

THE LEGISLATIVE ASSEMBLY OF MANITOBA

2:30 o'clock, Tuesday, April 18, 1967

Opening Prayer by Mr. Speaker.

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

HON. STERLING R. LYON, Q. C. (Attorney-General)(Fort Garry): Mr. Speaker, I'm sorry, presenting reports by Standing and Special Committees I believe has been called. I have a report to present, the Third Report of the Standing Committee on Law Amendments.

MR. CLERK: The Standing Committee on Law Amendments beg leave to present the following as their Third Report. Your Committee met on Thursday, April 6, 1967; Monday, April 10, 1967; Tuesday, April 11, 1967; Thursday, April 13, 1967; Monday, April 17, 1967; and Tuesday, April 18, 1967 to consider the several Bills referred.

Your Committee has considered Bills:

No. 6 - An Act to amend The Workmen's Compensation Act.

No. 33 - An Act respecting the Sale of Water in and by the Town of Winkler to the Co-op Prairie Cannery Limited of the Town of Winkler.

And has agreed to report the same without amendment.

Your Committee has also considered Bill:

No. 29 - An Act to amend The Winnipeg Charter, 1956 (1).

And has agreed to report the same with certain amendments.

All of which is respectfully submitted.

MR. LYON: I beg to move, seconded by the Honourable Provincial Treasurer, that the report of the Committee be received.

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

MR. SPEAKER: I'd like to direct the attention of the honourable members to the gallery for a moment or two where we have 30 students of Grade 6 standing from the Isaac Brock School. These students are under the direction of Mr. Dueck. This school is located in the constituency of the Honourable Member for St. Matthews.

We also have 33 students of Grade 8 standing from the Britannia School. These students are under the direction of Mr. Artibise. This school is located in the constituency of the Honourable Member for St. James.

We also have with us today 28 students of Grade 6 standing from the Montcalm School. These students are under the direction of Mrs. Haber and Miss Marshall. This school is located in the constituency of the Honourable Member for Logan.

On behalf of all the Honourable Members of the Legislative Assembly, I welcome you all here today.

HON. THELMA FORBES (Minister of Urban Development and Municipal Affairs) (Cypress): Mr. Speaker, before the Orders of the Day, I would like to share with the members of the House, and to table, a telegram which I sent to the Honourable John R. Nicholson, Minister of Labour, Central Mortgage and Housing Corporation, Sir Wilfred Laurier Building, Ottawa, Ontario. Mr. Bryce Mackasey is reported to have stated that federal funds available for housing in urban renewal are lying idle because of a lack of initiative on the part of provincial and municipal governments. Mr. Mackasey should be informed that provincial and municipal governments lack money, not initiative, and that failure of your government to recognize priorities in public spending and to revise the tax structure accordingly is the cause. Also, National Housing Act is based on resources of the wealthiest cities in wealthiest provinces. We feel legislation should provide maximum assistance to provinces and municipalities where a public investment will stimulate private investment. Our brief to you on March 5th, 1967 outlined our position in regard to capital financing for public housing and urban renewal. We requested much greater federal contributions. Provincial financial difficulties derived from rising health and education costs. Federal shared-cost programs for housing and urban renewal require financial commitments from provincial and municipal governments. It is the lack of funds, not a lack of initiative that concerns us. Manitoba requests federal-provincial conference to deal with fiscal problems and public priorities involved.

MR. SPEAKER: Orders of the Day. The Honourable the Leader of the New Democratic Party.

MR. RUSSELL PAULLEY (Leader of the New Democratic Party)(Radisson): Mr. Speaker, I'd like to direct a question to the Honourable the First Minister. It's in connection with the allegation pertaining to a member of the Boundaries Commission. Some time ago the Honourable the First Minister indicated that the matter was under further consideration and investigation. I wonder if the Honourable the First Minister can indicate any progress since that time in respect of the investigation and what type of investigation is going on now.

HON. DUFF ROBLIN (Premier) (Wolseley): Mr. Speaker, the question is still under consideration by the Minister. There's nothing further I can add at this moment.

MR. PAULLEY: A supplementary question to my honourable friend. Is there any indication that the House before it rises - we don't know of course when that's going to be - may be given further information or will the deliberations of the investigation or the investigator or investigators - whoever they may be - be made available before the House rises?

MR. ROBLIN: Mr. Speaker, there's really nothing I can add to the first answer that I gave.

MR. SIDNEY GREEN (Inkster): Mr. Speaker, before the Orders of the Day, I'd like to put a question to the Minister of Industry and Commerce. I noted in the newspapers that he made a speech wherein he indicated that certain companies would be offered subsidies for the purpose of consulting consultants with regard to automation, and I just wonder whether this offer will also go out to trade unions who are also involved in the problem of automation?

HON. MR. SIDNEY SPIVAK, Q. C. (Minister of Industry & Commerce)(River Heights): Mr. Speaker, the information of the honourable member is incorrect; this was not what was said. I think he should read the article again.

MR. GREEN: The only way in which we could get a completely accurate assessment of what my honourable friend said, he could supply us with his speech again and then we will not be dealing with newspaper articles.

MR. SPIVAK: Mr. Speaker, the honourable member was referring to technical assistance grants which were available under the department and which are available to the manufacturing and processing firms in Manitoba.

MR. GREEN: Mr. Speaker, I wonder whether those technical assistance grants could be made available to trade unions who wish to hire consultants to deal with automation?

MR. ROBLIN: Mr. Speaker, on this question, I think it's recognized that this is a matter of policy and which would not normally be dealt with on Orders of the Day.

MR. GREEN: Mr. Speaker, then I would just like to ask, is it the present policy of the government that they do not offer this type of assistance to trade unions who are involved in the field of automation?

MR. ROBLIN: I can't answer that question, Mr. Speaker, but I think it would be a very good subject to be discussed when we have our committee meeting on automation, at which I sincerely hope the trade union movement will be represented.

MR. GREEN: Mr. Speaker, I'd just like clarification. Is it the existing policy of the government that this assistance will be offered - financial subsidies - to corporations, but that it will not be offered at the present time to trade unions who are also involved in the field?

MR. ROBLIN: Mr. Speaker, the main aim of the policy at the present time has to do with increasing productivity in the industrial undertaking. That is the main aim of the policy and it is to that end that the subsidies are in fact being directed. If it should turn out that there should be a broadening of this policy, it's a matter I think that can well be discussed in the way in which I suggested.

MR. GREEN: Could we have the speech that the Honourable the Minister made as well? I wonder if he'd help us with that?

MR. NELSON SHOEMAKER (Gladstone): Mr. Speaker, before the Orders of the Day are proceeded with, I would like to direct a question to my honourable friend the Minister of Industry and Commerce. In consideration of the fact that we now only have about 2 hours in the estimates left - 2 hours and some few minutes - and in consideration of the fact that we might not reach his estimates, I wonder if he will be prepared before we adjourn to give us the information on the Friendly Family Farms that I asked him about on several occasions. Can we have assurance that the House will have the information?

MR. SPIVAK: Mr. Speaker, I took the question as notice and I'm still assuming that I will be able to deal with this on my estimates if they're dealt with in the House.

MR. SHOEMAKER: Mr. Speaker, a supplementary question. If - the question is if we do not reach your estimates, will we still get this?

MR. SPEAKER: The gentleman isn't presuming something that probably couldn't -- a decision couldn't be arrived at at this early date.

MR. LAURENT DESJARDINS (St. Boniface): Mr. Speaker, I'd like to ask a question of the Honourable the Member of Municipal Affairs. Is there in fact an investigation being conducted on the Boundaries Commission, and if so, is the Minister conducting the investigation?

MR. ROBLIN: Mr. Speaker, I think we have given all the information that we are able to give the House on this subject at the present time.

MR. DESJARDINS: Mr. Speaker, I was asking the Minister of Municipal Affairs if the Minister was conducting the investigation. Now I have a reason to ask this question. I wonder if the Minister would care to answer it.

MR. ROBLIN: Mr. Speaker, I repeat that I have given the answer for the government.

MR. DESJARDINS: Mr. Speaker, if I may then, I won't conduct the investigation but I'll ask another question -- I mean I won't insist on this as apparently I won't get this information, but I'd like to make this point and ask this question of the Honourable the Minister. Does the Minister, in view of the fact of what the Minister said in this House, think that she could pretty well put herself in quite a spot conducting an investigation, and I'll read from Hansard of April 10, 1967, Page 2393. "After tabling the investigation".

MR. ROBLIN: ... beginning a debate here rather than asking a question.

MR. DESJARDINS: I'm not starting a debate at all, I'm asking a question, Mr. Speaker, and I'll abide -- all right, the question. Does the Minister feel that she is in a position to conduct an investigation in view of what she said in this House, and I quote, "Members will" - if you keep quiet I'll tell you the question - "Members will further note the circumstances under which the discussion took place. Having received the affidavit, Mr. Speaker, we are now going to consider the situation in the light of the facts set forth. There shall be a report in this House in due course." This is just accepting the last affidavit as gospel truth and nothing else.

MR. ROBLIN: Mr. Speaker, I think I should repeat that the question is under study by the ministry in all its aspects and we're not able to give further information on that at the present time.

MR. DESJARDINS: Mr. Speaker, I wonder if the honourable member can indicate if she wishes to answer the question herself rather than the First Minister.

MR. SPEAKER: Order please. I don't feel that anything more can be gained from carrying that discussion any further than it has been. I wonder if we could continue with the business of the House.

ORDERS OF THE DAY

MR. SPEAKER: The adjourned debate on the third reading of Bill 56.

MR. LYON: I think we would agree on all sides of the House to move from this point, from the adjourned debate on the third reading of Bill No. 56 over to the first resolution that appears on Page 2, that is if we have unanimous consent so to do.

MR. SPEAKER: The proposed resolution of the Honourable Member for Selkirk.

MR. T. P. HILLHOUSE, Q. C. (Selkirk): Mr. Speaker, last Friday I read the resolution and I do not intend to read it again, but I only wish to emphasize the fact that I'm asking in that resolution to add to the resolution which this House passed on April 9th, 1965, a further clause dealing with Canadian domicile.

Now due to the failure of Canada to exercise the exclusive jurisdiction possessed by it in the field of divorce, a situation has developed which can best be described as chaotic and deplorable. For instance Ontario, one of the original pre-confederation provinces, did not acquire divorce jurisdiction until 1930, when by a special Act of the Parliament of Canada it was given jurisdiction to grant a divorce and an annulment of marriage, but its superior court even today does not possess power or jurisdiction to grant a judicial separation. Manitoba, on the other hand, has possessed divorce jurisdiction since July 15, 1870, although that jurisdiction was not exercised by the courts of this province until 1919, I believe, when the Privy Council confirmed that jurisdiction in the well-known case of Walker versus Walker - and no relation to Johnny. In other provinces of Canada, such as Quebec and Newfoundland, one must seek a parliamentary divorce, a process which is not only costly but very much in disrepute.

In Manitoba, a petitioner in a divorce action must prove that both parties to the action are here domiciled, otherwise the court has no jurisdiction to entertain such an action. This is also true in all of the other common law provinces in the Dominion of Canada. Now this proof of

(MR. HILLHOUSE, cont'd) provincial domicile in some instances can work a great hardship on a petitioner, especially if she is a wife, for under our law a wife's domicile is that of her husband and the only court which has jurisdiction to grant her a divorce is the court of the husband's domicile.

Now it is true that in 1930 the Divorce Jurisdiction Act was passed by the Federal Parliament which gave some measure of relief to a wife who had been deserted for a period of two years and upwards by permitting her to bring an action in the province in which her husband was domiciled at the time of desertion, but this jurisdiction, Mr. Speaker, is predicated upon desertion in the legal sense, whereas there are many instances where a couple may be living separate and apart from each other under circumstances which do not amount to desertion in that sense. For instance, they could be living separate and apart by mutual desire or under a formal separation agreement, not sanctioned by a court, or under an order issued under the provisions of - the Wives' and Children's Maintenance Act, and in any of these cases, if the husband moved to another province and acquired a domicile of choice there, the wife would have to follow her husband and commence her action in that latter province.

