

THE LEGISLATIVE ASSEMBLY OF MANITOBA

2:30 o'clock, Monday, June 15, 1970

Opening Prayer by Mr. Speaker.

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

REPORTS BY STANDING COMMITTEES

MR. GILDAS MOLGAT (Ste. Rose): Mr. Speaker, I beg to present the First Report of the Standing Committee on Public Accounts.

MR. CLERK: Your Standing Committee on Public Accounts beg leave to present the following as their First Report:

Your Committee met for organization and appointed Mr. Molgat as Chairman. Your Committee has agreed that, for the remainder of this session, the quorum of this Committee shall consist of Seven (7) members.

Your Committee has examined the Public Accounts of the Province of Manitoba for the Fiscal Year which ended on the 31st day of March, 1969, as published and finds that the receipts and expenditures of the monies have been carefully set forth and all monies properly accounted for.

Your Committee received or has been assured that it will receive all information desired by any member from the Minister, Head of Department and members of the Provincial Auditor's staff with respect to receipts, expenditures and other matters pertaining to the business of the Province. The fullest opportunity was accorded to all members of the Committee to examine vouchers or any documents called for and no restriction was placed upon the line of examination.

All of which is respectfully submitted.

MR. MOLGAT: Mr. Speaker, I beg to move, seconded by the Honourable the Member for Assiniboia, that the report of the Committee be received.

MR. SPEAKER presented the motion.

MR. SPEAKER: The Honourable Member for Ste. Rose.

MR. MOLGAT: Mr. Speaker, if I may before the Report is received or the vote is taken. I think I should point out that I believe it's the first time in this Assembly that the government has selected a member of the opposition party to be Chairman of the Public Accounts Committee; I don't think that the occasion should be passed without noting it. I commend the government on that course -- not at the choice of the individual, far be it from me to suggest that -- but at the course taken of selecting someone from the opposition to Chair this most important committee of the House. As it was, there was no controversy arose and no difficulties whatever. There have been times, however, where the Public Accounts Committee has in fact been one of the vital committees insofar as the operations of government and I think it is a Committee that should really deserve very close attention by the members of the House. I would hope that the decision of the government today to choose a member of the opposition to be Chairman of that committee will establish a precedent and will be followed in the future. I think it is for better government.

MR. SPEAKER: The Honourable the First Minister.

HON. ED. SCHREYER (Premier)(Rossmere): Mr. Speaker, I want to, on behalf of my colleagues, thank the Honourable Member for Ste. Rose for his very appropriate interjection in debate on the receipt of this report. I think that it is altogether timely and appropriate that we should adopt the new practice of having a member of Her Majesty's loyal opposition as Chairman of Public Accounts Committee. There are many reasons why we regard it as appropriate; one of which is the simple fact that the chief permanent public servant relative to Public Accounts, in the person of the Provincial Auditor, is one who is an officer of the entire Assembly and not someone who is appointed by the executive branch of government. That's one important reason, Sir, and there are, as I said, a number of others as well.

The practice of having a member of the opposition Chair the Public Utilities Committee is one that has been in practice, in vogue, in Ottawa for about six, seven years now. It seems to be working out well, with the possible exception of the episode on the Bonaventure repair cost estimates, but that aside I believe it is the kind of departure in practice from years ago that is working out well. So the practice we have initiated today I would hope will be one that will be carried forward in the years ahead and it may be that it will be simply one of a few innovations in parliamentary practice that we would want to put forward hopefully with the support of

(MR. SCHREYER cont'd) honourable members opposite.

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

MR. SPEAKER: Notices of Motion; Introduction of Bills.

INTRODUCTION OF BILLS

HON. JOSEPH P. BOROWSKI (Minister of Transportation)(Thompson) introduced Bill No. 132, an Act to amend The Highway Traffic Act (2). (Second reading Wednesday next.) (Recommended by His Honour the Lieutenant-Governor.)

HON. HOWARD R. PAWLEY (Minister of Municipal Affairs)(Selkirk) introduced Bill No. 130, an Act to amend The Municipal Board Act.

MR. THOMAS BARROW (Flin Flon) introduced Bill No. 131, an Act to validate Certain By-laws of The Town of Dauphin and The Rural Municipality of Dauphin and to enlarge the Boundaries of the Town of Dauphin.

MR. WALLY JOHANNSON (St. Matthews) introduced Bill No. 129, an Act to amend The Metropolitan Winnipeg Act. (Second reading Wednesday next.)

HON. AL MACKLING Q.C. (Attorney-General)(St. James): In respect to Bill No. 139, I would like this bill to stand.

MR. MACKLING introduced Bill No. 140, The Law Reform Commission Act. (Recommended by His Honour the Lieutenant-Governor.)

MR. MACKLING introduced Bill No. 141, The Statute Law Amendment Act, 1970.

MR. PAWLEY introduced Bill No. 133, an Act to amend The Municipal Boundaries Act.

MR. J. WALLY MCKENZIE (Roblin) introduced Bill No. 135, an Act to Repeal an Act to validate and confirm a Certain Agreement between The Town of Dauphin and the Rural Municipality of Dauphin.

INTRODUCTION OF GUESTS

MR. SPEAKER: At this point I should like to introduce our guests to the honourable members. In my Gallery we have a number of distinguished parliamentarians from Malaysia, Singapore and Hong Kong who are visiting various parts of Canada on a tour sponsored by the Canadian Branch of the Commonwealth Parliamentary Association. Accompanying them are executive and staff members of the Canadian Branch. On behalf of the Honourable Members of the Legislative Assembly, we welcome you here this afternoon.

We also have in my Gallery five delegates from the States of Kansas and Nebraska in the United States of America who attended the U. S.-Canadian Highway 83 Association Convention held at Virden during the weekend. On behalf of the Honourable Members of the Legislative Assembly, we welcome you here this afternoon.

Also 25 Grades 8 and 9 students of St. John's School. These students are under the direction of Miss Prichodko. This school is located in the constituency of the Honourable Minister of Mines and Natural Resources. And 80 Grades 11 and 12 students of the Ste. Anne School. These students are under the direction of Mr. Harris, Mrs. Montary and Mr. Brisson. This school is located in the constituency of the Honourable Member for La Verendrye. On behalf of the Honourable Members I welcome you here this afternoon.

ORAL QUESTION PERIOD

MR. SPEAKER: The Honourable Member for Ste. Rose.

MR. MORGAT: Mr. Speaker, before the Orders of the Day I'd like to address a question to the Minister of Mines and Natural Resources. This morning on the radio I heard an announcement that there were problems with regard to the issuing of cheques to fishermen under the compensation plan and advising them not to appear at the various stations where they had previously been told to go. Could the Minister elaborate on the situation and tell us when the payments will be made?

HON. SIDNEY GREEN, Q.C. (Minister of Mines and Natural Resources)(Inkster): Yes. Mr. Speaker, there was some thought that this could be done today without the passing of the bill but the Department of Finance and our department now feel that the bill which is before the Law Amendments Committee tomorrow should be passed before the cheques are issued and it's for that reason that the delay has taken place. I did indicate in the House previously, Mr. Speaker, that two to three weeks would be a reasonable forecast. I think we're still within that limit but unfortunately there is an impediment, that we feel the bill should be passed rather than monies be provided by special warrant during the sitting of the Legislature.

MR. SPEAKER: The Honourable Member for Rock Lake.

MR. HENRY J. EINARSON (Rock Lake): Mr. Speaker, I direct my question to the Minister of Agriculture. It's a question that I directed to him several weeks ago in regards to Operation LIFT, and the question is: I'm wondering if the Minister has heard from Ottawa as to whether they're going to make any changes in the date deadline of July 15th in regards to forage crops that have been sowed down by different farmers, as to whether that date could be postponed for a considerable time because of backward weather.

HON. SAMUEL USKIW (Minister of Agriculture)(Lac du Bonnet): Yes, Mr. Speaker, I have had some consultation with the people at the federal level and they inform me that while they recognize that there are problems in pocket areas of the prairies that their regulation applies generally across the prairies and that indeed it would be very difficult to arrive at a suitable date which would allow for the proper administration of their program without allowing for abuse. There is no intention on their part to make a change.

MR. EINARSON: Mr. Speaker, a supplementary question if I may ask, I don't mean to create out of it, but it seems to me that the weather conditions that we have in Manitoba do not prevail so much in Saskatchewan-Alberta and I was wondering if the Minister could get any recognition probably for the Province of Manitoba itself.

