'm speaking of is important, that we have a real problem, but they themselves have so much work piled into them that they do not know where their responsibilities in these things begin or end. The whole program is so divided and split up that each department must . . . minimize and this tends to divide instead of uniting and it is the source of most of the trouble." And I finished that speech by saying, "Now, if the government feel that I am going too far in asking for the creation of a new department, then I would ask them to at least name a Board or a Commission to study these things." This again was in 1959, as I say, Madam Speaker.

Then I kept this on for a number of sessions. In 1960 I brought in a motion this time, after having little luck with the suggestion that I made, a motion - and I'll only read part, not all the "Whereases." "Therefore Be It Resolved that the government give consideration to the advisability of establishing an inter-departmental committee which would study: 1. The advisability of setting up a Department of Youth and Recreation or at least a sub-department with its own Deputy Minister to deal with all phases of mental and physical fitness, leadership and training, sports and recreation, the need for more and better recreation facilities."

This, Madam Speaker, was on March 1, 1960. Now at the time, one of the most progressive Ministers - yes, I think you can guess who I am speaking about, the Attorney-General - had very little to say on this. It was a kind of a - I don't know if it was a back-handed compliment - and I'll read his whole speech, March 1, 1960, and he based himself on something, well that maybe I was out of order although the Speaker certainly hand't ruled me out of order, and this is the full speech: "Mr. Speaker, the Honourable Member for St. Boniface has made a useful contribution to the debate on this resolution and I know that we all share his concern that we should have in Manitoba good training, best circumstances in which our boys and girls might grow up. I feel, however, that the amendment which he has proposed is verging on the border of being out of order, because it does seem to go off at a completely different angle from the original resolution and amendment, and that it is impractical in that it proposes the establishment of a new department or a branch of a department and carries with it the connotation of the expenditure of public funds," - and it was just a committee to study that. "Under these circumstances, Mr. Speaker, it is our intention to vote against the sub-amendment which has been proposed by the honourable member."

Well this is how important the members of the front seats felt that this was in 1960, so I don't think they should come and lecture us this year and tell us that they are so forward-looking and they are so interested in doing something. As I say, I hope that they are sincere. I don't think that they should come in and pretend that they invented everything. A lot of members asked for these things.

Then again in 1961 after no luck, 1961, and again it was a resolution. I'll just read the last part: "Therefore Be It Resolved the government give consideration to the advisability of establishing an inter-departmental committee which would study the advisability of setting up a Department of Youth and Recreation to deal with all phases of mental and physical fitness, leadership and training, sports and recreation, the need for more and better recreation facilities." You see, I have tried pretty well every angle over the period of years trying to promote such a thing, which I felt was important. I remember talking about we have the

(MR. DESJARDINS cont'd.) . . . . Department of Highways and so on, but what did we have for the people of Manitoba?

Now, I remember then that I quoted from Dr. Frank Kennedy, the Director of the University of Manitoba's Physical Education Department, on this same subject, and I quote from the Tribune of March 10, 1961: "School Program Revision Sought. Manitoba's physical education program in the schools Thursday was condemned as a waste of effort and money, and little satisfaction for teachers who supervise it. The province's stubborn refusal to better the program lies in the face of known facts and . . . . expressed by the public, said Dr. Frank Kennedy. Today the regulations respecting physical education are neither enforced, recognized nor encouraged, he told the Manitoba Conference on Physical Education and Recreation. The federal education curriculum for schools to . . . its revision and is now in the hands of teachers. Public money is made available to promote tourism but a government program to train supervisors for youth and adult recreation doesn't exist, Dr. Kennedy said. Manitoba is one of the only two provinces without a government-operated physical education and recreational scheme."

Then again I - and this is the last quote that I have, I think, Madam Speaker, and this again is on April 4, 1961. "Again Sir, I would advocate that a special Department of Youth and Recreation be started. When I speak of youth I do not mean only the young citizens of Manitoba, although it is clear that the bulk of the responsibility of this new department would be for these younger citizens, because after all when we talk of forming leaders, we all know that formations start in early age." And so on.

I just wanted to express, Madam Speaker, my concern in this. I think that - and I certainly hope that this is a serious attempt. I hope that this is not another one of these election gadgets or gimmicks. I think that there is a need for this. I am not too -- I don't think it's that important that it's a department, if it can be done by a branch, but at least somebody in charge, and that we'll have to look into this.