Now take too, Mr. Speaker, the case of a serviceman. For instance, supposing this is a serviceman whose domicile of origin was in the Province of Nova Scotia and he married in the Province of Nova Scotia, and under the terms of his enlistment he was moved to the Province of Manitoba and his wife came with him. That man's domicile would still be in the Province of Nova Scotia, by reason of the fact that while in the service of the Crown an individual does not possess what the law calls *animus manendi*, and as a consequence cannot change domicile. So if that man commits adultery here and the wife wished to divorce him, she would be placed in the intolerable position of having to bring her action in the Court of the husband's domicile, notwithstanding that the offence had been committed in the Province of Manitoba. In other words, she would have to bring her action in the Province of Nova Scotia.

Now there are many practical reasons why we should adopt, by legislation, a Canadian domicile, and these reasons are based on conditions of modern life. Employees of corporations with branch offices are moved at a day's notice from place to place, and the rule that in order to prove a change of domicile they must prove *animus manendi* is in conflict with reality. Such persons, and many others, are often without any fixed intention as to their permanent home, and if they are truthful in so testifying, they are without remedy in respect to divorce in the province in which they are presently residing.

If at some future time, which apparently is not yet here, a Canadian divorce law is enacted, a statutory change in this rule as to domicile, insofar as it applies at least to the common law provinces, would seem to be logical and desirable. A new Canadian law of divorce which can of course be created only by the Dominion Parliament would probably be made uniformly applicable to all the English-speaking provinces. Therefore, any argument based on differences of law in favour of maintaining the principle of provincial domicile instead of a Canadian-wide domicile would be gone. The sound and humane policy would seem to be to give this jurisdiction where the husband is domiciled anywhere in Canada and either party is *bona fide* resident in the province where the action is brought. It is to be noted that the War Marriages Act (Imperial), 1944, Chapter 13, provided that for the purposes thereof a domicile as a whole was to be treated as a country.

So far I've only dealt with the reasons why we should adopt the concept of the Canadian domicile and I am not unaware of some of the legal difficulties that will be encountered in setting out the various rules respecting such a domicile. A draft model statute on the Law of Domicile was approved by the conference of Commissioners on Uniformity of Legislation in Canada at its forty-third annual meeting held in 1961, and there is in the Legislative Counsel's office a draft of the legislation suggested, which draft is intended to supersede the common law rules for determining the domicile of a person and substantially amends the common law in that it abolishes the doctrine of revival of domicile of origin and also enables a married woman or an infant to acquire an independent domicile. I make mention of the above statute as I feel that such a statute would have to be adopted by all common law provinces in Canada if we were to adopt the concept of the Canadian domicile.

In a recent article which appeared in the Canadian Bar Journal of 1966, S. J. Skelly of the Manitoba Law School contributed an article on Canadian domicile and I have before me that article wherein the learned author states, on Page 494 of that issue of the Canadian Bar Journal, "Two solutions are possible. First, the one which has been utilized in the United States, that is make divorce, etc., entirely a provincial matter, relax the rules of jurisdiction

(MR. HILLHOUSE, cont'd) which in fact removes domicile as an element of jurisdiction and introduces into the Constitution a full faith and credit clause. The second, and in my opinion, - that is the author's opinion - "the practical solution is to make Canada one domicile, at least for divorce purposes. A similar though by no means identical situation existed in Australia prior to 1959. They had state domicile in matters of divorce, but in addition the states had power to legislate on questions of divorce, and in consequence the divorce laws differed from state to state. In 1959, the Federal Parliament passed a Uniform Divorce Act which included a provision making Australia, for purposes of divorce, one domicile."

The author goes on to say, "What is the solution? I am sure that every lawyer accepts the need for a uniform domicile of Canada, and equally, that the only way to achieve this is by federal legislation. The time has come, therefore, for the Canadian Parliament to take a firm stand and enact that for the purposes of divorce, Canada should be one domicile."

In conclusion, Mr. Speaker, I feel that the resolution which we passed on April 9th, 1965, was a good resolution. It was a resolution which, in my opinion, gave as the chief grounds of divorce the breakdown of marriage, but since reading Mr. Skelly's article, I have come to the conclusion that it was lacking insofar as it did not deal with the question of divorce jurisdiction, and for that reason I introduced this resolution. It is my hope, Mr. Speaker, that in this year of centenary the members of this House, as a Centennial gesture, will give their unanimous support to this resolution and thus take a forward step towards the building of one Canada.

MR. DESJARDINS: Mr. Speaker, two years ago on speaking on this debate on a similar resolution, I supported the resolution, and now I would like to quote some of my comments of two years ago if I may. I think that all - this is what I was saying then - I think that all the members of this House are aware that I am a member of the Roman Catholic Church. Most of the members know that the Roman Catholic Church does not recognize divorce, that is not for the people of the Roman Catholic faith. Having said this, I certainly do not wish to give you the impression that I will oppose this resolution. I would like to make it clear that I am speaking only for myself. I realize that I might be criticized for expressing these views, but nevertheless I wish to go on record as being in favour of this resolution. I can only let my conscience guide me on this question. I cannot see how I can stand up in this House and fight for parental rights, for the liberty of conscience for certain people, and also advocate that the government should not bring in any restrictive legislation unless it is absolutely necessary, I can't see how I could in all honesty oppose this resolution, impose my conscience on others who are not of the same belief. I believe that I should be honest and fair and that this resolution will in no way affect those who do not accept divorce because of their religious convictions.

I consider myself as one of the lawmakers of this province, and while we are contemplating legislation we should have all the people of Manitoba in mind. Right now, the way the divorce law reads, I believe that it is encouraging adultery and perjury. I certainly do not suggest that adultery should be permitted; but in my mind anyway certain things on certain occasions might even be worse. It might be that a person commits adultery once; he might be sorry, mend his ways and he and his wife could still have many years of happiness together. Under our present law, this one mistake is grounds for divorce. Or we could have another case where a man can beat up his wife and his children constantly, but presently the wife has no grounds for divorce. For those who do accept divorce, I believe that this should be sufficient grounds.

Well, Mr. Speaker, this is in effect what I said in 1965 and I haven't changed my mind one iota. If I can stand up and fight for the rights of some people to follow their conscience in the field of education, in the way of education - their children for instance - I certainly have no right to impose my conscience on others in other matters, and I am not one that believes that religion should be legislated. Religion is something that should be accepted in total freedom and not imposed on anyone, not forced on anyone.

Mr. Speaker, I was right. After having made the speech two years ago, I was criticized by some of the members of my church. In fact the local Catholic newspaper made sure that its readers were well aware of my action and repeatedly took me to task for my views. I might say that it did not bother me too much because my conscience did not reproach me anything. In fact, at the time I felt that I should not duck the vote, not just vote, but I felt compelled to express my views. I believe that I was one of the first Roman Catholic politicians who publicly suggested that in a country such as ours, where there are so many religions, we have the duty and the right to legislate, but keeping in mind the beliefs of others even though they might not be the same as ours. I remember writing a long letter to the Catholic Women's League because

(MR. DESJARDINS, cont'd) they asked me to explain my position.

Mr. Speaker, today I'm pleased to be able to say that although I'm still not a spokesman of the Catholic Church or any group that matters, I can report that the hierarchy of the church now holds different views on this subject. I must make it quite clear, Mr. Speaker, that I'm not talking about the Catholic Church recognizing divorce. This has not changed; this is the same; but the Roman Catholic Church now approves religious liberty, and certainly supports the right of every man to worship according to his conscience. I think that this should have been done long ago, and I think too, if I was to quote from the Free Press of April 6th of this year, I think it might give you an idea what the stand of the church is on this, and I quote, "We would not object to some revision of Canadian divorce laws that are truly directed to advancing the common good of civil society," the Bishop said in a brief to the Joint Senate-Commons Divorce Committee. The nine page brief was a statement of the Canadian Catholic Conference, the voluntary organization of the church, 101 Canadian Bishops now meeting in Ottawa. It stressed the Roman Catholic Church holds the marriage bond sacred and that civil authority has no power to dissolve it, but it adds that Canada is a country of many religious beliefs and there is the problem of abuses in present divorce law. It is not for us to go into detail about grounds for divorce which would be acceptable or not; this we believe should be left to the well-informed consciences of our Legislature," the brief said - and this is the part that I really agree with - "However, we cannot over-emphasize that indiscriminate broadening of grounds for divorce is not the solution to the problem of unhappy marriages." And I don't think that this is the intention of the mover of this resolution. I am sure of that. "The Bishop said present divorce laws mainly limited to adultery encourages perjury, collusion, if not adultery itself."

Well, Mr. Speaker, I would like to take this opportunity given to me by this debate to express my satisfaction at this latest trend. It is encouraging indeed to see that there is less mistrust between the adherents of the different faiths, and I am especially pleased, Sir, that the church of which I am a member seems to be showing the way by ecumenical reform. If in the past some people have been apprehensive of the Church of Rome - and I think that this is the church's fault in some instances - the ecumenical movement should change all this. I certainly hope so anyway.

In a country such as ours, we must respect the conscience of everyone and approve religious liberty for all citizens. I think that this is vital, this is quite important. I do hope that the recognition of this fact by the Catholics will encourage others to do the same though. It would be gratifying indeed, Sir, if some day, some of the other members of this House could stand up and agree with me and say: We also recognize that we do not have the right to impose our conscience on others, on you; we are now ready to recognize, amongst other things, parental rights in education. I think this is the same thing. This would indeed be a great day for Manitoba and we could then get busy and rectify the injustice that is being perpetuated here, unfortunately.

I do think that this is the only way that this country will go ahead. I think that we have proven now, we have taken the first step, and we can keep on in showing that we certainly can have unity, a strong and good country although we have different beliefs. I think that if we respect the conscience of others it will be a more pleasant place to live. It will be easier for everyone to live here and we certainly would be eradicating prejudice that we now have; unfortunately, that we still now have. Thank you, Mr. Speaker.

MR. ROBERT STEEN (St. Mathews): Mr. Speaker, my only purpose in rising to take part in this particular debate is to compliment the Honourable Member from Selkirk for bringing in this resolution, and to state that I support and hope that the House as a whole will support it because the establishment of a single Canadian domicile is long overdue. If and when we do get amendments to our national divorce legislation which would enact a single Canadian domicile, many of the problems that people such as the members of the Minus-One organization, which made representations to many of the Members of the Legislature in the last few days, many of their problems might find a solution in this.

It was not my privilege to be a member of this Chamber in 1965 when this particular resolution which is the preamble of this one was passed by the House. My only complaint with that resolution is it missed the very point which the Honourable Member from Selkirk would like now to correct, and I urge that the House would give a kind disposition and pass speedily his particular resolution.

MR. SAUL M. CHERNIACK, Q. C. (St. John's): Mr. Speaker, there are -- well I would like to start by commenting that the Honourable Member for Selkirk, as usual, has given us the benefit of a great deal of his thought and preparation; as usual, he has well prepared his background material for the thoughts he brings to this House; and as usual, on non-political matters, he has a well-reasoned argument which he has presented to us. --(Interjection)-- As he pointed out -- I don't know if he pointed out that this was the exception, but on non-political matters, I find that he is always a person whose thoughts are well considered and should be usually followed.

Looking at the resolution itself, Mr. Speaker, and reading the preamble and what was passed two years ago by the House, one can't help but remembering the many years and efforts of the former member for Inkster, the late Morris Grey, who brought this type of resolution time and again and spoke, as he so often did, on the question of the humane approach to people's difficulties and people's lives and the complications that occurred in them. He always used to speak of himself as a "Voice in the Wilderness," but yet I think we carry forward many of the thoughts he had and the work he did in attempting to make life a little better for the people of this country and indeed of the world, and yet we find there has been so little progress over all these years of his work and many others, and especially since the resolution was passed two years ago.

There has been one dramatic change in the last two years and that is what makes this resolution, the preamble to this resolution, somewhat dated, because at that time we were tussling with different grounds for divorce that should be enlarged and considered as being advisable and necessary in these times; and now there has been considerable discussion, considerable thinking, and in the development of the various discussions that have taken place since that time, there has been a new and enlarged and enlightened concept on this question of divorce.