MR. USKIW: Well I think my honourable friend ought to know that that presents quite a problem for people in Ottawa.

MR. SPEAKER: The Honourable Member for Assiniboia.

MR. STEVE PATRICK (Assiniboia): Mr. Speaker, I wish to direct my question to the Minister of Finance. In the light of some drastic decline in the construction industry in Manitoba this year, an industry that employs many jobs, is the government considering removal of the five percent sales tax as it applies to the housing industry?

HON. SAUL CHERNIACK, Q. C. (Minister of Finance)(St. John's): Mr. Speaker, this question of course is a matter of policy and I'm surprised that the honourable member is asking the question. I would like to know, however, Mr. Speaker, whether he can help us in learning what his colleagues in Ottawa are planning to do about their eleven percent sales tax.

MR. SPEAKER: The Honourable Member for Lakeside.

MR. HARRY ENNS (Lakeside): Mr. Speaker, I direct a further question to the Honourable Minister of Mines and Natural Resources and also in his capacity as House Leader. Would he not consider moving forward the bill that he referred to that's holding up the compensation to fishermen? I'm sure there would be leave by all members of the House, it's done on occasion, to process it as quickly as possible, that is through third and even Royal Assent if need be. Would he consider these steps in the interests of getting the cash out to the fishermen?

MR. GREEN: Mr. Speaker, I'd like to inform my honourable friend that the cooperation sought for has already been obtained. We read the bill on Thursday evening by consent of all parties; Law Amendments Committee sits tomorrow. If there are any parts of the bill that pose a problem which were indicated in the House then my inclination will be to get the parts that everybody agrees to passed and then proceed. Now if that is not forthcoming then my understanding is that there are legitimate procedures which can be followed in any event but we don't want to make a precedent of it. Therefore, we want to have the bill passed.

MR. SPEAKER: The Honourable Member for Fort Garry.

MR. BUD SHERMAN (Fort Garry): Mr. Speaker, I'd like to direct a question to the Honourable Minister of Tourism. . .

MR. GREEN: . . . to get the parts that everybody agrees to, passed and then proceed. Now if that is not forthcoming, then my understanding is that there are procedures, legitimate procedures which can be followed in any event but we don't want to make a precedent of it, therefore we want to have the bill passed.

MR. SPEAKER: The Honourable Member for Fort Garry.

MR. SHERMAN: Mr. Speaker, I'd like to direct a question to the Honourable Minister of Tourism and Recreation. The weekend newspaper report indicated that his department, Sir, is in the throes of working out arrangements for a matching grant for the proposed Winnipeg Winter carnival, a grant to match the Metro Corporation grant. I wonder if he can confirm that report, Sir.

HON. PETER BURTNIAK (Minister of Tourism & Recreation)(Dauphin): Well, Mr. Speaker, as I pointed out about a week ago to the Honourable Member for Fort Garry that we are looking at the possibility but plans have not been finalized as to whether or not we are going to have a matching grant in that respect or not.

MR. SHERMAN: A supplementary, Mr. Speaker. Can the Minister confirm then that he is in actual communication with the promoters of the Winter Carnival on this and other subjects?

MR. BURTNIAK: Mr. Speaker, at the present time I'm not in a position to say so.

MR. SPEAKER: The Honourable Member for Rock Lake.

MR. EINARSON: Mr. Speaker, I direct my question to the Minister of Tourism and Recreation. I'm wondering on the date of the official opening which is next Saturday - could the Minister indicate as to whether the laundromat that is there for public use will be ready for operation on that date?

MR. BURTNIAK: Mr. Speaker, I have to take that question as notice.

MR. SPEAKER: The Honourable House Leader.

MR. GREEN: Mr. Speaker, I want to advise the members that a drilling licence has been granted to an exploration, an oil exploration company in northern Manitoba within approximately 20 miles from the periphery of the polar bear denning area and I have distributed to all of the honourable members of the House the precautions that are being taken with regard to this operation so that perhaps after they've read them they might want to question me on them tomorrow.

MR. SPEAKER: The Honourable Member for Sturgeon Creek.

MR. FRANK JOHNSTON (Sturgeon Creek): Mr. Speaker, I'd like to direct my question to the Minister of Municipal Affairs. Has his department investigated or the Minister investigated the cost per acreage of the land where the public housing is going in Heritage Park?

MR. PAWLEY: Yes, the figures have been investigated, they are there. If the honourable member would like the exact amount of the cost I would have to take that matter as notice and provide him that information later.

MR. F. JOHNSTON: Well, a supplementary question Mr. Speaker. Is the figure of \$25,000 an acre correct?

MR. PAWLEY: Mr. Speaker, I think maybe the best plan for the honourable member would be to file an Order for Return in the usual manner.

MR. SPEAKER: The Honourable Member for Ste. Rose.

MR. F. JOHNSTON: A supplementary question again, Mr. Speaker. Does the Minister not believe that it would have been better to contact all cities and municipalities regarding publicly owned land for public housing before it was advertised for . . .

MR. SPEAKER: Order, please. I believe the honourable member is aware that's an argumentative question. Orders of the Day. The Honourable Member for Ste. Rose.

MR. MOLGAT: I'd like to address a question to the Minister of Mines and Natural Resources following up on his announcement of the drilling licence. In the light of the concerns of pollution in Arctic waters, can the Minister indicate whether the site is above tidewater even at very high wind conditions which do exist in that area? Secondly what precautions have been taken by the government insofar as pollution?

MR. GREEN: Yes, Mr. Speaker. The first part of the question I can't answer at this point; the second part with regard to pollution, there will be a paper distributed which the honourable members can read and then perhaps follow up the questions. The department has indicated as to the precautions that are being taken and they will be in writing for my honourable friend to peruse.

MR. SPEAKER: The Honourable Member for Crescentwood.

MR. CY GONICK (Crescentwood): I've a question for the Minister of Consumer and Corporate Affairs. I'd like to ask the Minister if he plans to investigate the decision by the Winnipeg Free Press and the Winnipeg Tribune to raise their prices by 1/5 - 20 percent, in view of the possible inflationary impact and secondly for possible collusion?

MR. MACKLING: Mr. Speaker, in answer to that question I can only say that I'm aware of the concern that is manifest in the question itself. Whether or not this is a matter that should be referred to the study, the Prices Review Committee, I don't know. It's not an area over which we have any control, but certainly we can make representations to Ottawa if there is sufficient concern about it.

MR. SPEAKER: The Honourable Member from Fort Garry.

MR. SHERMAN: A supplementary Mr. Speaker, to the Attorney General. Does he have any indication that Canadian Dimension Magazine may be following suit?

MR. SPEAKER: The Honourable Minister for Municipal Affairs.

MR. PAWLEY: Mr. Speaker, I wish to reply to a question that was addressed to me last week by the Honourable Member for Ste. Rose. The question that the honourable member asked was - are assessments in company towns made on the basis of individual homes or are all buildings bulked together for assessment purposes. Mr. Speaker, where there is an assessment in a company town, individual buildings are separately assessed. If there is more than one building on a parcel of land, the values may be grouped together as one item on the assessment role. The individual assessments of each building can, however, always be supplied.

MR. SPEAKER: The Honourable Member for Ste. Rose.

MR. MOLGAT: Mr. Speaker, I want to thank the Minister for the Information and ask him a supplementary question. Can then, residents who are living in company towns get individual assessments for their property?

MR. PAWLEY: Yes, they could if they are assessed separately. If there they are all together in one parcel of land then they would be assessed in one bulk, but generally they are assessed separately on separate parcels or separate lots.

MR. SPEAKER: The Honourable Member for Crescentwood.

MR. GONICK: I have a question for the Minister of Labour. I wonder if there is any intention of investigating the exploitative fees of Industrial Overload which is a private employment agency which I understand charges 30 percent of its salaries as a fee.

HON. RUSSELL PAULLEY (Minister of Labour)(Transcona): Mr. Speaker, I think it would be proper for me to take the question as notice. This is the first time that this has been drawn to my attention or to my notice and if such is the case, certainly the whole matter of fee charges will have to be investigated.

MR. SPEAKER: The Honourable Member for River Heights.