This year again I brought in a resolution that I tried to phrase in a different way, and this was declared out of order because they had referred to something on manpower in the Throne Speech. So I certainly intend to believe that the government is serious in this. I certainly will not oppose, after advocating this for so long, oppose this bill. This is second reading. It's a principle and I certainly could not go against this principle. I think that this is something that is needed in Manitoba. It's not exactly what I had in mind but I think that I wanted to go a little deeper than that and think of the human element a little more than just promoting tourism for the sake of bringing dollars to Manitoba, but I think that eventually this department might function pretty well. I think that it should and I think that it will relieve certain tasks from certain Ministers who, as I said before, who now just have a very small part of it and who seem to lack interest because it is so small a part of their work.

But I would like to say before closing, Madam Speaker, that I certainly will be very interested in this. I hope that it will do a little better than the bill that we had when the former member from Portage was the Minister - and I think that it was the Minister of Labour; we brought fitness under him. Now, under this present Minister of Labour, and it certainly has been pathetic, the lack of action, the very little that we've done in this respect, and I hope that this will turn a new page and that we will step up and take our place with the rest of the provinces here in Canada.

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

MR. STEINKOPF presented Bill No. 126, an Act respecting Access to Certain Highways and the Control of Land along Certain Highways, for second reading.

MADAM SPEAKER presented the motion.

MR. STEINKOPF: Madam Speaker, not much has happened in this Act since I explained it at the resolution stage, and -- (Interjection) -- Well, then I think I said that Parts 1, 2, 3 and 5 are basically the same as what they were in the old Part 3A of The Highway Traffic Act, and pretty well lifted from that Act with some minor changes in these various parts, and that had to do with clarifying some of the language that was used and some additional definitions that had to do with access and name signs.

The one section that is new, and completely new, is the Section 4 in this Act which from a practical point of view presupposes the existence of a compaction plant, compaction plants or other facilities of a similar type for the disposition of scrap automobiles. At the time that that was drafted there was some pretty solid hope that a large compaction plant would be built somewhere in the Metropolitan Winnipeg area - I think it was Transcona - that could handle a

(MR. STEINKOPF cont'd.) . . . . large quantity of these scrap automobiles, and the section was drafted having in mind that this facility or similar facilities would be available. But I understand that these plants have been deferred. There are some compaction plants available in Manitoba but they do not have the capacity to take on the full load that would be created if this section was put into force immediately. But it's felt that having this Act ready, it's like taking a lead-off, that it will encourage these facilities to be created and there are other sections too in the Act which I think we could - in the part that has to do with scrap automobiles - that we could be working on, and probably in the not too distant future be able to proclaim the section and have it operative,

MADAM SPEAKER: All those in favour?

MR. HILLHOUSE: Madam, I wish to move, seconded by the Honourable Member for Lakeside, that the debate be adjourned.

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

MR. ROBLIN: Madam Speaker, could we now proceed to the two supply bills which I could get moved for second reading, and then go on with the Public Bills that have not received any explanation by their sponsors yet?

MR. ROBLIN presented Bill No. 22, an Act to authorize the Expenditure of Monies for Capital Supply purposes and to authorize the Borrowing of the same, for second reading.

MADAM SPEAKER presented the motion.

MR. MOLGAT: Madam Speaker, I presume that there's no difference in this bill from the normal bill that we receive every year?

MR. ROBLIN: That's right, Madam Speaker.

MR. FROESE: Madam Speaker, before you put the question, I just have one question in connection with the Manitoba Hydro Electric Board, \$100 million. How much of that is going to be spent in this current year? How much is needed?

MR. ROBLIN: Madam Speaker, with respect to the Hydro, it's been our custom to get a lump sum appropriation, not all of which may be spent in the current year. A small part of this, probably \$30 million, may be spent in this current year but the rest may not be.

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

MR. ROBLIN presented Bill No. 55, an Act for granting to Her Majesty Certain Sums of Money for the Public Service of the Province for the fiscal year ending the 31st day of March, 1967, for second reading.

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

MR. ROBLIN: And now, Madam Speaker, may I ask for Bill No. 58, and subsequent bills following that.

MR. PAULLEY: Madam Speaker, before we proceed, may I direct a question to the Honourable the First Minister? Are you anxious that we do not run for re-election, that we all expire before then? We've been here since 9:30 this morning; it is now a quarter to twelve. I don't know how my honourable friends feel but I know how the Leader of the New Democratic Party feels. There are a considerable number of adjournments been taken on second reading of the other bills, Madam Speaker, and I think in fairness to the members of the House the First Minister should not impose, as he has the power to, that we should stay here any longer today.

MR. ROBLIN: Madam Speaker, I'm not going to detain my honourable friend much longer. I think that if we carry on until 12:00 o'clock we should then adjourn. I think I feel about the same as he does.

MR. MOLGAT: . . . if I might ask a question before we proceed? I notice that Bill No. 80, a government bill, was not called. Is it not the intention to proceed?