I have a copy of the proceedings before the Special Joint Committee of the Senate and the Commons on Divorce of Feb. 9, 1967, which contains a number of briefs, all of which are most interestingly presented, and I intend only to refer to them, and of course not read any large portions into the record. Last February, on that day, there was a resolution presented by the Canadian Psychiatric Association which referred to the fact that, in its opinion, mental illness should not be legally introduced as a grounds for divorce or as the defence, but they say that the divorce should be granted on the grounds that the respondent's behavior is incompatible with the fulfillment of marital duties and parental responsibility, and note the introduction of the concept of parental responsibility, which I suggest is an enlargement on this idea.

In the same report there is a copy of a brief presented by the Canadian Jewish Congress, which is lengthy, but which mentions in one of its recommendations that a divorce ought to be obtainable wherever a marriage has been irretrievably broken and domestic harmony manifestly ruptured in the judgment of the court. It also said that no divorce be granted unless and until provisions were made for the welfare of minor children, and the costs of obtaining a divorce ruling be either completely eliminated or substantially reduced.

One of the briefs reported here, of which we can be proud, is that presented by the Family Bureau of Greater Winnipeg which has had occasion to appear before us in the past on other matters, and in this case has presented a very comprehensive brief on this question which is so close to the problems of the bureau. Amongst the recommendations appears the following: "The Family Bureau of Greater Winnipeg supports an alternative approach to divorce, which suggests that it be considered as essentially the legal recognition of a marriage breakdown which has already occurred." And they go on to say in this report -- rather to give a submission made by the County of York Law Association which amongst its recommendations lists that marriage breakdown shall be a ground if there is no reasonable likelihood that the spouses will live together again, and it recommends that no decree of divorce shall issue unless and until the court is satisfied as respects every child of the marriage and of the family who is under the age of 16 years.

So we have on this day in the House of Commons and the Senate the introduction of the concept of marriage breakdown and the introduction too of the concept of consideration for children. I think it is important for us to know, or for those who don't know to know, that the custody of children is always - or in my experience - has always been an ancillary and side issue to the main question of divorce, and too often have I seen that decision as to custody of the children handled in a fairly summary fashion after the simple proof of adultery has been accepted as grounds for divorce.

(MR. CHERNIACK, oont'd)

The Anglican Bishops, or a group of the Anglican Bishops presented a brief also to this Joint Committee which is dated February 23, 1967, and in obtaining a copy of the brief we were cautioned that this is and cannot be regarded as the unanimous view of the Bishops of the Anglican Church, but rather that this was prepared by a Committee of Bishops which prepared it and presented it, and had been authorized to do so. However, whether it's the official statement of the Anglican Church, as such, or whether it is that of the opinions of a committee of Bishops, it has great validity and it too refers to these concepts of which I have already spoken.

It speaks of some principles which should underlie changes in law concerning marriage and divorce, and they say that changes should continue to uphold the ideal intent of marriage as a lifelong union. It shall respect the integrity of human personality, help to strengthen family life, and provide for custody and care of children and the protection of any other defenseless victims of divorce. And these Anglican Bishops spoke of marriage breakdowns should be substituted for matrimonial offences. In other words, you shall not have to attack a divorce problem on the basis of an accusation of the supposedly innocent against the supposedly guilty in the marriage breakdown, but rather there should be an intelligent assessment of whether or not there is a marriage breakdown and that that alone should be grounds, providing that there are other factors taken into account to make sure that this is not a casual decision.

The Anglican Bishops say that the breakdown of marriage should be recognized as a question of fact with no rules of law defining marriage breakdown being established, lest the present recriminatory attitudes and procedures continue to be fostered. And they caution that before proceeding with hearings for divorce on the grounds of marriage breakdowns, the court should be assured that every effort had been made to achieve reconciliation and that further attempts would be in vain.

They, too, spoke of the cost of divorce as being something which is a hindrance and a barrier to many. And then they called on an investigation to be made dealing in areas such as the intention in marriage; the minimum age for capacity to marry; the scope of coercion, duress or fear should be studied and clearly defined; the definition of fraud, misrepresentation or concealment should be studied with a view to their extension as grounds of nullity; and - and I stress this - the territorial jurisdiction of the courts should be examined with a view to eliminating some of the hardships caused by the law of domicile, which is of course the very matter that is the essence of this resolution.

I also have the United Church publication on divorce and remarriage which is now dated by a few years, and I want only to draw your attention to their recommendation as forming a preamble to a resolution, "that whereas broken and dead marriages may become festering sores in our society and a threat to the sanctity of marriage; and whereas social sciences have thrown a new light on the causes of marriage failure and the effects on children of serious friction between parents; - and they go on and I read these because these do not have any reference to recrimination or fault-finding but rather to the concept of a healthy marriage, a healthy family life, and a breakdown in those types of marriages taking place, the necessity to consider a separation.

And of course the Honourable Member for St. Boniface has already referred to the recent and on-going attitude that has been expressed on behalf of the Roman Catholic Church.

So that I think in the last two years there has been tremendous progress in attitude to the extent that, as I say, this resolution was dated, and as a result when we deal now with the question of domicile, we can go further and think in terms of how to carry this concept into a practical manner of handling these problems rather than in the way we've done it up to now.

There has been reference made by the Honourable Member for St. Matthews and the other speakers of the restrictions now imposed by our law of domicile where there are only two domiciles which are now recognized, one being that of a husband at the time of the petition, or that of the husband at the time of his desertion of his wife. Now there's no help for many other categories, but having accepted the concept now of two domiciles, we have the right really to say, let's make sense out of this mess and let us have one domicile for divorce but let it be of a federal source.

The important thing that I want to stress is that this court should review the question of marriage breakdown and investigate the question, not in the judicial sense, not in the sense of finding fault, but in the compassionate sense of what went wrong with this marriage and can it be

(MR. CHERNIACK, cont'd) cured. And having come to the conclusion that it can not, then a separation is necessary, but such a separation has to take into consideration the welfare of the children. That may be of greater importance than the welfare of the separating couple.

But of course it would be recognized that the welfare of the children can not be very good if it is to continue in the environment of a broken home, and therefore having assessed the marriage and having made a decision that such a marriage has to be revoked, there has to be a divorce, then the court has not stopped its duty but shall go further and investigate and decide on what is best in the interests of the children.

And I come also to the question of costs which have been mentioned, as I read, in several briefs, and the question of cost is something, too, that I think should be considered. Our government is slow, I'm afraid, in this respect as well, in that the Committee which studied the question of legal aid made a definite recommendation on the question of divorce and we have not yet dealt with that question nor are we likely to in this Session. But the cost of divorce must never stand in the way of a rehabilitation of the people involved, and therefore I would suggest that not only is it a question of a Canadian domicile but I believe it's also a question of a court which is instructed to deal specifically in matters of this kind, and I think there is validity in the suggestion that there should be a separate court which deals with matters such as domicile, welfare, custody, maintenance, support and the rest.

I want finally to refer only to a report of the 7th of this month, just less than two weeks ago, by Maurice Western that appeared in the Winnipeg Free Press and deals with this question of a new approach to divorce. He mentioned here, and starts out the article with a statement that the Prime Minister has indicated that reform of the divorce law is an important subject on the agenda of Parliament. And he speaks of many favouring a radical reform which would abandon the old concept of matrimonial offence for the new one of breakdown of marriage, and refers to a Bill which was introduced by Mr. Andrew Brewin, who is a New Democrat Member from Toronto, and which was seconded by a Conservative from New Brunswick, Mr. Fairweather, and refers then to the situation of the Anglican Bishops and that of the United Church of Canada coming out strongly for the breakdown concept which is the approach and basis of this Bill that I referred to.

He says, "The Brewin Bill, reflecting this philosophy, would permit a divorce petition to be presented on the grounds that a marriage has irretrievably broken down and that there is no reasonable possibility of a reconciliation." And it refers to the petition, that the petition would not be entertained unless three years had passed since the date of the marriage to give the marriage at least a three-year trial, and that proper provision had been made for the spouse or for any children of the marriage.

He ends the article with the very essence of the resolution before us. "In either case, something is likely to be done about the vexed question of domicile. Under present law, a wife's domicile being that of her husband, a petitioner who has been deserted may be forced to undertake expensive proceedings in a distant province. There is no dispute on the divorce committee as to the injustice of this situation."

It seems therefore than unless the lawyers get hold of this thing that there may well be an acceptance of the principle as set out in the resolution. Because the principle of the resolution, as such, is so clear and does not need any refinement on the question of domicile, I felt it inadvisable to attempt to polish this or change the resolution in any way. I was tempted, Mr. Speaker, to update or attempt to update the preamble to bring forth this concept of marriage breakdown rather than recrimination, and of care of children and the question of cost, but I did think, although I had first planned to bring in an amendment to bring these features in, that since the decision does not really rest in this House but has to be sent on to Ottawa, that I should not cloud the resolution and its presentation but support it wholeheartedly and leave it to those people in Ottawa, whose responsibility it really is, to bring in the refinements which I think are still called for in this whole area of divorce, the care of children, welfare of children and rehabilitation of individuals who have made a bad step and who need this kind of help which only the Legislature of Canada can give to them.

MR. SPEAKER: Are you ready for the question?

MR. LYON: I beg to move, seconded by the Honourable the Minister of Welfare, that the debate be adjourned.

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

MR. LYON: Mr. Speaker, I believe there would be general agreement if we were now to revert to Page 15 of the Order Paper and proceed through the Bills beginning at Bill No. 108

(MR. LYON, cont'd): down to Bill No. 64 to give them a move along. I understand that the Parties have agreed to this.

MR. JACOB M. FROESE (Rhineland): Mr. Speaker, I would only agree on one condition, that once we've finished with the Bills that we revert then to Page 11 and deal with those resolutions that haven't been introduced so far.

MR. LYON: . . . not prepared to accept that, Mr. Speaker. We're just trying to facilitate -- make a suggestion to facilitate the movement of the Bills which are important. If my honourable friend wants to attach further conditions, I suggest we just carry on with the resolutions.

MR. PAULLEY: Mr. Speaker, we are prepared, as far as this group is concerned, to go to the second readings in order to facilitate their procedure through the House and get them into Committee, but I'm not prepared to accept other conditions. I think the two matters are different entirely.

MR. SPEAKER: Is it agreed that we proceed to Bill 108 as suggested by the Leader of the House?

MR. FROESE: I'm not agreeable to that unless we -- we've been doing this time and again, going to Bills and these other resolutions are never being considered. Why not, when we do consider the Bills on second reading, then go to the resolutions that haven't been dealt with yet? That is my condition, Mr. Speaker.

MR. LYON: . . . not acceptable, Mr. Speaker, we'll just carry on with the resolutions.

MR. SPEAKER: The adjourned debate on the proposed resolution of the Leader of the Opposition. The Honourable Member for Rhineland.

MR. FROESE: Mr. Speaker, I would beg the indulgence of the House to have this matter stand. If someone else wishes to speak --(Interjection)-- That's fine. I'll proceed then.

MR. DESJARDINS: Ready to give him this . . .

MR. FROESE: That's okay. I'll proceed if this is the feeling of the House. Just because I asked for something that they rejected, I proceed on this basis now. I haven't completed my research that I was going to do on this particular resolution, but nevertheless I endorse the principle of the resolution in that we have an Auditor-General appointed for this province to do the very job that is being done in the Federal House.

I think I do have a copy of the report of this last year and the things that are being reported on are very good indeed, and this is a real eye-opener. I just hope that more of our members in this House would take the time and trouble to look into these reports and check up on them. While the Auditor-General in the Federal House does not have the right and the authority to check up on all the various Crown Corporations and agencies, in my opinion this should be available -- all these Crown Corporations should be available to him or he should have access to them, but that is not the case. Certain ones are not included and therefore he only reports on certain ones.

Mr. Speaker, on previous occasions when we have discussed this matter in this House, and I think in a certain committee where this matter was discussed, it was also felt at that time by certain members that Crown Corporations certainly should come under the jurisdiction of such an Auditor-General and I would certainly go along with this view. So that, Mr. Speaker, I fully support the resolution before us and I hope it gets general acceptance.