MR. SIDNEY SPIVAK, Q. C. (River Heights): A supplementary question. I wonder if the Honourable Minister of Labour is taking that question as notice, whether he would undertake to present to this House a report on all organizations who in fact solicit and act for people who are looking for jobs as to rates of commission so that we have some comparative way of which to judge this.

MR. PAULLEY: Might I ask my honourable friend, Mr. Speaker, for clarification. Is he referring to organizations who may be incorporated companies or recognized as such or agencies as well? I may be able to obtain the information sought by my honourable friend insofar as those agencies that are licenced by the Department of Labour and I would be glad to supply that information to my honourable friend. I doubt whether I would have information of any other organization that is not licenced.

MR. SPIVAK: Well I wonder if the Honourable Minister could tell me whether Industrial Overload is licenced or not.

MR. PAULLEY: No I cannot offhand but I would imagine that they are, Mr. Speaker.

MR. SPEAKER: The Honourable Member for Elmwood.

MR. RUSSELL DOERN (Elmwood): Mr. Speaker, I'd like to direct a question to the Minister of Agriculture. There apparently is some danger of Manitoba's floral emblem, the prairie crocus becoming extinct. I would like to know whether the Department of Agriculture is taking any steps to protect the prairie crocus and secondly I'd like to know whether he's giving any encouragement to commercial producers.

MR. USKIW: I think I'll have to take that as notice, Mr. Speaker.

MR. SPEAKER: The Honourable Minister of Finance.

MR. CHERNIACK: Mr. Speaker, I'd like to file Return to an Order of the House No. 29 as requested by the Honourable Member for Roblin.

MR. SPEAKER: Orders of the Day. The Honourable Member for Roblin.

MR. MCKENZIE: Mr. Speaker, I could answer the question from the Honourable Member from Elmwood if he would permit me. No. I have a question for the Honourable Minister of Transportation. I wonder would the Minister check the deteriorating condition of P.R. No. 274 from Gilbert Plains north to Ethelbert and P.R. No. 366 from Grandview north to the Duck Mountain Park.

MR. SPEAKER: The Honourable Member for Assiniboia.

MR. PATRICK: Mr. Speaker, I'd like to direct my question to the Minister of Youth and Education. Has the Minister - tell the House, has the government any studies for job requirements by our high school students who will be getting out of school next week and within

(MR. PATRICK cont'd) the next few weeks and has the government any program for employment of high school students and how many will the government employ themselves for government departments?

HON. SAUL A. MILLER (Minister of Youth and Education)(Seven Oaks): Mr. Speaker, the student placement office is concerned about the wave of students which will be hitting the job market within another couple of weeks. They are taking applications, government departments are scouring around to try to find jobs for them and it is hoped that the government, various government departments will be able to place a number of these high school students.

MR. SPEAKER: The Honourable Member for Riel.

MR. DONALD W. CRAIK (Riel): Mr. Speaker, I wonder if the House Leader could indicate if there are bills to come in addition to the ones which are listed here today.

MR. GREEN: Mr. Speaker, I believe that there are a few. I indicated the other day that there were about five left and I indicated that I wasn't quite sure so my estimate wasn't that accurate. But I believe there are a few left.

MR. SPEAKER: The Honourable Member for Churchill.

MR. GORDON W. BEARD (Churchill): Mr. Speaker, I'd like to submit my question to the Minister of Government Services. Inasmuch as news media is a public service, I would wonder whether he would consider expropriating that industry if they could save 15 to 20 percent?

MR. SPEAKER: Committee of the Whole House. The Honourable Minister of Transportation.

STATEMENT

MR. BOROWSKI: I'd like leave of the House to make a brief announcement. We have been discussing the naming of bridges over the last few months; we have selected two outstanding individuals and I'd just like to read the release that we're giving to the press. Two outstanding figures in public life in Manitoba will be honoured by having bridges named after them this summer. The bridge over the Lake Manitoba Narrows will be named after Mr. Campbell, that's Douglas Campbell, the former Premier, and the bridge over the Red River at Morris will carry Mr. Bowles name. Ceremonies are being planned for later this summer. -- (Interjection) -- Yes, his Honour the Lieutenant-Governor, the present Lieutenant-Governor. -- (Interjection) -- Yes, they both promised not to be involved in politics in the future, Mr. Speaker. Ceremonies are being planned for later this summer in which official plaques will be unveiled in the presence of the men being honoured.

Mr. Campbell was first elected to the Manitoba Legislature in 1922 and represented Lakeside constituency continually until his retirement in 1969. In 1936 he was appointed Minister of Agriculture and Immigration; in 1944 undertook administration of Manitoba Power Commission Act. He was Premier from 1948 until 1958 and was Leader of the Opposition from 1958 until 1961.

Mr. Bowles was appointed Lieutenant-Governor of Manitoba in July 1965. He has served with distinction as the Queen's representative and is well known in all areas of the province. Prior to his appointment as Lieutenant-Governor, Mr. Bowles was the senior partner of a prominent Winnipeg law firm. He is past president of the Law Society of Manitoba and of the Manitoba Bar Association, he is a life Bencher of the Law Society, a trustee of the Manitoba Law School and a Member of the Council of the Canadian Bar Association. In community life he was provisional president of the United Fund of Greater Winnipeg, served on the Board of the Community Chest, was a member of the Community Welfare Planning Council and was Chairman of the Winnipeg Parks Board.

Mr. Chairman, may I just add that speaking as an individual and for the Cabinet which was unanimous in the appointment of these two gentlemen, but I couldn't find two more deserving individuals on whom to confer this symbolic gesture of our appreciation and gratitude for their many years of dedicated service to the people of Manitoba.

MR. SPEAKER: The Honourable Member for Radisson.

MR. HARRY SHAFRANSKY (Radisson): By leave, Mr. Speaker, I would like to make a presentation of a Slavic collection.

MR. SPEAKER: Has the honourable member leave? (Agreed)

MR. SHAFRANSKY: I would like to make a presentation to the Premier and the Minister of Cultural Affairs who is responsible for the Provincial Library of two books, a Slavic Collection of the University of Manitoba Library compiled by J. S. Muchin. This presentation

(MR. SHAFRANSKY cont'd) is made on behalf of Dr. Rudnyc'kyj of the Slavic Department of the University of Manitoba.

MR. SPEAKER: The Honourable Minister of Agriculture.

ORAL QUESTION PERIOD (Cont'd)

MR. USKIW: Some time ago, a member of the Opposition asked me a question relative to The Canada Grains Act and what changes are implied with respect to quota provisions and in particular for the allocation of box cars for malting barley deliveries of box car lots. I have checked into the matter and I find that there is no connection between the quota system and the current changes being made in The Grains Act.

MR. SPEAKER: The Honourable Member for Ste. Rose.

MR. MOLGAT: Mr. Speaker, I'd like to address a question to the Minister of Transportation. The Minister of Transportation, is he intending to proceed with making the wearing of helmets compulsory for motorcycle riders?

MR. BOROWSKI: Mr. Chairman, I just introduced Highway Traffic amendments here this morning, I believe that's included in there. We'll have an opportunity for the motorcycle boys to come into Law Amendments to debate it if they so choose and I expect they'll choose to debate it.

MR. MOLGAT: Mr. Speaker, a supplementary question. Is the Minister aware that I believe today the Greater Winnipeg Safety Council voted against making it compulsory?

MR. BOROWSKI: No, Mr. Speaker, I'm not aware. I understood from them in private conversations that they were in favour of it. They were in favour when the previous government attempted to introduce it on two separate occasions and if they have reversed themselves, then I'd be very surprised and I'd be interested to know their reasons why because clearly the statistics show that helmets do save lives.

MR. SPEAKER: The Honourable Member for Lakeside.

MR. ENNS: Mr. Speaker, a further supplementary question to the Minister of Transportation. I'm trying to get the same answer that the Honourable Member for Ste. Rose enquired about. Is the Minister intending to ask for the compulsory wearing of the helmet? You indicated that it may be in the Bill and that you may accept an amendment that would knock it out of the Bill. Are you in favour of it?

MR. BOROWSKI: Mr. Speaker, that's all right, I'll answer it anyway. I think it's an important enough question. You're asking my personal opinion, yes, I was responsible for putting it into The Highway Traffic Act and I'm going to support it and I'm going to ask everybody in the House to support it.

MR. SPEAKER: Orders of the Day. Committee of the Whole House. The Honourable Minister of Municipal Affairs.