MR. ROBLIN: It is our intention to proceed with it but not tonight.

MR. COWAN presented Bill No. 58, an Act to amend an Act to incorporate The Sinking Fund Trustees of The Winnipeg School Division No. 1, for second reading.

MADAM SPEAKER presented the motion.

MR. COWAN: Madam Speaker, there's not a great deal in this bill. It simply provides that the term of a trustee of The Sinking Fund of The Winnipeg School Division No. 1 shall be limited to 3 years, and the remuneration of trustees shall be increased from \$10.00 to \$15.00 a meeting.

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

MR. ROBLIN: Madam Speaker, in the absence of the Honourable Member for Roblin,

(MR. ROBLIN, cont'd) . . . perhaps we had better go on to Bill No. 88.

MR. CHERNIACK presented Bill No. 88, an Act to amend The Employment Standards Act (2) for second reading.

MADAM SPEAKER presented the motion.

MR. CHERNIACK: Madam Speaker, this bill has a simple principle which was strongly urged before the committees which met, I think it was a Consumer Credit Committee, by the Credit Grantors especially, but I think it was also referred to by some of the other agencies, social agencies and other interested parties, and its purpose is that a person shall not be discharged if the only reason for the discharge is the fact that a garnishing order has been issued against his wages. I think it's pretty obvious, and I shouldn't have to develop it, it's obvious that the fear of the debt, the insecurity involved, will certainly hamper this person's attendance to his work. The threat of a discharge or an actual discharge will only put him further into debt and create more trouble and will make him a charge on the community rather than a person who is able to work and carry on. Now the fact that a garnishing order may have been issued does in no way affect his ability to do his work, and if the employer feels that this is a burden to him, the garnishment provisions enable that person to - the employer if he wishes - to make a charge of \$5.00 which is payable by the employee, for the processing of it.

Madam Speaker, I don't want to develop this any longer. The time has gone. It's late, I mean, and I would only hope that this receives the consideration of the committee for second reading so that it could be viewed in committee. I would think that if there's any indication to oppose it at second reading, I would hope rather, that I would be given the courtesy of reasons for that, so that at least people who are interested in this bill will know such reasons.

MR. SMERCHANSKI: Madam Speaker, I'd like to have one point clarified in this bill and that is, what happens with those people that have a second and a third garnishee on their wages? This bill doesn't seem to cover that point. Usually an employee who has one garnishee on his wages, this is quite understandable, but then there is a great deal of instances where an employee will have a second, third and fourth garnishee on his wages and I think that there should be some clarification that this may well be allowed in terms of one garnishee order but if it becomes a second and third issue, then I think that the employer should have some recourse to straighten the employee out in reference to his garnishee orders.

HON. OBIE BAIZLEY (Minister of Labour) (Osborne): Madam Speaker, I find myself in the position that I can't recommend to my colleagues an accommodation for this particular bill. I find it hard to see why an individual should have a vested interest in a job by reason of being garnisheed. It seems to me that an individual who would have this vested interest because he deliberately refused to pay debts that he had incurred, is not a proper one and tends to be an erosion, too, of certain managerial rights. I think that if they are legitimate debts that the individual incurs, he has the courtesy and compassion of his employer and is not dismissed; on the other hand, if he recklessly incurs debts and refuses to honour them, why he ceases to be a proper and effective employee, in my opinion.

I really can't see the point in having this bill proceed any further, Madam Speaker.

MADAM SPEAKER: Are you ready for the question?

MR. CHERNIACK: No, Madam Speaker, I'm going to speak on this. I would first say to the Honourable Member for Burrows, he asks what if a person has more than one garnishee, and as I read this bill it says "one or more garnishing orders" so that the answer to his question is that the bill contemplates that the number of garnishees are not a factor, and I can only encourage him that if he thinks that a man should only be entitled to falter once, then I encourage him to send the bill into committee and then he can propose an amendment to take care of what he seems to think is wrong.

He says that after one garnishing order and if there are more garnishing orders, then the employer can straighten him out, and I would suggest that we take that literally, because the only way the employer can straighten him out, in the opinion of the Honourable Member for Burrows, is a manner which is used by two members of this House who deal with straightening people out. If you discharge an employee you have actually used capital punishment on him. There's no more you can do to straighten out an employee than discharge him, and having discharged him you have straightened him out and you have just thrown him out, and if you call that straightening him out then that is a peculiar approach to the problem. --(Interjection) -- Well, the honourable member asks if I have ever heard of reprimand. The answer is by all means there's nothing to prevent a reprimand; there's nothing to prevent any kind of other imposition of penalty other than discharge. That is presented and proposed in this bill. Now,

(MR. CHERNIACK, cont'd) . . . reprimand, help, assistance, guidance, arrangements to make payments on behalf of him deducted from the wages, all these things are what a responsible employer would and should do, and are of course possible under this Act. This Act only deals with what I term "capital punishment" - discharge. And I'm looking forward to see how the Honourable Member for Burrows will deal with this. As I say, if there's value in considering the fifth or tenth garnishing order, then he can amend it, but I'm looking forward to see how he votes on this.