MR. SPEAKER: Are you ready for the question?

MR. ELMAN GUTTORMSON(St. George): Mr. Speaker, I beg to move, seconded by the Member for Portage, that the debate be adjourned.

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

MR. SPEAKER: The adjourned debate on the proposed resolution of the Honourable Member for Inkster and the proposed motion of the Honourable Member for St. John's in amendment thereto. The Honourable Member for Burrows.

MR. BEN HANUSCHAK (Burrows): Mr. Speaker, when this resolution was presented in its original form it asked that the legislation giving an employer the right to appear in opposition to applications for certification and the right to apply for revocation of the certification of a trade union, be repealed. And I repeat the phrase "in opposition" which appeared in the resolution as first presented. Then during the course of debate it appeared that this point was not made sufficiently clear -- and I'm referring in particular to the contribution to the debate made by the Honourable Member for Selkirk-- and subsequent to that the resolution was amended to make that point particularly clear by adding "provided that the employer's right to provide information in order to assist the board to determine the appropriate bargaining unit remains undisturbed." It was our feeling that with the inclusion of that amendment the intent of the

(MR. HANUSCHAK, cont'd), . . . motion was thereby made sufficiently clear.

However, some time later, on March 31st of this year, the Honourable Member for Selkirk in dealing with the amendment to the resolution for some reason or another took an entirely different position. At first he agreed with the intent of the resolution, agreed that the employer ought not appear in opposition to application for certification, but that his only role could be one of providing information to assist the board. And then strangely enough on March 31st, the Honourable Member for Selkirk said, and I'll quote his statement that he made at that time, "From this it does not follow that an employer has no effective interest in whether or not that union is a free choice of his employees and as to whether or not the facts given to the board are true." And then he goes on to elaborate on this. "For instance, supposing a union through fraud, duress, undue influence or other improper conduct, presented itself for certification, and supposing an employer was so advised by some of his employees." Now, Mr. Speaker, I suggest to you that if the employees were subjected to fraud or duress or undue influence, then certainly they are the ones who are in the best position to complain about the situation to the board. They are the ones who ought to raise this complaint and not the employer. They are the ones that are being directly affected by this if this were to happen.

Now it's rather strange that the Honourable Member for Selkirk who originally supported the resolution took this position. Now surely, Mr. Speaker, if we were to -- let's consider other forms of activity in life wherein this type of relationship could arise. If I'm looking for a lawyer to represent me, am I going to consult the person against whom I'm taking action as to whether or not a certain lawyer should or should not represent me? Or am I going to consult with a prospective purchaser of my home as to who the agent should be, whose duty it would be to sell the home? Or let's look at the position of the employers. Employers from time to time group themselves into an organization to improve their bargaining position. We have the Builders Exchange as an example of that in Winnipeg, which is an organization basically of employers. Now surely we do not expect these employer contractors to consult the employees or to ask for the employees' approval as to whether or not they consider it advisable for themselves to organize themselves into that particular group.

Or let me give another example. Let's say that an employer chooses to incorporate himself as a company. Surely the employer need not seek the blessing of his employees as to whether or not he ought to incorporate himself as a company in which his legal status was somewhat changed, because the legal entity of the corporation will come into being as distinct from the original relationship between his employees and himself.

Therefore, Mr. Speaker, I wish to point out to you that it's a rather strange turn of events that occurred within the ranks of the Liberal representation in this House, that at first there was support for it, and there was a logical explanation given indicating that there was full agreement with the intent of the resolution except for the one point that they felt ought to be clarified. The point was clarified and then there's an about turn and an entirely different position taken.

I would suggest to you, Mr. Speaker, that the position as originally indicated in the presentation of this resolution, the position as explained in the presentation of the amendment to the resolution, the position as agreed to originally by the members of the Liberal Party of this House, is the true position; is a true interpretation of the situation as it is under the existing law. I would therefore urge the members of this House to support the amendment to the resolution and the resolution as amended.

MR. SPEAKER: Are you ready for the question?

MR. STEVE PATRICK (Assiniboia): Mr. Speaker, I'd like to move, seconded by the Honourable Member for St. Boniface, that debate be adjourned.

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

MR. SPEAKER: The adjourned debate on the proposed resolution of the Honourable Member for Logan and the proposed motion of the Honourable the First Minister in amendment thereto. The Honourable Member for St. George.

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

MR. SPEAKER: The adjourned debate on the proposed resolution of the Honourable Member for Elmwood and the proposed motion of the Honourable Member for Emerson in amendment thereto. The Honourable Member for St. Vital.

MR. DONALD W. CRAIK (St. Vital): Mr. Speaker, I want to speak only very briefly on this motion as amended. I would like to state immediately in reading through the whereases of

(MR. CRAIK, cont'd) the amendment to the motion, it is perfectly clear that all of these items, as well as the latter part of the motion, are in effect being answered by -- the questions posed by them are largely being answered by bodies now in existence. And when I say this, I refer primarily to the existing Council of Higher Learning, the work that is being done by the Winnipeg School Board, the conference which was held in 1966 on community colleges, and the work that is being done, even more important, by the Department of Education.

I think that between these three, plus the work that is being done by the Boundaries Commission in setting up the technical and vocational areas, that there's little question that the problem which would appear to be posed in the amendment of the member for Emerson is largely being answered. With those few comments on the amendment to the motion, without going into further detail on community colleges, I would like to state that I cannot support the motion and would like to see it not carried.

MR. SPEAKER: Are you ready for the question?

MR. SAUL MILLER (Seven Oaks): I wonder could I ask the member a question, Mr. Speaker. He mentioned the work being done by the Department of Education. I wonder if he could clarify that and give us some examples of what he means.

MR. CRAIK: Well I mean that -- the motion starts out referring to community colleges and the amendment talks about the whole field of post-secondary education. Now the work that has been done by the Department of Education has been continuous work that is done over a period of years, and more intensively of course, work that has been done in arriving at a decision with regard to the Institute of Applied Arts and the Institute of Technology. These of course all tie in very closely. As you know, the Minister of Education and staff people have also participated in the conference that was held on community colleges in the fall of 1966. So there has been a continual line of communication existing between the supply and demand. And I think, probably as you also are aware, the Manitoba Government, through the Department of Education, contributes to the Adult Education Centre which is carried on at Argyle School by the Winnipeg School Board.

MR. SPEAKER: Are you ready for the question?

MR. MILLER: Mr. Speaker, I beg to move, seconded by the Member for Brokenhead, that the debate be adjourned.

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

MR. SPEAKER: The proposed resolution of the Honourable Leader of the New Democratic Party. The Honourable the Leader of the New Democratic Party -- Page 6.

MR. PAULLEY: Mr. Speaker, I beg to move, seconded by the Honourable Member for Wellington, that

WHEREAS automobile insurance rates are increasing annually; and

WHEREAS it has not been established that such increases are justified and reasonable; and

WHEREAS it is essential that every motor vehicle be insured for the protection of persons and property; and

WHEREAS Co-operative Insurance is the best method of assuring equitable rates;

THEREFORE BE IT RESOLVED that the government be requested to consider the advisability of instituting compulsory motor vehicle insurance before motor vehicles can be registered, and that the government be the insurer.

MR. SPEAKER presented the motion.

MR. PAULLEY: Mr. Speaker, I'll be very brief on this resolution; I have introduced it before. I appreciate the fact that there will be a committee on automobile insurance set up before too long. As a matter of fact, I believe there is a resolution dealing with the same on the Order Paper at the present time.

The whole question of automobile insurance has been one of great interest to the people of Manitoba as indeed to people in the Dominion and also in the United States of America. One of the questions that is constantly before the drivers of automobiles is the fact that in most jurisdictions now there is a form of compulsory automobile insurance, and that there hasn't accompanying that compulsion, been a real serious effort to make the rates compatible with the fact of that compulsion.

There is only one jurisdiction on the North American continent at the present time that has compulsory automobile insurance with the public, or the government being the insurer, and that of course is the Province of Saskatchewan. There are other areas, some states in the United States of America, that have compulsory automobile insurance, but there the insurance,

(MR. PAULLEY, cont'd) though compulsory, is controlled by private insurance organizations. As a net result, where there is this compulsory automobile insurance under private ownership of a company, their rates are not much different on a comparable basis with jurisdictions adjoining these other areas where the automobile insurance industry has not had the power or the state has not undertaken a truly compulsory aspect, and this is quite frequently used to indicate that compulsion is not necessary. I say compulsion is necessary, but if we do have compulsion, in order that the benefits of the compulsory aspects of motor vehicle insurance, the issuer of the policies should be the government, because then the government is not interested, or should not be interested, in the profit motive of automobile insurance as it is at the present time.

Now I realize, Mr. Speaker, that last year at the discussion in the House that we received a brochure, or some members of the House received a brochure from the All Canada Insurance Federation or Association - or whatever they call themselves - pointing out the errors in the contentions of myself and my Party in respect of automobile insurance insofar as the profit is concerned. They pointed out in their brief, which was given to 52 Members of the Legislature -- the five who did not get the benefits of the documentation of the All Canada Insurance Federation were, maybe it's just coincidental, were the Members of the New Democratic Party who were in the House at that particular time - but one of the points raised --(Interjection)-- I beg your pardon? My friend from Portage said maybe the All Canada Insurance Federation feels that we are beyond hope - possibly he's right, Mr. Speaker, - beyond all hope of swallowing the malarkey that was peddled in the brief of the All Canada Federation, because they informed us in that brief that they constantly were losing money. As a matter of fact, I think that year or the year before, this great free enterprise organization, or combination of organizations, had lost \$50 million; they lost \$63 million the year before; and it didn't seem very likely that they would ever see the black again in their books.

So I just suggest to them that I, as a member of a Party who believes in co-operatives and government insurance for automobiles, I'd like to bail them out of their losses and get them out of the business. I don't know - apparently this is one aspect or segment of the free enterprise system that rather than cry the blues because they are not making a profit, they are quite happy to carry on year after year, to use their words, to create losses. So my heart bleeds for them but I can't quite follow their reasoning in that. --(Interjection)-- I'm getting who? Melodramatic? Yes I know, yes my heart bleeds too much, but if I had a team of experts, Mr. Speaker, such as are available to the automobile insurance industry and All Canada that would come up with figures like that to support my case, I think I'd just keep quiet and just say to somebody else, well you take over, I don't want to continue my losses as they do.

So therefore, Mr. Speaker, I think in that area there is no question of doubt that there is something lacking. I note that in the Province of Saskatchewan where we now have one of the allegedly champions of free enterprise in Canada as the Premier of that great province, there is no effort to abolish compulsory automobile insurance in Saskatchewan, although from my questions, some of the recent amendments to the rates and the conditions under which the government is acting as the insurer there may be questioned, but not withstanding any change there, Mr. Speaker, government-operated compulsory motor vehicle insurance is still in effect.

Many people argue, Mr. Speaker, that when we are talking of comparisons in rates between the Province of Saskatchewan where they have the compulsory automobile insurance under government ownership and ourselves here in Manitoba, that the rates aren't any lower there than they are here, or they argue on rate. As far as I am concerned, Mr. Speaker, I would not argue on the incidence of rate at all but the matter of principle, but I'm positive in my own mind that on a comparative basis, that where the profit motive is eliminated from the likes of insurance of this nature, then surely the premium rates would go down.

I have said, in all deference to my colleagues in the legal fraternity, that there are far less litigation cases and appeals to the courts in Saskatchewan than there are here in Manitoba. There in the Province of Saskatchewan, even under the present administration, victims of accidents are compensated irrespective of proof of loss, which they are not here in Manitoba. There are many aspects of automobile insurance under government auspices that could take out some of the sting of the cost of automobile insurance that we are feeling here in Manitoba and similar jurisdictions.

We haven't even had a review of automobile insurance rates here in the Province of Manitoba. The Superintendent of Insurance is helpless at the present time in Manitoba to set any rates, to consider in any tangible manner the question of rates. As a matter of fact, the

(MR. PAULLEY, cont'd) rampant manner in which the automobile insurance companies are operating in the Province of Manitoba, in my opinion, is a disgrace. Almost every other day I am receiving correspondence from people all over the Province of Manitoba, who in my opinion are victimized because of the mannerism in which the industry operates in Manitoba. Not only in this field, but more and more, Mr. Speaker, people are writing me to tell me that they are warned by their insurer that if they don't accept costs of damage themselves on an individual nature, they are going to have to pay for them by increased revenues.