MR. PAWLEY: Mr. Speaker, I beg to move, seconded by the Honourable Minister of Transportation that Mr. Speaker do now leave the Chair and the House resolve itself into the Committee of the Whole to consider the following bills:

No. 3 - The Local Authorities Election Act;

No. 5 - An Act to amend The Winnipeg Charter 1956 and to validate by-law No. 19680 of the City of Winnipeg;

No. 6 - An Act to amend The Brandon Charter;

No. 12 - An Act to amend The St. James-Assiniboia Charter;

No. 13 - An Act respecting 1970 Centennial in the City of Transcona;

No. 49 - The Postponement of the Elections in Metropolitan Winnipeg Act;

No. 62 - An Act to amend the Brandon Charter No. 2;

No. 13 - An Act to amend the Water Control and Conservation Branch Act.

MR. JAMES H. BILTON (Swan River): Mr. Speaker, on the last Bill, the Honourable Minister said "13", it reads "38"; is there an error there?

MR. PAWLEY: If I said "13" it certainly is an error. It should be "38".

MR. SPEAKER presented the motion and after a voice vote declared the motion carried and he House resolved itself into Committee of the Whole with the Honourable Member for Elmwood in the Chair.

COMMITTEE OF THE WHOLE HOUSE

MR. CHAIRMAN: Bill 3, The Local Authorities Election Act. -- (Interjection) -- By page: Page one -- passed; Page 2 -- The Honourable Member for Rhineland.

MR. JACOB M. FROESE (Rhine-land): Mr. Chairman, I think you had a motion to move it page by page. You never put the motion.

MR. CHAIRMAN: Could the member repeat his question please?

MR. FROESE: There was a suggestion here that it be done page by page, but you did not put the motion.

MR. CHAIRMAN: A motion - who moved that, please? The Minister of Municipal Affairs that the Bill be proceeded with page by page?

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

MR. CHAIRMAN: (Bill no. 3, pages 2 to 6 were each read and passed.) Page 7 -- the Honourable Member for Sturgeon Creek.

MR. F. JOHNSTON: I would like to move, seconded by the Honourable Member for Fort Garry that section 1 - or 1. That clause (a) of subsection (1) of section 5 of Bill 3 be amended by adding thereto immediately after the word "is" in the first line thereof, the words "a Canadian citizen of", Page 8.

Mr. Chairman, I also have another motion which refers to the same section. If you'd like to now - but it's on Page 10.

MR. CHAIRMAN: One at a time, please.

MR. CHAIRMAN presented the motion.

MR. CHAIRMAN: The Honourable Member for Sturgeon Creek.

MR. F. JOHNSTON: I know that we discussed this particular section of the Act on two separate occasions with committee and when the Bill went through Committee, after the committee meeting, a day after as a matter of fact, I was able to obtain a copy of The Federal Elections Act, the proposed Federal Elections Act. I think that our Municipal Act should be the same as the federal, and also our provincial Act has the words "Canadian citizen" in it and I'd like to say that on Section 14 of the proposed Federal Act it reads "Persons qualified as electors: every man and woman (a) who has attained the age of 18 years; and (b) is a Canadian citizen, is qualified as an elector." Mr. Chairman, I think we should be the same as the federal Act and I believe you should be a Canadian citizen to vote on municipal, provincially or federally.

MR. CHAIRMAN: The Honourable Minister of Finance.

MR. CHERNIACK: Mr. Chairman, I would like to refresh my memory on this. It seems to me that there was favourable feeling towards the proposal now made but that it was thought that if it were brought in then there should be at least a year of information notice to so many British subjects who've never bothered to become citizens and I'm looking forward to hearing the Honourable Member for Sturgeon Creek stand on his feet and give me the information because he seems to have some which would indicate that there would be that time.

MR. F. JOHNSTON: Mr. Chairman, to answer the Honourable Minister of Finance, I indicated, Section 5 goes through to Page 10 and I would have another amendment at that time which would explain exactly what he's speaking of.

MR. CHAIRMAN: The Honourable Attorney-General.

MR. MACKLING: Mr. Chairman, as I recall, there was considerable discussion in the Standing Committee of Municipal Affairs which dealt with Bill No. 3 and there was representation made in respect to change in the provisions of the previous legislation which required that any person would have to be a Canadian citizen or a British subject and after considerable discussion in the committee it was deemed possible to eliminate the phraseology "British subject" and eliminate the qualification of citizenship generally. The paramount reason being that, as I understood it, the majority of the committee felt that a person who lives in a community and is paying taxes there and is responsible for all of the commitments that has to be made in respect to local government, should be responsible enough to be allowed to vote and to stand for election. The requirement of citizenship has over the years been an impediment to persons who have landed immigrant status and yet for a period of five years it's not possible for them to become Canadian citizens, therefore they're prohibited from both voting and standing for office. As I recall the discussion, a majority of the members in the committee considered that under all of the circumstances there would be no great hardship to our democracy if the franchise and the entitlement to stand for office were broadened, because persons staying here by and large - I mean those who would be standing for office, surely in order to gain a majority or sufficient support for election to office, would have to be responsible citizens, advocating the retention of local government along the lines that would be recognized by the majority of electors as a responsible position.

(MR. MACKLING cont'd)

I think the majority of the members of the committee saw no great fear or that there would be any great hardship by eliminating the qualifications of citizenship altogether because there was certainly an apparent weighting in favour of persons who had the qualifications that they were British subjects, and to eliminate the stigma that was involved particularly for the people who want to become full citizens and yet cannot vote for a period of five years, it was eventually decided to eliminate the qualification citizenship altogether. I, for one, feel that there's no great hardship, there's no great fear of this country being administered by a group of people who wouldn't be loyal to the cause of local government or senior government here by eliminating this qualification as the draft Act, or at least the Act before us provides.

MR. CHAIRMAN: The Honourable Member for Ste. Rose.

MR. MOLGAT: Mr. Chairman, have we deleted, in Section 1, Page 2 subsection (c)? Subsection (c), Page 2, top of Page 2, was that deleted in committee stage or is it still part of the Act? I assume it's part of the Act. Page 2. Subsection (c) at the very top of Page 2.

MR. CHAIRMAN: My understanding is that it is part of the Act; it was not deleted to my knowledge.

MR. MOLGAT: If that is part of the Act, doesn't the amendment do everything that we've been talking about, because the amendment simply says you will add the words "Canadian citizen". Canadian citizen defines here, not only an actual citizen but as well someone who is an actual resident of the country and someone who is a British subject and if so I don't think there would be any hardship to anyone who has not yet received his actual citizenship papers. If he is a resident, he'll be covered even if he comes from a non-British area; provided he is a resident. Secondly, if he's a British subject in any case he'll be covered, so I would think that the amendment would not be preventing anyone who would be duly entitled to vote, from voting. I would be concerned if we were to have many non-resident people who had a right to vote here; I don't think that would be correct and I think that's the concern that most of us would have, that we want the people who actually live here to make the decision for themselves.

MR. CHAIRMAN: The Honourable First Minister.

MR. SCHREYER: Could I ask the last speaker a question? He said that if a person lived here he should then of course be entitled to take part in the decision making. Did he intend to qualify that a little more? A person living here and what about the citizenship status?

MR. MOLGAT: Well, I would hope that anyone who is living in this country would be coming forward to take up citizenship status, but as the Act reads now, let us assume that we don't have that amendment, under the present Act they are allowed to vote in any case as long as they are residents. That's the Act as I read it at the moment. I think the inclusion doesn't change very much, but it makes it clear once again that we are urging Canadian citizenship on people who are residents of Canada.

MR. CHAIRMAN: The Honourable Attorney-General.

MR. MACKLING: Mr. Chairman, I want to just clarify. I knew that there was considerable discussion in the committee about the application of citizenship and as I reread the provisions of the Act, the Act as it's provided, an elector needn't have citizenship requirements but a nominated candidate pursuant to Form 9 has to be a Canadian citizen, so there is a differentiation made in respect to that, and I stand corrected in my earlier remarks. An elector can, the way the draft Act provides, the elector needn't be a citizen but a candidate for office must be. If you look at Form 9, that is provided.

MR. CHAIRMAN: The Honourable Member for Pembina.

MR. GEORGE HENDERSON (Pembina): Well, Mr. Chairman, as I remember this in committee, there was always considerable discussion as to whether we should allow these people to vote or not because unless we change this, people that are even draft dodgers that are up here are allowed to vote, and this is the thing that we were trying to correct.