Madam Speaker, I listened to the Honourable Minister for Labour and I think that he has made statements which will prove of embarrassment to him and to his colleagues for some time to come, especially if they support him, and I imagine they now have to support him.

He said that he sees no reason why a person should have a vested interest in his job by being garnisheed because he deliberately refused to pay debts. Madam Speaker, at this time -- the Honourable Minister is not a young boy, fresh in the community, who is taught or who believes, or ought to believe, that a person who is garnisheed deliberately refuses to pay debts. My goodness, Madam Speaker, where has he been all this time? Minister of Labour, dealing as he must in some fashion, superficial I suppose, with the problems that arise with human beings who become involved in debt.

As far as I can recall he was not a member of the Consumer Credit Committee; as far as I can recall he was not a member of the Committee on Statutory Regulations which dealt with garnishing orders and exemptions under garnishment orders and exemptions under seizures; he was not there, as far as I know. If he was there, what did he hear? What did he listen to except example after example after example of people who get into trouble, many times through no fault of their own? Many times through their own fault, but to suggest that a garnishing order is issued because a man deliberately refuses to pay his debts, means that he doesn't know what goes on in our economic society today, and I find his statement most shocking, and I would say that if he believes that, then by all means he should vote against this bill, and if the members of his caucus believe that, then by all means they should vote against the bill, but in doing so I'd say they adopt the words which he used and if they support his contention, and I would like very much to think in terms of the Honourable Minister of Labour, of all departments, thinking in terms of vested interest in jobs.

Well, I suppose he feels quite secure in that position, and he has a right to as long as he has the support of his caucus, but to think in terms of a vested interest which a man loses because he deliberately refused to pay debts is to me a shocking thing and one which I think ought to be repeated, and it probably will be time and again in the future if the honourable member happens to be a member of this House in the future.

He says - and this is the Minister of Labour, Madam Speaker, who knows about conciliation proceedings and knows about arbitration boards, who knows about all the times that employers deal with employees and then are called to arbitration, and probably knows how many times the employer is not supported by the arbitration board, and what does he say? "If the debts were legitimate, " - I'm not sure that I know what an illegitimate debt is, but apparently he does - "If he has legitimate debts, the employer has compassion for his employee." He's nodding his head and agreeing that that is the correct statement. Well, if he has compassion for his employees he's not going to fire the man. He's going to do all the things that I suggested an employer with compassion would do, and having exhausted all those means then there would be another situation involved, but if the Honourable Minister of Labour feels that the employer does have compassion, then certainly he's not going to perform that capital punishment that I suggested he would.

The hour is late, Madam Speaker. I really feel that I ought to control my emotions, and I do admit that what he said produced in me a reaction which did not leave me in full control of what I wanted to say. I am ashamed for what he said. I hope that in the light of day he will be ashamed of what he said, because the attitude that was exhibited by him in that brief speech that he made, is not the attitude that I think commands the respect of the labouring groups for which he is involved in the administration of his department, and I feel that an attitude of this paternalistic attitude to the man who deliberately refuses to pay debts is one which does not really measure up to what one has a right to expect from the man who apparently is the spokesman for the government in this matter.

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

MR. CHERNIACK: May we have the Yeas and Nays, Madam Speaker?

MADAM SPEAKER: Call in the members. The question before the House, the second

(MADAM SPEAKER, cont'd) . . . . reading of Bill No. 88, and Act to amend The Employment Standards Act (2).

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

YEAS: Messrs. Campbell, Cherniack, Desjardins, Froese, Guttormson, Harris, Hillhouse, Johnston, Molgat, Patrick, Shoemaker, Smerchanski, Tanchak, Vielfaure and Wright.

NAYS: Messrs. Baizley, Beard, Bilton, Carroll, Cowan, Evans, Groves, Hamilton, Harrison, Hutton, Jeannotte, Johnson, Klym, Lissaman, Lyon, McDonald, McKellar, McLean, Moeller, Roblin, Seaborn, Smellie, Stanes, Steinkopf, Strickland, Witney and Mrs. Morrison.

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

MADAM SPEAKER: I declare the motion lost.

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

MADAM SPEAKER presented the motion and after a voice vote declared the motion carried, and the House adjourned until 9:30 o'clock Wednesday morning.