More and more it is becoming self-evident that the principle of insurance is being evaded here in the Province of Manitoba. I appreciate, and I realize that we have to have responsible drivers, but the rates are not being set any longer in Manitoba, in my opinion, on the true incidence of accidents. What is happening, if a person has an accident involving a damage of 25 or 50 dollars, many are being told, well far better for you to pay the 20 or 50 dollars because if you don't and there's an accident charged against you, your rates are going to go up next year and they will go up for the next three years or so. This is happening in many instances. It need not happen, but it certainly will happen.

Many people are being threatened with mid-term cancellation still. I appreciate the fact that most of the companies now operating in Manitoba have accepted the principle of no mid-term cancellation other than for non-payment of premiums, but look at the fight that we had in this House over the years before this message even got through to the industry. I was happy personally here, I believe it was this year, that the First Minister indicated that, as the result of some of our fighting from this side of the House, companies accepted that.

So I say, Mr. Speaker, there is reasons, and very valid reasons, why the automobile insurance policies should be issued by the government. What are we doing as a government insofar as the compulsory aspects are concerned. Under our Unsatisfied Judgment Fund, if a person can't prove that they have a policy, the government now say you have to make a contribution of an additional \$25.00 over and above your licence into the Unsatisfied Judgment Fund. For what purpose? For the purpose of insurance? No, because these people are not insured, Mr. Speaker. They are not insured, despite the fact of the contribution of the \$25.00 into the Unsatisfied Judgment Fund. Many of them feel as though they are insured, but certainly it's admitted in this House that they are not.

So I say, Mr. Speaker, that while I appreciate the fact that a committee is going to be set up in respect of automobile insurance and investigation into the rates, I think the government should go further at this stage. They have set up some sort of a crazy type of insurance. They have said to people of Manitoba either you are going to have an insurance policy or you are going to pay a penalty of \$25.00 for a policy which is not insurance. Why haven't they then got sufficient gumption to institute a system of compulsory automobile insurance so that the pedestrian walking on the road, the owners of property and other automobiles, are protected before the potential weapon of injury or damage is permitted to be on the road. This would be the result if we had a compulsory automobile insurance system in Manitoba, and only under a publicly-operated insurance can we be assured that the joint contributions of the owners of the vehicles into a common fund will assure that the rates are based on the incidence of accidents and that only those who are capable and qualified of being on the road will receive a permit to operate a vehicle.

Mr. Speaker, I suggest that until such time as the government by insistence, are ensured that there is the insurance protection as the result of an insurance policy being issued before a motor vehicle is allowed on the highway, will the people of this province have the protection they are entitled to. I recommend this resolution to the House.

MR. M. E. MCKELLAR (Souris-Lansdowne): Mr. Speaker, I would like to move, seconded by the Honourable Member for Pembina, that debate be adjourned.

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

MR. SPEAKER: The adjourned debate on the Proposed Resolution of the Honourable Member for Lakeside. The Honourable Member for St. George.

MR. ELMAN GUTTORMSON (St. George): Mr. Speaker, I would beg the indulgence of the House to have the matter stand, but if anyone else wishes to speak I would have no objection.

MR. SPEAKER: The adjourned debate on the proposed resolution of the Honourable Member for Wellington. The Honourable Member for Brandon.

MR. R. O. LISSAMAN (Brandon): Mr. Speaker, I should probably have taken a bit more time to assemble some of the information I have at my fingertips, but I think this debate has been held up long enough and I would prefer to proceed at present.

(MR. LISSAMAN cont'd)....

I don't particularly agree with the honourable member's suggestion that the Government of Manitoba be requested to take steps to enact legislation to prohibit the advertising of tobacco, and then a further one that we even set up some sort of a marketing device similar to the Liquor Control Commission. I suppose it's the difference between the attitude of two philosophies, but personally I believe that there might be even some question in my mind as to whether the Liquor Control Commission is necessary in this day and age. Certainly the American Government derives revenues from the sale of liquor and still manage to control the situation without a complicated device such as we have here, and certainly for the sale of cigarettes and tobacco, I see no sense in such a thing whatever.

I do believe that the Honourable Member for Selkirk, however, did pretty well touch upon the correct and the right attitude in that the matter of smoking may be dangerous to health, and certainly thought of in the most searching way in your own mind it doesn't seem to even be conducive to good healthy habits, and that therefore the proper approach to take care of the situation is education and information being available.

Now, having agreed that smoking is not a desirable habit - I've smoked I suppose ever since I was sixteen - and I suppose for the few times you enjoy a smoke there are many many times when it's almost an irritation because you find yourself with a cigarette in your hand before you realize you have it there. However, it seems to be a habit that persists all through the ages.

Now when he said that, I'm going to risk appearing to be a devil's advocate in this because I think there are things on the other side of the picture that should be examined. The recent concern over the matter of cigarettes being a real health hazard springs largely from three reports. One from the British Medical Research Council, the other from the British Royal College of Physicians, and then the United States Surgeon-General's Department; and these all, without exception, appear to cast a very real and, if you follow them, conclusive damnation of cigarettes upon health, and not only do they cause cancer but other ailments of the bronchial tract and so on.

But there are certainly some positions of question, and I happened across some time ago a MacLean's issue - MacLean's Magazine of December 17 - referring to a book, "You May Smoke" by C. Harcourt Kitchen. I took the trouble - seeing it was available in paperback - I took the trouble to procure a copy of this, and there is some certain question that can be raised in the reader's mind as to whether cigarette smoking is in fact as injurious as some of these reports would have you believe. Since the article in MacLean's is derived from the book "You May Smoke", I will refer in some degree to both these publications.

The one rather interesting observation first bears a little thought in that both studies show that the death rate of pipe smokers as less than one-third of that of cigarette smokers from the cause of cancer, despite the fact that pipe smoke contains, in every instance except one, very much greater quantities of cancer-causing ingredients.

On another page of the British RCP Report we find the more modest claim about both the Carcinogen in smoke and experiments on animals, and then they go on to show that skin cancer can be produced in mice by the application of tar condensed from tobacco smoke by repeated paintings, but the results obtained by the various investigators have not been uniform, and exposures of animals to tobacco smoke in inhaled air has failed to produce lung cancer. Moreover, the amount of cancer-producing substances in the smoke itself does not seem likely to be sufficient to account for the large number of cases of cancer associated with the habit. Now then the writer goes on to point out it's a rather much different things to paint a portion of the skin with cigarette tars as compared to the surface available in the lungs, which the book points out is probably greater than the area of a tennis courts, and yet despite this great disbursement over this area, you find very few deaths due to causes of cancer of the tongue and throat where the smoke must be far more condensed as to the area. These things all lead you to have at least a reasonable doubt.

Now then there are other things that make a person question these various reports, in that when one of the great criticisms is that the smoking and lung cancer statistics have been interpreted not by statisticians but by doctors. The most forceful critics of their conclusions have been statisticians, notably the late Sir Ronald Fisher in Britain known as the father of the modern statistics, and Doctor Joseph Berkson of the United States who has been called and acknowledged Dean of American Medical Statisticians. Berkson pointed out that no professional statistical association had ever issued a report or had ever been consulted on the subject, and

(MR. LISSAMAN cont'd) . . . then he goes on to say that statistics can be made to say anything and certainly wrong conclusions can be drawn from the evidence offered by statistics, and he goes a little lightheartedly into the suggestion that, for instance in the years when large quantities of apples were imported into Britain there was also a large number of divorces, but Britain didn't ban the import of apples to reduce the divorce rate.

Another very interesting thing, and suggests to the casual reader at least, that something more -- there's probably no doubt that cigarette smoking does have a contributing effect to producing cancer, but there is something that supports the idea that the cause of cancer may be even in the main attributed to an association of atmospheric conditions with the smoking of cigarettes.

For instance, this unusual or unexpected fact is developed in the book. If, for instance, smoking causes lung cancer in Canada, you would expect it to cause lung cancer in Finland or Japan. The U.S. report shows six countries and gave the lung cancer death rate for each as per 100,000 population: England - 67; Finland - 63; United States - 34; Canada - 27; Norway - 12; Japan - 9. But it didn't give the equivalent figures of cigarette consumption for the same year. Here they are per adult: United States - 3,900; Canada - 3,140; England and Wales - 2,680; Finland - 2,160; Japan - 2,090; Norway - 540. So we find that Canada and the United States, while smoking more cigarettes than Britain, have only about one-half the lung cancer mortality.

Then we go on to find that even in Canada there is a variation due to the geographic conditions. Within Canada there is reason to think that the inhabitants of Hamilton, Ontario, smoke more than those of Regina, but Hamilton has ten times the lung cancer death rate than that of Regina. So there must be a missing factor here. It may be pollution of air coupled with the smoking of cigarettes which would make one feel that with reasonable certainty that these various studies have not been carried forward to a really conclusive final.

The article concludes with the statement: "Without doubt the doctors are honestly convinced that their conclusion that smoking is the chief cause of lung cancer is the right one. Few of us would dare to assert that excessive smoking is harmless" - and I'm sure none of us would say that - "or encourage youth to start smoking" - and certainly none of us would encourage our children to smoke - in fact I'm sure that all of us have at least at some time or other tried to persuade our children not to start smoking. But a study of the report as distinct from the newspaper stories must raise doubts whether the cause of lung cancer has been so simply found. Haven't the doctors overlooked too many contradictory pointers in their own evidence? Doctor H.A. Shapiro, Editor of three authoritative medical journals in South Africa, declared his sympathies to be with the woman who said she had read so much frightening information about smoking and lung cancer that the only sensible thing left was for her to give up reading.

Now, Mr. Speaker, there are a great number of contradictory items in this book and I suppose I could go on at length reading and taking up the time of the House, but I think enough has been covered to acquaint members that there is a reasonable doubt as to whether these reports are completely conclusive, and I would be very happy to loan or give the book to any member in the House who would like to make a little further study of the subject.

MR. SPEAKER: Are you ready for the question?

MR. PHILIP PETURSSON: Mr. Speaker, if nobody else wishes to speak on this subject, which I was beginning to think had died on the vine, then I would adjourn debate and close debate at the next opportunity.

MR. SPEAKER: Your seconder?

MR. PETURSSON: I would move that the debate be adjourned, seconded by the Member for Logan.

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

MR. SPEAKER: The adjourned debate on the proposed resolution of the Honourable Member for Gladstone. The Honourable Member for Lac du Bonnet.

MR. OSCAR F. BJORNSON(Lac du Bonnet): Mr. Speaker, may I have the indulgence of the House to have this matter stand again please?

MR. SPEAKER: The adjourned debate on the proposed resolution of the Honourable Member for Turtle Mountain and the proposed motion of the Honourable Member for Brokenhead in amendment thereto. The Honourable Member for Souris-Lansdowne.

MR. LYON: The honourable member doesn't seem to be here, Mr. Speaker. Would the House be prepared to have the matter stand?

MR. SPEAKER: The adjourned debate on the proposed resolution of the Honourable Member for Assiniboia, and the proposed motion of the Honourable the Minister of Municipal Affairs in amendment thereto. The Honourable the Leader of the Opposition.

MR. HILLHOUSE: Mr. Speaker, due to the absence of my Leader, I would ask that this matter be allowed to stand, but subject to anyone wishing to speak, he be allowed to speak.

MR. SPEAKER: Does any one wish to speak on this matter before we proceed? I take it the matter stands pending the Leader of the Opposition. The adjourned debate on the proposed resolution of the Honourable Member for Churchill. The Honourable Member for Logan.

MR. LEMUEL HARRIS (Logan): I adjourned debate for the Member for Ethelbert Plains.