MR. CHAIRMAN: The Honourable Member for Fort Garry.

MR. SHERMAN: Mr. Speaker, with reference to the remarks just made by the Attorney-General, it was my understanding, and I may be wrong, but it was my understanding that there was an amendment to that requirement of citizenship for one wishing to stand for local office and under the terminology of the amendment it is no longer necessary to be . . .

MR. MACKLING: No. Mr. Chairman, just for the edification of the Member for Fort Garry. If you look at Section 46 (3) "where a nomination is required to be accompanied by a declaration by the candidate the declaration shall be in Form 9." Then if you turn to Form 9, the declaration, that's on Page 132, the first declaration is that "I am a Canadian citizen as

(MR. MACKLING cont'd) defined under The Local Authorities Election Act and the full age of 18 years" and Canadian citizen is defined in the earlier section, which my honourable friend referred to, so the distinction that I pointed out stand, that a candidate in taking the form of declaration obviously has to be a Canadian citizen as defined in The Local Authorities Election Act itself, but an elector, someone who votes, needn't be a Canadian citizen, so this would eliminate the problem of the many people who may be applying for Canadian citizenship but in the interval until they get it can't vote.

MR. SHERMAN: Mr. Chairman, I thank the Attorney-General for pointing that out. That relieves me of an anxiety in that area. However, I wish to say a word in support of the amendment proposed by my colleague, the Member for Sturgeon Creek. Regardless of the requirements that now apparently are obviously necessary for one wishing to stand for election to local office, the draft legislation suggests that it's permissible to vote for persons standing for election to local office, to participate as an elector in those contests, without Canadian citizenship, and I must say that I don't subscribe to that concept.

I think that certainly those people who have indicated that they have the intention of becoming a Canadian citizen or those who perhaps even have set the necessary machinery towards citizenship in motion, should deserve special consideration. I recognize that that might require some rewriting and rewording of legislation, not only before us at the moment but legislation on the books, but in terms of the flat declaration in the draft legislation that permits a person of the full age of 18 years without Canadian citizenship to be an elector in local election contests, I feel, Sir, that I can't support that concept. I believe that there must be some value to Canadian citizenship. There certainly is to me and to all of us in this Chamber. I would suggest that goes without saying. I really feel that a premium of this kind of the exercise of a franchise, the exercise of a vote is not an onerous or an unnecessarily heavy premium. I believe the country and those communities that make up the country deserve that much of an indication of national interest and interest in nationality on the part of the electors and I would urge members to insist that at least a declamatory intention of acquiring Canadian citizenship be necessary, Sir, in order to be an elector.

MR. CHAIRMAN: The Honourable Member for Churchill.

MR. BEARD: I can't see supporting this amendment, Mr. Chairman, in respect to the elector because particularly where the last speaker was making his plea in respect to what the person was doing about making his home in Canada, what he was doing about declaring himself. I come from a community where there are literally hundreds of thousands of people who have declared themselves, inasmuch as they have bought property, they have bought furniture, they have declared themselves in every way of their intention to become a Canadian citizen, but cannot because of the fact that they have to wait five years. In that time they have no right whatsoever to participate in local government, provincial government or federal government, nor do they have any encouragement to become interested, and consequently they fall by the wayside and the five years is up, they become a Canadian citizen and really it just becomes a piece of paper to them. When you're talking about municipal authority itself you're not talking about provincial and you're not talking about federal and this is the one space where they are allowed to enter into and become a part of the country and that's the country that they live in. That means that town or that village or whatever it may be, and that's where they're closest to government and where government is closest to them, is where they live. Not the government in Winnipeg and not the Government in Ottawa but their local government, and if they can vote at least they have a feeling of being part of a community because they can belong to community clubs, they can belong to anything that comes up within the community itself except they cannot help govern their own future. Five years is quite a long time to ask a person to wait, five years is quite a long time. They have already given up their opportunity in their own country and we have encouraged them through our immigration system to come to Canada and then we say but wait, you've got to prove yourself for five years. -- (Interjection) -- If we wait to change the Immigration Act we'll wait until you and I are out of office and then maybe it wouldn't happen at all, so I agree with the Member for Lakeside that we should hurry up and do something about it while we're still in office. I think maybe the best thing is to go back and say all right you're not a Canadian citizen, you can't vote federally, you can't vote provincially, you won't be able to hold an office, but at least you'll have the opportunity to vote for the people that you want at the municipal level which is your government, and that's the government that those people will be looking to for the little things that go on in their community. I think that

(MR. BEARD cont'd) if we can at least show that we are recognizing them as good citizens, maybe The Immigration Act has said you can't be a Canadian citizen, but at least they're good citizens and I think they should be rewarded by being a part of the community in that they can vote.

Now you may say well an eighteen-year-old won't particularly own a house, but he could be married within a year or two years or he could come over when he is twenty-five years of age, he is married and he buys a house and he pays his taxes, he wants his children educated and the education and the local tax affect him more at his home than they do provincially or federally so I would hope that this would stay in the section where they would at least be able to allow them to become electors at the municipal level. As far as draft dodgers go, why should we throw a good thing out for a matter of a few people which some of us agree shouldn't vote and some will agree should vote.

MR. CHAIRMAN: The Honourable Member for Fort Garry.

MR. SHERMAN: I hasten to reassure the Honourable Member for Churchill that I'm not concerned with draft dodgers. What I'm concerned with is commitment to a community and to this country and I find it difficult to agree with him that the act of buying a house or the act of buying furniture necessarily is a manifestation of a commitment to a society or a country and I don't see why it should be, any more than if I go to Japan for a few years and buy a house and some furniture there. It doesn't necessarily, at least in my view of things, represent a commitment to the state of Japan. I'm still Canadian and committed to this country. I think that there are certain specific mechanical things that you can go through which indicate that you do intend to become a citizen, you have to make a move to initiate the five-year process you're talking about. I agree with you that five years is too long and we'll wait forever to have that changed, I agree with you, but there is a specific step you have to take to initiate that five years and once you take that step surely that would be enough to qualify you and to enfranchise you.

MR. CHAIRMAN: The Honourable House Leader.

MR. GREEN: It's always difficult to deal with an amendment on third reading particularly because there could be a great deal of argument as to just what the effect of it is and how it affected the other parts of the legislation and for this it's usually desirable to have legislative counsel and other advice that could be helpful. Also when an amendment comes in on third reading it puts the House in a position of having to decide the matter immediately if it's proceeded with in that way. We would like to give some consideration to the full effects of the amendments proposed, perhaps others would, and on that account, Mr. Speaker, I would move that the consideration of this Act and the amendment put now by the Member for Sturgeon Creek be considered at the next meeting of the Committee of the Whole House.

MR. CHAIRMAN: Agreed? The Honourable Member for Rhineland.

MR. FROESE: Mr. Chairman, on the point of order here. I wonder if there is not further amendments that will be proposed and should we not have an idea then of what other amendments might be proposed. I had an amendment prepared too on that very section. I don't know whether honourable members want to hear it.

MR. GREEN: Mr. Chairman, no honourable member is obliged to give notice of an amendment but certainly if other members are proposing amendments it would be helpful if members of the House knew about them. We would appreciate that but I don't think that we are entitled to demand that that take place. But certainly if honourable members are going to be proposing other amendments to any of the sections of the Act I'm sure that they would oblige the other members of the House if we knew about them.

MR. CHAIRMAN: The Honourable Member for Sturgeon Creek.

MR. F. JOHNSTON: Mr. Chairman, I'd like to make it clear that I was at the committee meetings and went through all the discussions but since that time as I said I have got the proposed federal. I agree with the Honourable Minister of Mines and Natural Resources, the House Leader, if the bill that's also being read today in third reading goes through about freezing municipal elections, there is really no hurry, this can be discussed as he suggests. I would agree to that.

MR. CHAIRMAN: The Honourable First Minister.

MR. SCHREYER: I believe that there is consensus, general agreement, that we should proceed as has been outlined by the House Leader and that we simply hold off further consideration of Bill No. 3 until the next sitting of this Committee.

Since procedure doesn't really permit now for honourable members opposite to advise

(MR. SCHREYER cont'd) . . . what further amendments, additional amendments, they have it would be awkward to attempt to do so. On the other hand, honourable members who do have in mind to propose certain additional amendments to Bill No. 3, it would be appreciated if they could simply pass these amendments on to the Minister of Municipal Affairs some time today just by way of -- well just presenting it to him privately so that they may be considered. Thank you.

MR. F. JOHNSTON: Mr. Speaker, could I ask you then has the other amendment on Page 10 which I believe has been circulated, does the Honourable Minister have it? It's referring to the British subjects. You have it? Thank you.

BILLS No. 5, 6, 12, 13, 49 and 62 were read section by section and passed.

MR. CHAIRMAN: Bill 38, an Act to amend The Water Control and Conservation Branch Act. Sections 1 to 2 (a), (a) were read and passed. The Honourable Member for Rhineland.

MR. FROESE: Mr. Chairman, when we discussed this bill on second read I had several questions that I put to the Minister at that time. I don't think they were replied to when the debate was closed on second reading. I'm just wondering whether he cannot give us an outline and a clear definition as to what area will be affected and what the government has in mind, because we have a large area along the Red River and if this is going to be affected I certainly would like to know because certainly then I would want to raise my objections and quite strongly. But I'd like to hear from the Minister first just what is intended? Is it intended to be applied in that area or not?

MR. CHAIRMAN: The Honourable Minister of Mines.

MR. GREEN: Mr. Speaker, I regret that the honourable member wasn't at committee when this matter was being approved by the committee because there was staff available that could probably have assisted me in making answers. I did deal with some of the questions that my honourable friend raised in closing debate -- at least I thought I did. If I didn't then I regret it.

With regard to the areas that we're talking about, we're talking about areas where water creates flood conditions which should not be built on, because permitting buildings to proceed then involves the province in compensating the victims of flood damage when a flood takes place. Now that's all right for the present, that's a relatively new thing for the province to compensate people for flooding conditions. Once the province moved in this direction, and it appears to move more and more in this direction as time goes on, it should have some control over future possible claims by declaring certain areas to be areas in which construction should not take place.

Now that doesn't affect past construction but it does affect future building, and it would affect any area, as I read the legislation, where flooding conditions can take place and where an area is therefore designated. So if you ask me whether it will not apply to the Red River I can't say that it won't apply to the Red River because the Department is permitted to designate that waterway as an area where construction should not take place.

MR. FROESE: . . . and rivers. In a lot of instances people have built cabins and other places they reside on and there are open lots in between. How difficult will it be for an applicant to get it approved so that he will be able to build if this legislation goes through. There could be requirements probably to raise the level of the area where the houses or the particular buildings will go on but certainly I would like to see it that applications would not just be refused outright for that very reason because I think this bill is asking for very wide powers and I am not given to approve it today. The powers are too wide that we are asking here. I don't know just how strict or how difficult it will be for an applicant to get a permit and certainly I don't want to give wholesale approval to this.

MR. CHAIRMAN: The Honourable Minister.

MR. GREEN: Mr. Chairman, you just can't have it both ways. If you're intending to prohibit construction in what are known as flood plains you have to have the power to prevent the construction, and if you say that you don't want a person to be refused for no reason at all, then I answer to that that when a power of this kind is placed in the hands of the Minister, then all that you can do is one of two things - first of all, rely on the fact that the Minister wants to see nobody arbitrarily dealt with; but that's not a good enough reliance; if the Minister does, then you have to get rid of the Minister. I think that that is the consideration which acts most upon people who are elected to public office, that they will not put themselves into a position of being disliked by the community, or disapproved by the community, by taking that kind of step and that's better protection than any other protection that I am aware of. It's the best

(MR. GREEN cont'd) protection but I think that Winston Churchill put it best that democracy may not be a very good system but it's the best there is. This is a provision which I believe has received approval in principle from all members of the House. It's a provision that is needed because of the new conditions that have arisen. I would venture to say that if the province had not gone into the area of compensating people for flood damage - and I'm speculating here - but I venture to say that the province wouldn't care where people built, but if they are going to build and then want flood damage, then the province has to be in a position of saying we will not permit you to build in this type of area.

I, at the outset, said that I knew that this bill afforded some ministerial authority. I'm not happy that legislation has to be enacted in this way but there are times when it has to be and I think that from what I have heard said by honourable members opposite, in particular the former Minister who indicated that he thinks that this is the same provision that he was attempting to get through last year, this is one area where everybody appears to agree that this is the only way of dealing with the situation. That being the case, I can't give my honourable friend more assurances than he has already received. I make no claim that he should have faith in me, but have faith in the pressures and in the democratic process that acts upon a Minister which makes sure that he doesn't behave arbitrarily.

MR. FROESE: Mr. Chairman, we are through this bill taking away property rights from the owners of many many people in this province. We have a large group of people in the St. Jean area who live on river lots along the river and there are still a number of vacant lots. They're beautiful places to reside on and this will mean that from here on they will not be able to . . .

MR. CHAIRMAN: . . . if the honourable member's comments aren't somewhat out of order in the sense that he should be directing his comments to specific sections of the bill. This is beginning to sound to me . . .

MR. FROESE: Well that's the very section that we're on . . .

MR. CHAIRMAN: We're dealing with Section 1 which is the title. I don't see the relevance to some of the comments the honourable member is making.

MR. FROESE: No, we're dealing with the next section. You passed Section 1, and immediately the next section deals with the designated areas.

MR. CHAIRMAN: Designated areas, yes.

MR. FROESE: Exactly, and that's the very thing I'm speaking on. We're taking away the rights of the property owner and many people in this province don't know what is happening. They don't know that we're doing this today. They are unaware of the situation.

MR. GREEN: Mr. Chairman, I advise my honourable friend the Member for Morris, and my department advises me, that the proper group to have gotten in contact with was the Association of Urban and Rural Municipalities. They were advised as to the bill coming before committee; they did not appear before committee and Mr. Weber who was responsible for advising them assumes, and I think correctly so, that they see this legislation as being a necessity. But I did advise the Member for Morris that they would be contacted and my advice is that they were contacted, chose not to appear.

MR. CHAIRMAN: The Member from Morris.

MR. WARNER H. JORGENSON (Morris): Mr. Chairman, I think that I should like to make a few comments on this particular section. What the Minister says is quite true, that he did indicate that he would undertake to advise the Association of Rural Municipalities to appear before the committee. But I, not because I mistrusted the Minister but I even went a step further, I sent copies of this bill to each of the rural municipalities in my constituency and inviting them to comment on the provisions thereon. I wrote them a letter advising them of the provisions and the recommendations that were being made. I might say - and I don't stand here to defend the Minister's position - I simply want to put on the record the replies that I received from the municipalities and in almost, with only one exception they agreed, they agreed with the provision that has been made in this bill.

I can't see where the difficulty that the Honourable Member for Rhineland envisages would occur. At the present time if a person does build in a potential flooded area, he then, as has happened indeed on several occasions since the 1950 flood, will apply to the government for assistance. If the government is going to assume the responsibility for providing assistance to people in potentially flooded areas, then surely it would seem to me only logical that they have the right to prevent that very thing from happening; and they can prevent that very thing

(MR. JORGENSON cont'd) from happening by advising people or refusing them a permit to build in those areas, unless they build under certain conditions; and there are conditions under which they can build which will enable them to do so. One of them is to place their buildings on pads or areas that are above the flood levels.

The municipalities, as near as I can gather, are quite willing to allow the Minister to have that provision - and I might say from my own experience I'd much rather, notwithstanding the great admiration that I have for the Minister - I would much rather have that authority in the hands of the Minister rather than by regulation because I can appeal, and there are varying circumstances. You don't find a condition that is covered by a regulation and covered adequately by regulation. It's much easier in my view to appeal to the Minister and by the pressures that he indicated were available to place upon a Minister get the kind of decision made that is satisfactory to everybody, or satisfactory at least to the people concerned. I think that this change in taking it out of the regulation and putting it in the hands of the Minister is going to be much more responsive to the needs of the people in those communities, and much more responsive in a much quicker way than it is at the present time. Despite my natural opposition to giving the government greater and greater authority, I think that this is one instance where a decision can best be placed in the hands of a Minister so that he can view the circumstances in the light of conditions that exist at the time of application and can make a decision based upon the needs of the particular person who is making the application and the conditions that exist at that particular time.

MR. CHAIRMAN: The Honourable Member from Emerson.