MR. MICHAEL KAWCHUK (Ethelbert Plains): Mr. Speaker, I really haven't got too much to contribute to this resolution. I think the Honourable Member for Churchill has done a very good job in presenting the arguments for the continuation of the Roads to Resources program. However, I would just like to make a comment on his remarks that he made, and it appears in Hansard on Page 1247. He goes on to say: "I think that the opening of the north encourages private enterprise to invest in our resource development and it will bring about a true economic development of our last frontiers which to date are still waiting for us to move in and develop."

Now it would appear, Mr. Speaker, that being a free wheeler, a free enterpriser as my honourable friend from Churchill is, it just might be appropriate for him to build this road as a free enterprise endeavour and instead of this ... have this money roll in hand over fist. However it seems that my honourable friend has come to a point where he's willing to consider a more realistic approach in the development of the road system of our north, and with that I'd like to come to his rescue.

I think I have to agree with him that there have certainly been some obvious benefits derived from the Roads to Resources program as the road to Thompson was built under this program as well as the road to Grand Rapids. However, needless to say, there remains to be a further need for roads in the northern area as our mines and natural resources continue to expand and develop, and of course mainly the need is for a road to Lynn Lake and also a road from Grand Rapids to Ponton, as has been discussed in this House during this session, a road from Thompson to Gillam and on to Churchill, which is of course Canada's oldest townsite and the only prairie seaport, and it would be quite appropriate in this Centennial year if we could have had this great seaport connected by highways to its capital. However, I think perhaps the argument that should be presented here in convincing our friends over in Ottawa for providing additional funds for these roads throughout the northern area, are the fact that the people of the north, they are contributing to the economic growth of this country, they're also contributing to the national treasury by way of taxation, and I just have with me here a copy of the taxation statistics - the 1966 edition Part I - and on Page 45 of the same issue it would appear that if one follows the different classifications as it is broken down on that page, it would appear the people of the north are certainly contributing a fair share to the national treasury and there's no reason why they should not be entitled to an appropriate allotment for the construction of roads in that area. May I also bring to your attention that it is also these people who have contributed to the diversification of our economic growth in this country and in this province, and if I may just read an excerpt from the Northern Miners Report of February 2nd, 1966, it goes on to say: "One out of every three dollars that Canada earns in foreign exchange comes from mining, and if pulp and paper and other northern industry were added in, we suspect that it would be found that the north was responsible for well over half of Canada's foreign earnings." It goes on to say further that the mining industry -- that "the last time we saw the figures, although they are a couple of years old, mined products accounted for 45 percent of traffic, and one single mined item, iron ore - which doesn't apply in this particular case - at 28 percent was greater than any other grouping such as manufactured or agricultural products. That, we would say, is a classic example of how the north supports southern enterprises. As I say, that isn't applicable exactly in Manitoba; however, I think we consider that had the figures been available from Manitoba they would be equally ... insofar as percentage-wise is concerned, as far as the mined products are concerned in this province.

I think perhaps, Mr. Speaker, it would be justifiable in saying that these people are contributing to the development of our north; in this portion of the province they are contributing to the development of our over-all province as well as to the development of the country,

(MR. KAWCHUK cont'd) and in addition to that fact if we had roads throughout that area it would facilitate the fishing industry, the tourist industry and so forth, as well as further development of the area in the northern portion of our province.

So I would like to come to the assistance of the Honourable Member from Churchill by moving the following amendment: I beg to move, seconded by the Honourable Member for St. John's, that the motion be amended:

1. by deleting all the words in the first paragraph after the word 'development' and inserting the following: "has been seriously delayed; "
2. by deleting all the words in the second paragraph after the word 'leadership' and inserting the following: "to develop the natural resources of Canada for the benefit of the public."
3. by deleting the word 'competitive' in the seventh line and inserting the word 'alternative'.
4. by adding after the word 'programming' in the last line, the following: "and such other agreements which may be necessary so that our north may be opened up to the advantage of the Canadian public."

MR. SPEAKER: Moved by the Honourable Member for Ethelbert Plains, seconded by the Honourable Member for St. John's that the motion be amended by 1 -- are you ready for the question?

MR. WALLY McKENZIE (Roblin): Mr. Speaker, I move, seconded by the Honourable Member for St. Vital, that the debate be adjourned.

MR. SPEAKER presented the motion.

MR. LYON: Mr. Speaker, I think on a point of order I don't think the amendment has been put before the House.

MR. SPEAKER: No. I'm going to read the amendment again, or commence.

MR. SPEAKER presented the amendment proposed by the Honourable Member for Ethelbert Plains.

MR. SPEAKER presented the motion.

MR. McKENZIE: Mr. Speaker, I move again that the debate be adjourned, seconded by the Honourable Member for St. Vital.

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

MR. SPEAKER: Before I go any further, I notice lately with these resolutions coming up to my hand that the name of the mover and the seconder is not there. I wonder if the members of the House would please co-operate and complete the resolution in order that there may be no mistake in the records.

The adjourned debate, the Honourable Member for Churchill. The Honourable Member for Logan.

MR. HARRIS: Mr. Speaker, I stood the debate for the Honourable Member for Ethelbert Plains.

MR. KAWCHUK: Mr. Speaker, at the outset I wish to apologize for not having made the proper insertion on the last amendment.

MR. SPEAKER: I . . . the member that he's not alone - it's all over the House.

MR. KAWCHUK: May I once again thank the honourable members of this Legislative Assembly for having this matter stand in my name for such a long time. On this resolution, Mr. Speaker, I also agree wholeheartedly with what the Honourable Member for Churchill has proposed, and I think perhaps that it was very unfortunate that these services as are requested in this resolution were not included when provisions were made for the people of northern Manitoba in the negotiations that were just completed here about six weeks ago, namely, the micro-wave radio transmission facilities to The Pas and Flin Flon, and also the new transmitters that are to be constructed to serve the people of the Snow Lake and Thompson area. Of course, I was also happy that some arrangements have been made to serve - or at least negotiations are in the making - to serve the people of Lynn Lake in the very near future. However, as I said, it was somewhat regretful that the facilities were not extended to the citizens of Churchill.

As the Honourable Member for Churchill has outlined, they are presently having television facilities provided by local concerns which is proving a hardship on the local residents, and I think perhaps these people are justified for this CBC service the same as any other citizens of this province, and perhaps some of the arguments I submitted in the previous resolution would be equally applicable as this one so I will not repeat them. However, I would just like to move an amendment Mr. Speaker, and I move, seconded by the Honourable Member for St. John's . . .

MR. SPEAKER: I wonder if the Honourable Member for St. John's would take his seat.

MR. KAWCHUK: . . . that the motion be amended by deleting all the words after the word 'WHEREAS' in the first line and substituting the following:

"private enterprise has failed to provide TV services in areas where the prospect of greater financial return is unlikely at this time; and

WHEREAS public ownership of television and radio under the CBC has proven of great benefit to Canadians;

THEREFORE BE IT RESOLVED that the CBC be requested to continue to provide such combined radio and TV services to the area of Churchill as are feasible; and

BE IT FURTHER RESOLVED that the Government of Manitoba be requested to consider the advisability of using television as a means of education for the benefit of all residents in the area."

MR. SPEAKER commenced presenting the motion.

MR. LYON: Mr. Speaker, on a point of order, I haven't seen the amendment but on hearing it I just wondered if it was subject to the flaw of having two separate thoughts in the operative section. No. 1 was to have the CBC establish television as feasible; No. 2 was to have the Province of Manitoba use television for educational purposes. Whether that's for the whole of the province or what, I'm not — just a minute now — "the Government be requested to consider the advisability of using television for means of education for the benefit of all residents in the area." I just wonder if those are two separate thoughts or whether it's technically in order that way. I don't raise any strong objection to it; I'm just reading it now for the first time.

MR. CHERNIACK: If I may offer a suggestion, the whole principle in the entire resolution, both the original and the proposed amendment, is to make greater use of television for the benefit of the persons in Northern Manitoba, and as such, this resolution gives additional encouragement in the manner in which it should be done. I would humbly suggest that it's perfectly in order to do so.

MR. LYON: . . . as I see it, my main concern is withdrawn because I thought it had reference to the whole of Manitoba, but I see it restricts the educational television to the Churchill area.

MR. SPEAKER presented the motion.

MR. DOUGLAS M. STANES (St. James): Mr. Speaker, I beg to move, seconded by the Honourable Member for Lac du Bonnet, that debate be adjourned.

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

MR. SPEAKER: The adjourned debate of the Honourable the Member for Hamiota and the proposed motion of the Honourable Leader of the New Democratic Party in amendment thereto. The Honourable Member for Logan.

MR. HARRIS: Mr. Speaker, I stood this debate for the Honourable Member for Burrows.

MR. HANUSCHAK: Mr. Speaker, as indicated by my Leader the other day in speaking to this resolution, we are opposed to any government body, at any level, taking unilateral action in disposing of any assets of any economic development whereby the well-being of a community may in any way be adversely affected. That was the reason, Mr. Speaker, why my Leader moved the amendment that he did, although we are in agreement with the principle of this resolution but we do not feel that we should stand opposed to the removal of any military bases in the Province of Manitoba. If the Federal authorities see fit to move or remove any defence bases, those that may have served their purpose at one time but no longer do, then certainly the Federal authorities should be at liberty to do that.

However, some consideration should be given to those people who will in some way or another be affected by such a move, and therefore, Mr. Speaker, I would like to suggest to the government side of this House that they do support our amendment, because I feel that the government could play a very, very important role in converting the present facilities to any other use, to any other purpose as may become necessary, and this has been done in other cases.

Not so long ago, a couple of months ago, many members of this House visited Frontier College in Northern Manitoba, which at one time was property and used by the Department of National Defence and it is now converted to a high school serving that area. We also have evidence of that at the old No. 3 Wireless School, which started off as an establishment for civilian use as a School for the Deaf, and during the war it became a military base, it was expanded, and it now remains in its expanded form, once again back to its original purpose

(MR. HANUSCHAK cont'd)... for which it was first intended, and that is a School for the deaf.

I am sure, Mr. Speaker, that our government should take a very keen interest in what is to or what may happen in the community of Rivers, and consider ways and means in which it could be put to other uses in the event that the Federal Government should deem it necessary to disband the existing Rivers base. Our Department of Industry and Commerce prides itself in the encouragement that it gives to the establishment of industry in Manitoba. It may well be that the facilities there may lend themselves to the establishment of some form of industry. I also feel that the Department of Education could take a look at the facilities there with a view to putting them to some use. It may be that the facilities there are suitable for the establishment of a technical school, maybe a branch of the Manitoba Institute of Technology, perhaps a branch offering instruction in aeronautical engineering. For that matter it may even provide facilities for instruction in aeronautical engineering as a branch or a faculty of the University of Manitoba or Brandon College - which will soon become the University of Brandon - but there may be many uses to which the buildings that are there now could be put, thereby providing employment in that area perhaps for the same number of people as presently derive an income from being employed there, or in fact could even provide employment for a greater number of people; and thereby the results of the activity generated at the Rivers Base would produce the same return to the community at large that the community gains today. Therefore, Mr. Speaker, I would urge this House to support the amendment to this Resolution.

MR. GORDON W. BEARD (Churchill): Mr. Speaker, I sympathize wholeheartedly with the mover of the original resolution in that this is a problem that affects particular areas of the province, and while there are merits to the type of amendment that has been suggested, I would have to ask members of this House to consider carefully the original bill or resolution before they turn to the amendment, because if we say that we are in a peaceful era, if we say we do not need armed force training bases, then I think we are hiding our heads in the sand just like the proverbial ostrich. We need these armed forces, not only in Canada but throughout the world, and we require areas to train them. The areas that we are speaking of are ones that were set up to do the job, particularly at Rivers. They were not only set up to do the job during the war but they were extended after 1949, so really what are we considering?