MR. GABRIEL GIRARD (Emerson): Mr. Chairman, it is not my intention either to rise in defence of the Minister, because I'm well aware that he can defend himself; however, as one who represents an area who does experience some flooding I'd like to reinforce the approval I had at the time of the second reading of this bill.

However, with regard to this specific item, there is one feature that I hope will be understood in the execution of the bill. It's unfortunate that the bill says the permit might not be granted for one who wishes to build in potentially flooded areas. However, it says further that the Minister may give authority or permit subject to such terms and conditions as he may deem advisable; and I take for granted Mr. Chairman, that one of these conditions will be that if a fellow wishes to build in a potentially flooded area for some convincing reason, that he may do so while knowing that he is in an area that will not be eligible for assistance if flooded. I wouldn't want this Act to say to a Manitoban, you cannot build in that piece of property in spite of your owning it and in spite of all the good reasons you give us, you just may not. I hope that this is not going to be the way the bill is executed; I think rather that it should be in a way saying if you do build, you suffer the consequence and assume the responsibilities yourself, and not make demands on the government to assume the responsibilities you wish to take about yourself. I hope that's the spirit in which the thing is passed.

MR. GREEN: Mr. Chairman, I want to thank honourable members for their spiritual assistance. The concept that my honourable friend the Member for Emerson raises is a difficult one. I just in all honesty would like to accept his suggestion but I can't endorse it fully because it isn't always the problem of compensation with the fellow who built; the compensation is often a problem with the fellow who purchased from the fellow who built. He says if you weren't going to compensate, why did you let him build there and it's almost an impossibility to say to him, well, you should have found that out when you purchased, etc. There is a problem. I recognize the spirit of my honourable friend's question and yet I do think that it's important that, and the Act so provides, that certain things just can't be built.

Now having said that, I also sympathize with the tendency that you permit as much as possible, that you tend not to be arbitrarily prohibitive and that you try to put a person in a position whereby the administration is permissive rather than the other way around. But you need the prohibitive section.

I thank the honourable members for indicating, especially those who come from flood areas, that this is something that that they do see as a necessity, and it's not as my honourable friend the Member for Rhineland says, an interference with the right of property which is in any way different from all of the forms of interference that have taken place in the interests of everybody. Everybody in Greater Winnipeg knows that they can't do certain things with their property. The right of ownership is contingent upon certain prohibitions and this will be another prohibition, yes - but one which has arisen by the necessity of providing for flood compensation.

MR. CHAIRMAN: The Honourable Member for Rhineland.

MR. FROESE: Well, Mr. Chairman, I think the Honourable Member for Emerson is just doing a lot of wishful thinking as far as this bill is concerned because experience shows otherwise. Once the authority is given you may want to do what you please but you're out in the cold and I certainly would like to know just when we're speaking here of "designated flood area", what are we talking about? What areas in this province will come under this definition? We don't know. This will come out on the regulation and we have no idea today what areas are going to be put under that designation. Therefore I could find myself and a lot of areas in my constituency that would fall within this area and I certainly will not support the bill.

MR. CHAIRMAN: The Honourable Member for Birtle-Russell.

MR. HARRY E. GRAHAM (Birtle-Russell): Thank you, Mr. Chairman. My concern in this particular item, Mr. Chairman, is very similar to that of the Member for Rhineland in the definition of a designated area and I would like to ask the Minister if the designation of a flood area is up for annual review or is it a periodic review, because there are some areas which could be designated as flood areas today which tomorrow may not be designated flood areas, such as in the Assiniboine Valley. With the improvements on the controls of the Assiniboine, will the area of the Assiniboine Valley now be considered a designated flood area or is that danger eliminated, or is there any possible re-evaluation of the designation of a flooded area and how often is that up for review?

MR. CHAIRMAN: The Honourable Member for Roblin.

MR. MCKENZIE: Mr. Speaker, I'd just like to pursue that matter a little further, the matter of definition of a designated area. The area that I have in mind, of course, is the eastern periphery of the Duck Mountains where a heavy rain or a heavy spring run-off designates a flood almost annually. Water courses change there almost at the whim of the weatherman and where there has been and are today very serious problems of flooding, so maybe the Minister could in following up the remarks of the Honourable Member for Birtle-Russell, is it annual or semi-annual renewal of the regulations or - if he can fill us in on that, Mr. Chairman.

MR. CHAIRMAN: The Honourable Member for Lakeside.

MR. ENNS: Thank you, Mr. Chairman. Mr. Chairman, I do want to say just a few words and comments at third reading of this bill in support of the bill and in support of the measures being proposed by the Minister of Mines and Natural Resources, recognizing as I do that there are bound to be occasions where people are going to find the imposition of regulations hamstringing them to some extent in the sense that they may not have the complete freedom that they would like to have to be able to erect certain structures or buildings as they choose and please; but, Mr. Chairman, really one should take just a few minutes of the committee's time to indicate that the lack of designated flood plain areas, well-known designated flood plain areas in those areas that have traditionally been flooded in Manitoba has long, has long caused us all kinds of hardship. I think also the Minister would agree in most instances the hardship that we aren't even always aware of is a very personal hardship in the sense of that person that has purchased property or purchased buildings or farm sites and the failure of past governments and past administrations of not having -- not having these areas fully designated to the extent that even the title, land title, in my judgment -- I think something has been done about that now where a future buyer some ten, fifteen, twenty years from now it should be clearly stamped on the land title that this land is subject to flooding. I think particularly of the areas around our major lakes where we since have had to get into costly government repurchase programs, repurchasing lands or otherwise attempting very costly defence mechanisms, diking and so forth. But memories are short. A few years, five, six years a dry cycle of years comes about and once again individuals are encouraged to farm lands or to build buildings or to move into areas which in recent history would appear to be safe only to have the difficulties of a recurring wet cycle come upon them and then of course they're at whoever is the Minister at that time's doorstep seeking help and assistance and some of the most difficult situations have been where young farmers have moved into areas like this and have invested heavily on their own personal part to find that that same land within a few short years is just about worthless.

So that, Mr. Chairman, while I could be expected to express that legitimate concern about the kinds of regulations and government regulations period from one who believes in limited government action, I would certainly have to support the bill that's before us, support the Minister in moving this bill. It's long overdue and particularly with the history that we

(MR. ENNS cont'd) have in Manitoba. The flood plains are known to us. We have over the past number of years clearly established levels which are subject to periodic flooding, major flooding, and it should also be recognized I think that the municipal people involved in -- particularly I think I refer in the Red River Valley are cooperating with the government in this instance in getting a bill like this put forward. Understandably they would just as soon have a senior level of government take the onus of responsibility in this respect rather than themselves. It's a little too close to home for a council sometimes to handle properly or to be able to be strong enough to withhold the -- or to oppose the kind of pressures that are on them for development of lands which should not be developed in a certain way or the erections of buildings which should not be built in a certain way in certain areas.

With those few remarks, Mr. Chairman, I want to indicate my support of the bill and my support of the Minister in this bill.

MR. CHAIRMAN: The Honourable Member for Gladstone.

MR. J. R. FERGUSON: Thank you, Mr. Chairman. I believe that possibly this bill is going to go a long ways towards moving or stopping construction of buildings, possibly diking, etc., in my constituency. I think it's possibly going to be of considerable benefit. There are areas of land that will not -- I don't think will ever be farmed again. I was looking at a half section yesterday that was purchased within the last ten years and at least half of this is gone and this fellow paid \$18,000 for it. I would hope that this bill might go a little further and possibly this land be purchased and taken out of circulation. These people are wanting to get out; there's no point in repairing the land because the same thing is going to happen again next year. So consequently I would hope that possibly the Minister might take this into consideration.

MR. CHAIRMAN: The Honourable Member for Emerson.

MR. GIRARD: Mr. Chairman, I wonder if I could be permitted to ask one question to the Member from Rhineland. Would he be in favour, would he be in favour of compensating someone who has quite deliberately built in a flood-prone area? Is he in favour of having government compensation granted to someone who quite deliberately built in a flood-prone area?