We are considering a request to the Federal Government that they take a second look at our armed force bases in Manitoba for several reasons. First of all, in many cases, it is the designated area of the country which requires assistance, and certainly, whether we like it or not, we must call armed forces an industry, and so if it is closed in Manitoba then this industry must be moved to another area, and if this must be moved to another area then we must consider that that area would grow while we would lose the benefit of this, and it seems to be creeping in in Manitoba. It's affecting our area and we only have to turn to MacDonald to see that it is difficult to replace this type of industry with another one. I am the first to acknowledge that if one has to depend on armed forces for an industry, then one is always liable to find that that area may have that industry taken away, but then any other industry could be depleted. But I'm not thoroughly convinced, Mr. Speaker, that the reasons for removing these armed force bases, particularly at Rivers, at this time and of course up in the Town of Churchill, are ones that would follow because of a decrease in the size of our armed forces. I think that these places served their community and served that part of the area well. Certainly they were located there strategically because they were the best areas. They were done during the time of war when it was necessary to step in and design these bases to do the job that was required, and I think this is important, because it was outside the area of political influence. It was an area that is required to do the job best, and this is what they did, and if I might turn for a minute to my own constituency in Churchill, where else can they best train armed forces in the northern weather conditions? They were sending them to Canada from all over the world, at least the free world, to train in northern Manitoba. This is the only seaport area in the prairie provinces. They not only had the Navy, they had the Air Force, they had the Army and they had the American Army, but now this has depleted - it isn't needed; and we have lost the American Armed Service Forces; we have lost the Army; and now indeed the rumours are that we will lose the Navy.

This is very difficult to deal with, so I think that in considering this amendment, we must look at what was able to be done at Churchill to look after the withdrawal or replacement of these services by an industry. Not very much. These are places that were chosen, I must remind members, because they were the best areas to train armed forces, and if this was why they were chosen in the first place, then I think that we must consider requesting the Federal

(MR. BEARD cont'd). . . . Government to take another look and keep the support of the armed services in those areas which they will help the best, which are located. We're not asking for new ones; we're just asking that they be kept in the particular area that was designed for them. It's well and fine to say that possibly industry can replace them, or we can replace them with a peaceful industry. I don't know what that is. It's possibly trying to find an industry that can replace armed services. It's almost impossible, Mr. Speaker. We even have to look at Elliott Lake where the uranium mine is. When they pulled out of there they looked for years, and I'm sure, with the Prime Minister being the representative of that area, it was thoroughly looked into, but it was very difficult to find an industry to replace, to fill in for both towns, and this is what is happening in the Rivers area and Churchill area. They're going to become ghost towns if they lose their major industry before something else is replaced, and this you can't do over night, as has been proven at Macdonald. So I would hope members will support the resolution as it stands, so that we have something, we have something that will be kept in that area, which will support that area until there is an industry that we can find that would replace it. But certainly I wouldn't like to see the armed forces go ahead and withdraw out of the Rivers area if it upsets it the same as it has done in others, before something is done to assure the people of a large portion of the Province of Manitoba that they are going to be able to continue in that area and go on and earn a living and decentralize the population in our province, and bring, certainly bring more prosperity to those parts of the province which are suffering and will continue to suffer if there is a withdrawal of our armed forces.

MR. CHERNIACK: Mr. Speaker, during the last war there was full employment and there was a great economy established based on the war effort, and no one, I am sure, including the Honourable Member for Churchill, thought that this was a boon to Canada, and I am not suggesting that we are in a war state now but I'm wondering just what it is that the Honourable Member for Churchill is considering when he wants maintenance of a military establishment for the purpose of decentralizing Manitoba and in order to keep an industry alive to maintain a community.

I don't know whether the honourable member listened to or read what was said by my Honourable Leader when he introduced the amendment, but I think that the Leader made it very clear that the objective in the amendment was not to reduce necessary military bases, but rather to plan hopefully for the conversion of military uses into positive and gainful social uses which a growing province needs. I don't know whether the Honourable Member for Churchill speaks for his Party. He started out very much as if he did when he indicated that he did not wish people to overlook, people in this House to overlook the resolution as it was, but as far as I -- well, it's pretty obvious that he is the first speaker of his Party to speak on this amendment and he bases his opposition to the amendment on two points.

He says this was first selected as a strategic necessity for defence, and in his opinion -- the Honourable Member for Churchill -- in his opinion it is necessary to continue strategically as an area for the defence of Canada, and he will pardon me if I don't accept his expertise as being the one that should influence the vote here. The other is that this is an industry for the town which should be maintained. Does he mean, Mr. Speaker, artificially maintained? Does he mean, Mr. Speaker, that in spite of the fact that this may be an unnecessary base that it will be a waste of taxpayers' money to maintain a base which the people charged with that responsibility feel is no longer needed? Does he mean that this artificial manner of maintaining an industry in this town justifies the expenditure of more monies which his counterparts in Ottawa -- when I say his counterparts, I mean his political bed fellows in Ottawa -- would attack vigorously, as would I think any other clear-thinking member of any party, to see artificial expenditure for the purpose of maintaining an industry which makes no positive contribution to society and which has no potential for growth except in a military manner. This is apparently what the Honourable Member for Churchill calls upon us to support.

I have already rejected his opinion as to the strategic use, and when he spoke, towards the end of what he said, he didn't say we should ask the Government of Canada to take another look. Well that's not so. The resolution he supports doesn't envision another look at all. The resolution that he proposes says that we urge the government to retain -- to retain. And that means that we believe that it shall be retained, and therefore he has given us the benefit of his military knowledge, presumably, to say that this is a strategic base which has to be maintained. But the resolution doesn't say anything about that, does it? The preamble doesn't seem to suggest that this is necessary for a continued defence of this country. The resolution talks only about the industry, and for that reason our Party brought this amendment and said,

(MR. CHERNIACK cont'd). . . . "By all means. We have an investment of the people of Canada in this base. We have the hangars; we have the homes; we have the landing field; we have all the things that are described in the resolution, paid for by the people of Canada, and it would be an awful pity if they cannot be converted into some other use, and we say that it should be studied both by this province, the government of this Province, and by the Canadian Government to see what good use could be put to this investment that we have in the physical assets and we don't ignore the assets of the people that are in Rivers that make it their home, and in all the other areas where there are military bases that have settled into an area that they like, that they want to live in, that they want to stay in. And therefore we say there should be every encouragement made to convert the unneeded or the redundant air bases, military bases, naval bases that we have in this country, into peaceful, industrial, educational or social development."

Now the Honourable Member for Churchill was here, I'm sure, whilst the Honourable Member for Burrows spoke but he didn't hear him, and if he heard him it didn't penetrate, because he spoke of possible uses to which these bases could be put. The the Honourable Member for Churchill - and I'm assuming he speaks for the government of this Province and for the people of his Party until I hear to the contrary by people who disagree with him - feels that they have to be maintained there because they are an industry, and I would hate to think of any community in this province which is artificially maintained by an industry whose objective is the military development or the retention of military, unnecessary bases in the province. And that's why he prompted me to speak.

If all the military bases became ghost towns because we did not need them, it would be a happy day for this country. If all the ghost towns that we had in this country were created only because of the abandonment of military bases because we don't need military bases, it would be a happy day for this country, and yet it seems to me that the Honourable Member for Churchill would say, "No. Rather than a ghost town created by the abandonment of an unnecessary base, maintain the base there, maintain the military strength. Increase." Because he did say we don't want new ones but we want the old ones to stay. So increase the expenditure rather than reduce the expenditure, or at least maintain the expenditure rather than to reduce the expenditure. Not for military needs, not for the defense of Canada, no. For the maintenance of an artificially - supported community rather than have it become a ghost town. Well, I'm sure that we don't want to see the loss of the physical human resources of our people in the creation of ghost towns. But as I say, it would be a happy day if the only ghost towns that were created were created because of abandonment of military bases or if ghost towns were indeed created because of that alone.

And in this resolution proposed by my Honourable Leader he says clearly that there are uses to which it can be put, and he calls upon this government to study it, and I say that if this resolution fails then this government is not bound to make a study; it is not bound to make an investigation. Indeed, if this resolution passes there's nothing that can be done but for the Provincial Secretary to address himself to the government on behalf - or to the - I forget the procedure - I think it's to the Lieutenant-Governor, on behalf of the people of Manitoba, and say: "Keep that base right there." And with the preamble as it is, there is no reference to the possibility of a continued need for it; no reference to the possibility for the strategic need for the defence of Canada. Therefore, I feel that although the Honourable Member spoke about strategic needs, he didn't mean it one bit because he doesn't know, he is not an expert, he doesn't know the rest of the problems of the defence of Canada. Indeed, if he did, he would be amongst a very select number of people in this country who do not belong in Churchill, who do not belong in Thompson, and who certainly have other duties to perform other than they can here as members of the Legislature. So I reject his apparent expert knowledge but I deplore his feeling that one should maintain a base unneeded, and decided as being unnecessary by the people whose responsibility it is, just in order to keep an industry alive.

I would have thought that members of this House would find it difficult to oppose the amendment. I would have thought that reading the amendment, accepting the preamble, and speaking in terms of a positive, socially valuable approach to the conversion of military bases into social, industrial and communal needs, would be something that would be heartily endorsed by all members of this House, and those of us who travelled up to The Pas and visited the technical-vocational school not far from there, know what can be done when an apparently useless physical structure can be converted into a useful, growing institution of

(MR. CHERNIACK cont'd).... education for the youngsters of this province.

So I must say, so far we know that the Honourable Member for Churchill is opposed to what we propose in our amendment. We may yet hear from others who do. We may yet hear from others that this is not the correct approach to this problem. We agree to the problem; we acknowledge the problem; we agree that it's difficult to replace the industry such as it is, but we say let's study it for peaceful purposes. Let's study it and have the government do so as well, and not think in terms that the Honourable Member for Churchill presented to us, which is the artificial maintenance of a munitions and military structure merely for the purpose of keeping dollars rolling into the pockets of people, because, in a practical sense, this is exactly what he said and I deplore that we had to hear it but I'm wondering how many others think as he does.

MR. EARL DAWSON (Hamiota): Mr. Speaker, I move, seconded by the Member from Birtle-Russell, that the debate be adjourned, providing no one else wishes to speak.

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

MR. SPEAKER: The proposed resolution of the Honourable Member for Emerson.
The Honourable Member for Emerson.

MR. JOHN P. TANCHAK (Emerson): Mr. Speaker, I move, seconded by the Honourable Member from Birtle-Russell:

WHEREAS this House has no standing committee on Education; and
WHEREAS Education by general agreement is given top priority; and
WHEREAS the cost of Education is constantly rising; and

WHEREAS changes in our education setup are necessary and inevitable;

THEREFORE BE IT RESOLVED that a standing committee of this House be appointed for the purpose of "Education", which committee shall be empowered to examine and inquire into all such matters and things as may be referred to it by the House and to report from time to time its observations and opinions thereon with power to send for persons, papers and documents and examine witnesses under oath.

MR. SPEAKER presented the motion.

MR. TANCHAK: Mr. Speaker, I have waited a long, long time to be able to present this resolution. If it was in the early stages of the Session I would have had a lot more to say than I intend to do right now. I will be very brief, because I realize that time is flying.

On December 5, 1966, the Honourable the Premier introduced a resolution, or order. It was a motion that was introduced and ordered that standing committees of the House for the present Session be appointed; and then he named nine different committees: Privileges and Elections; Public Accounts; Public Utilities and Natural Resources; Agriculture and Conservation; Municipal Affairs; Law Amendments; Private Bills, Standing Orders, Printing and Library; Industrial Relations; Statutory Regulations and Orders. Nine in all. We have those nine committees presently in the House and I would say that all of these committees are of great importance in themselves, but there are other departments that are not represented by any such committee, and one such is education. There is general agreement in this House. We all concede that education enjoys top priority in our considerations. Education has been discussed. I think we've spent more time on education in this Session than practically on any other legislation, and I'm not referring to Estimates but on bills before us and resolutions before us, and we also, all of us are aware that roughly about one-third of the estimated expenditure for 1968, or 1967-68, is earmarked for the purpose of education. Therefore we, as I said before, concede that education holds the top priority. Even now we are discussing the 5% sales tax - we have been for some time in the House - and we all well remember that when this motion was introduced before us, the adoption of a 5% sales tax, it was originally earmarked or named Educational Tax, 5% tax. Therefore, the government itself must have considered the education of our children, as the rest of us did, considered it of great importance.

But if education is of such great importance, why is it that the motion calling for the appointment of standing committees by the Premier did not enlarge the number of these standing committees so as to include education? I would say that if we are sincere in our priorities, let us not just pay lip service and sign -- dollar signs that will justify this priority. I think that we should have a committee such as this.

We all know that in the last five years knowledge has doubled itself. It has been said in this House, and has been repeated many times. New discoveries in science, medicine, industry and so on, are being announced daily, and it is very difficult to cope with these great

(MR. TANCHAK cont'd). . . . changes. In order to keep pace with this new learning and the educational system, which is constantly changing, I would say that a committee such as this would be very helpful. These changes should be considered by people who know something about education and they should be incorporated into our plans for education. I think that we should have a standing committee of this House which will be willing to sacrifice its time and expense for the sake of education, better education of our children. If the government wishes to pay the committee some out-of-pocket expenses, it's the privilege of the government; it would be up to the government; and I'm not asking the government to spend any money on this committee because I presume that most of this committee will voluntarily give its time and even some of the expense involved for the betterment of education in Manitoba.

I would say that this committee would be empowered to study the different use and all aspects of education, the views of the different boards of trustees, teachers, inspectors, and many other educators. All these could be considered by this committee. Lately we have set up a Council of Higher Learning and I'm sure that this Council of Higher Learning would be permitted, and I would say, if such a Committee was established, should report from time to time to this committee to keep them well-informed what is happening in the educational field. I would say that after all it is the MLAs who finally make the laws here, and it is imperative that they be well-informed on this subject where we are going as far as education goes.

Other matters that could be considered or referred to this committee, are such matters as closing of some schools, probably building of new ones; the remote areas could be discussed; we've got problems in many remote areas. Many of the people in the remote areas are not happy with the present setup because they feel maybe, not because it's the fault of anyone, but they feel that they are not taking full advantage of the educational opportunities that other children have who are not in remote areas.

TV, education by means of TV, could be discussed in this committee. Phonetical teaching; probably sex education - a lot is being heard about it at the present time. This could be discussed. Transportation of underprivileged children is another problem, quite a problem, that poses many difficulties, and the placement of such children, especially in rural areas, is very, very difficult. I myself know of several children at the present time. They are probably mentally deficient or under-privileged and the parents do not know where to send them. Some of our facilities are very lacking at the present time.

Another problem that could be discussed is the teaching of different languages, and there are many other things that could be referred to this committee with anything that pertains to our education. I believe that this committee, should it be established, would be of great value to all the MLAs in this House. Therefore, I urge all members to support this resolution.

MR. SPEAKER: Are you ready for the question?

MR. MILLER: Mr. Speaker, I would like to move adjournment, seconded by the Member for Kildonan.

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

MR. SPEAKER: The proposed resolution of the Honourable Member for Portage. The Honourable Member for Portage.

MR. GUTTORMSON: Could we have the indulgence of the House to have this matter stand?

MR. SPEAKER: The proposed resolution of the Honourable Member for Hamiota. The Honourable Member for Hamiota.

MR. DAWSON: Mr. Speaker, I move, seconded by the Member from Carillon,

WHEREAS large amounts of monies are being expended by both governments, Federal and Provincial, for physical fitness, amateur sport and recreational activities; and

WHEREAS skating and curling rinks qualify both as recreation and as developing physical fitness; and

WHEREAS participation in skating and curling are being increasingly indulged in by young people and adults both male and female and thereby encouraging maximum community participation;

THEREFORE BE IT RESOLVED that the Government of Manitoba consider the advisability of making substantial low-interest loans available to assist communities which are planning installation of artificial ice plants and other improvements or modernization of these facilities; and

(MR. DAWSON cont'd)

BE IT FURTHER RESOLVED that the Government of Manitoba urge the Federal Government to participate in this program.

MR. SPEAKER presented the motion.

MR. DAWSON: Mr. Speaker, because of the initial outlay of monies for artificial ice in skating rinks and curling rinks, many of these rinks will not have artificial ice and probably will never have artificial ice. This is particularly true of these that are already built in the rural areas. Practically every small town has a curling rink and a skating rink and neither one has artificial ice, and in most instances there would be very few exceptions to this rule of having artificial ice. As a matter of fact, it is quite an accomplishment in a small town nowadays to get a closed-in rink. I am not just using this rule of thumb for the rural area; I think this is particularly true of the City of Winnipeg, because when one looks around the City of Winnipeg we are probably the one city in all of Canada that has so few artificial ice rinks. It was only up until this year that for ice skating we finally got another one in St. James, I believe, and one other in another part of the City, to give us a total of three. Throughout Manitoba, one could count on their fingers how many ice skating rinks we have that have artificial ice. I believe right now that Flin Flon, Dauphin, Portage and Brandon are the only outside towns that have artificial ice in their ice skating rinks.

Now I know that when one proposes to spend money that there must be some way of the loans being repaid. I would suggest that in every community they have a rink board that governs the rink, and this applies to the skating rink as well as the curling rink. But these people cannot take it upon themselves to borrow money, and what happens in most instances, they try to raise the necessary \$20,000 that is needed to install artificial ice, and of course it's a big project and because there are many others going on in the town they are unable to raise this \$20,000 that it takes. However, should the provincial government be able to provide this \$20,000 at low cost, and the town or the municipality guarantee the repayment of this money, I am sure that the rink board or curling club board would take it upon themselves to repay the government through the Town. I have done some checking on this, and many of them say that it would be quite easy for them to raise up to \$1,000 to repay a loan. Of course, one would say, "Why don't they go to the people who supply the artificial ice equipment and maybe finance with them?" but I understand that this is not possible. The people who do the installation or supply the equipment are not prepared to finance these types of operations. As you can well picture, if they had to finance 75 to 100 of them in the Province of Manitoba it would be a tremendous outlay for them and they would have to, if this was typical of what they were doing across the country, they would have to have an awful pile of capital to operate.

Now I think that if one journeys into the Province of Ontario they will see that the provincial government in cooperation with the federal government sponsor such a plan as what I have just described here. If one travels through Ontario you would see that the smallest town has an artificial ice skating rink as well as artificial curling ice, and this of course is a big attraction to their young people; not only their young people but to the elderly people - I should say the adults as well as the elderly people in each community. The Provincial Government, as I said, supplies up to \$10,000 for each rink that is put up, and this they give out in the form of a grant. Now I'm not suggesting that Manitoba give grants in this amount of money because I think, I've always believed that you should pay for what you get, and this is why I suggest the type of loan I'm suggesting.

One more thing. I'm not trying to compare Ontario with Manitoba but one notices all the good curlers are starting to come out of Ontario, I understand. All the good hockey players have been coming out of Ontario for some time. And this is because each community has an artificial ice rink for skating and they also have the artificial ice for curling. This gives them a season of about six months compared to our season here in Manitoba, particularly in a rural area where we get from the middle of December, if we're lucky, until probably the end of March if we're lucky once again. In most instances the ice is gone in the middle of March.

I think another reason why I would like to see this type of legislation introduced is because it would be the popular type of legislation. I am sure that every medium-sized town and up would avail themselves of the opportunity to make the type of loan that I am suggesting. This is a great inducement for our young people to stay in these small towns. As everyone knows sitting here, or standing here, that we must have this type of attraction if we're going to keep our young people in our rural areas, this coupled with industry would certainly be the ideal situation in our small towns. I know that if we in Manitoba here, if we accepted this

(MR. DAWSON cont'd).... resolution our Federal Government are prepared to go along with us. I attended a banquet where a federal minister was the guest speaker and he mentioned that they were prepared to assist in this type of a program. This was in Ontario this banquet took place.

MR. SPEAKER: Are you ready for the question?

MR. PETURSSON: I would move, Mr. Chairman, seconded by the Member for Logan, that the debate be adjourned.

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

MR. SPEAKER: The proposed resolution of the Honourable Member for Churchill. The Honourable Member for Churchill.

MR. BEARD: Mr. Speaker, I'm rather undecided what I should do about this resolution. I can speak on it but the Premier has introduced one covering north-south transportation and incorporated those things that I have asked for in this one, and I am sure that the Premier's resolution will carry more, may I say weight, than mine. I will withdraw mine and speak on the Premier's when it comes up.

MR. SPEAKER: In other words, you wish to drop it. The proposed resolution of the Honourable Member for Selkirk. The Honourable Member for Selkirk.

MR. HILLHOUSE: With the leave of the House, Mr. Speaker, I would like to have this matter stand.

MR. SPEAKER: The proposed resolution of the Honourable the Leader of the Opposition.

MR. HILLHOUSE: I would ask that this matter be allowed to stand, Mr. Speaker.

MR. SPEAKER: The proposed resolution of the Honourable Leader of the Opposition.

MR. GUTTORMSON: May we have the indulgence of the House to have this matter stand, please?

MR. SPEAKER: The proposed resolution of the Honourable Member for Birtle-Russell. The Honourable Member for Birtle-Russell.

MR. CLEMENT: Mr. Speaker, I would move, seconded by the Honourable Member from Gladstone, that the resolution under my name - I will now read it:

WHEREAS it is desirable -- and I'm going to speak very slowly because I understand my pronunciation of certain words according to the paper is not too good, so ...

WHEREAS it is desirable and necessary that the standards of education for all children be improved and equalized throughout the Province; and

WHEREAS in the school plebiscite on Friday, March 10, 1967, only 14 of 33 divisions voting supported the proposed single district school division plan; and

WHEREAS the other 19 divisions who rejected the plan will nevertheless have to face higher education costs as a result of the Manitoba Government decisions and the announcement of the Foundation Program; and

WHEREAS these 19 divisions, in order to offer the same standards of education, will have to do their budgeting on the same basis as the other 14 divisions; and

WHEREAS the residents in the 19 divisions will still have to pay the increased taxes of the Manitoba Government, and

WHEREAS this combination of higher costs and higher taxes, both resulting from the actions of the Manitoba Government, and beyond the control of the people in these 19 divisions, may place an unbearable burden on the residents of these divisions; and

WHEREAS this burden may result in lowering education standards in these divisions; and

WHEREAS this will lead to further inequality of opportunity for the children in these divisions; and

WHEREAS the Manitoba Government has a responsibility towards all the children of Manitoba; and

WHEREAS the Government is imposing a 5% Sales Tax to raise the necessary revenue; and

WHEREAS Premier Roblin has stated that 5% Sales Tax will not be rescinded regardless of the result of the vote;

THEREFORE BE IT RESOLVED that the Manitoba Government consider the advisability of an upward revision of the grant schedule and assistance to those divisions which rejected the plan.

MR. SPEAKER: I have had this resolution under consideration as I do all the rest. I must inform the Honourable Member for Birtle-Russell in this way: that I have had under consideration the proposed resolution of the Honourable Member for Birtle-Russell in which he requests the Manitoba Government consider the advisability of an upward revision of the grant schedule and assistance to those divisions which rejected the plan, being the referendum on March 10th. In the light of the statement of the Honourable Minister of Education on Monday, when dealing with Bills 89 and 93, it will be recalled that he announced an upward revision of the grants schedule and assistance to those divisions which had rejected the plan on March 10th. In view of the statement of the Honourable Minister, I would suggest it nullifies the reason for the proposed resolution of the Honourable Member for Birtle-Russell, and I therefore rule it out of order in the knowledge that the Honourable Member will have ample opportunity to discuss the detail of his thoughts during the consideration of Bill 89 and Bill 93.

MR. CLEMENT: Mr. Speaker, do I take it your ruling is out of order or ...

MR. SPEAKER: Shall I read that part again?

MR. CLEMENT: I suggest, like yourself at times, you're a little undecided just where you should go and I would like to take this under consideration. I would ask the Leader of the House to call it 5:30. If not, Mr. Speaker, I take your word and I appreciate, if I have the right to say a word at all, your reason for your ruling ...

MR. SPEAKER: No, just -- the honourable member knows that he has no right to discuss this ...

MR. CLEMENT: On a point of order, may I congratulate the Honourable the Minister of Education.

MR. SPEAKER: I thank the honourable member for his co-operation.

MR. LYON: Mr. Speaker, there's hardly time to move another resolution. Perhaps you might wish to call it 5:30.

MR. SPEAKER: It appears to be the general agreement of the House that I now call it 5:30, and I will return to the Chair at 8:00 o'clock this evening.