MR. FROESE: Mr. Chairman, we're completely out of order I'm sure, but the House Leader does not raise any objection so I may say I certainly oppose any legislation being brought forward that will take the rights away from individual property owners. We will be discussing the Automobile Insurance Act. Here we are following -- having the same principle. Now the opposition goes along with it yet when it comes to another matter, then they say "no" but here we're proposing to take away the rights of the property owner in Manitoba and I'm sure this is going to affect many, many more people than what is envisaged here today and I am not so sure whether the people when they will apply to erect structures, whether they will get permission. I am not saying that the Minister is no good, certainly not. This is not casting anything on the Minister, the Honourable Mr. Green, at all but I do object to having legislation of this type brought forward and since I cannot bring in an amendment by just deleting certain portions of this bill that it doesn't make sense, I intend to later on move that the bill be not reported. But certainly I will not support the bill and as far as asking continually for compensation I don't think this will always be the case. We've had a wet cycle for several years now but certainly they will not continue indefinitely either and what we are doing by this, we're prohibiting people from doing what they normally would do on their own land.

MR. CHAIRMAN: The Honourable Minister.

MR. GREEN: Well, Mr. Speaker, I want to first of all express my appreciation to the former Minister. It's certainly helpful when you have somebody in the House who understands the problem and is able to give that kind of assistance to steering bills. Even with his assistance, I appear to be having a difficult time with what I thought was generally acceptable legislation.

With regards to his suggestion that there be a caveat on the title or some notice on the title with regard to flood plain, this is interesting. It's the first that I've heard of that kind of a suggestion and it immediately brings to my mind, which is something that possibly rural people are not quite as affected by, as to whether or not this is something that should move even further, such as to city property. I have acted for people who have bought a home or bought a duplex and then found that it is only permissible for them to maintain a single family dwelling and this at considerable expense to themselves.

And of course the Honourable Member for Rhineland, the proposition which he advances is just not possible. There are numerous restrictions on building in Greater Winnipeg and --

(MR. GREEN cont'd) as there are in rural areas. There are already many, many zoning restrictions, planning restrictions. You could not -- and I'm sure my honourable friend would agree -- you could not build an abattoir on the corner of Park Street and Corydon -- (Interjection) -- You can't, no. A person does not have this imaginary right to deal with his property as he sees fit. It's just not so and my honourable friend saying that we may not have floods in the future, the reverse may be true, we may have floods and when we do have floods there has grown and it's something that's relatively new, there has grown a concept whereby the whole community gets together and provides compensation to the individual who is hurt by a flood and if I followed my honourable friend's reasoning -- and I don't wish to be unkind -- he would seem to me advance the proposition that individuals who are not flooded should not have to pay the cost of the individual who is flooded because that is the concept of medical insurance, that is the concept in the last analysis, paid in a different form, of automobile insurance. The person who buys automobile insurance isn't intending to get into an accident. What he is doing is to -- is insuring that there will be assistance whereby any individual gets into an accident they will be compensated. If my honourable friend wants to now argue that all of these concepts are an infringement against the liberty and freedom of the individual he's going to be a voice in the wilderness; nobody is going to listen to him. He, himself would not listen to himself. He would be the first one who would say in this House that we should gather money from all of the people and provide drainage ditches. But what are we doing when we say that? We say that no individual has the right to say that because my land will not be as seriously affected as my neighbour's that I should not have my freedom taken away from me by requiring to pay for a drainage ditch.

Now if we want to go down to basics I appreciate the remarks that were made yesterday by the Member for River Heights. There are no such things as these basics in the form that the Honourable Member for Rhineland is putting them. The fact is that we tend to be a lot more pragmatic and the pragmatic approach is to say that if the community is going to be called upon to compensate for flood damage then they should have something to say about what goes in an area which could be damaged and that's all that this bill says. It is not an ideological measure and I really don't think should be discussed on ideological grounds and I'm happy that this discussion in the House has been on non-ideological grounds.

With regards to the question raised by the Member for Birtle-Russell, my understanding of the law is that if the Legislature gives the power to designate by regulation, there is implied the power to undesignate by regulation and therefore we don't have to be talking about a yearly review, we can be talking about a daily review. If we passed the regulation today and found that it wasn't satisfactory, we could unpass it tomorrow.

The Member for Rhineland does make one point which I think has to be stated. He is right, the power will be used for the purposes which it is enacted. We must not assume that there will be a granting of a building for everybody that asks. If we were going to do that we wouldn't pass the legislation, we'd just let everybody build. But I don't think he scares anybody when he makes that suggestion because I think everybody knows that this is the purpose of the legislation, to indeed prohibit, with as much discretion as is ordinarily forthcoming from a democratically elected government and from a democratically elected Minister whose notion is or should be to respond to the will of the people to prohibit within those areas of qualification the kind of things which the Act, in fact, prohibits.

MR. CHAIRMAN: The Honourable Member for Rhineland.

MR. FROESE: Mr. Chairman, surely enough we know that if a person has a river lot, he wishes to build he will not build at the lowest spot on that lot and if there have been floods in the past surely he will see to it that he could build a pad and raise the area on which he will build. That is common sense and that is what I expect from people, to use their common sense, certainly.

MR. GREEN: when they knew floods were coming.

MR. FROESE: Well, I think that this present generation having experienced the floods and the people that live in that general area will have enough common sense not to build at the lowest spot and certainly they can take care of themselves. I certainly will not vote for the bill because we're -- this is taking the rights of the people away. Just with one stroke of the pen it's just taken away from them and from here on they will have to go to the government to apply for a permit to build in those areas that will be designated as

MR. GREEN: Right.

MR. FROESE: such areas and we won't know at the present time what will be included in those areas. This could be part of our constituencies away from the rivers because

(MR. FROESE cont'd.). . . . there are areas that are subject to flooding that are not close to a river.

MR. GREEN: Mr. Chairman, will the honourable member permit a question?

MR. FROESE: Yes.

MR. GREEN: Does he — the situation that he describes, is it not the same situation as avails itself to every single property in Greater Winnipeg, that you have to apply before you can build whatever you want to build and that the government can restrict you and say that you can't build.

MR. FROESE: Well, that is irrelevant. It's not the situation in rural Manitoba today at all. The people are free to do as they please and this is going to put a restriction on them. Why should we do it when there is not reason for us to do it?

MR. CHAIRMAN: The Honourable Member for Churchill.

MR. BEARD: Mr. Chairman, on this too, I don't want to enter into it too far but it brings to mind the fact that over the years that government did take the stand that there were marginal areas, marginal lands and they said that you could have a one-year lease or a five-year lease or whatever it may be and for years we heard people getting up in the House and saying, well why can't the government release this property? It's up to the man to decide whether it should be— whether he'd want to invest in that property in respect to fences, etc.

Now maybe this doesn't conflict with this Marginal Lands Act but I do remember -- well, the past Member for Rupertsland, Mr. Jeannotte, in saying many times that he wanted land released, that people wanted to either purchase it or lease it on a long term basis where they could invest on fencing etc., and it was up to them to decide whether it was enough security to go ahead and do it. But these people always said that they should have the right to purchase this land, it was there, using it for hay meadows etc., in the Interlake area and around through I think it was the Ste. Rose area. But would this again put further restrictions where they could not lease this property and take a chance on farming it for hay meadows etc., and also putting up fences for their cattle, for pasture, as long as the government wasn't responsible for replacing it if there was a flood? Could this be done?

MR. CHAIRMAN: The Honourable Minister.

MR. GREEN: Well, Mr. Chairman, I don't think, although it may be that I'm going out on a limb, I don't think that this legislation was intended for that particular situation. However, the building of a fence is a structure and I presume that it could apply to it, although I don't see that the government would want to stop anybody from building a fence. That's not what I think is anticipated in the legislation. But the problem that he raises is related in a different way to the problem we are now discussing because many of those people who said that they wanted to extend marginal lands, are in the position of now asking the government to buy these lands, when possibly they should never have been extended for that purpose to start with. And it's exactly the same proposition that we are now discussing.

If someone could have been firm at some stage -- and I'm not blaming anybody, and I'm subject to the same types of weakness as anybody else could be — but if someone was firm at some stage, this land should never have gone into production and maybe the government would not now have to be buying it from the very people that said that Oh, well, we should be the ones to say whether it should be extended or not. But they don't take that attitude now. They say that the government owes it to them to buy the land from them. This is not the same situation but it is related and my honourable friend, the Member for Rhineland should not be too sure that the people in rural Manitoba aren't just as willing to be a part of the over-all recipients of government expenditures, and I'm not arguing against it, that they aren't just as willing as people in the city.

MR. FROESE: I should make one last point and that is by passing this Bill, we're reducing the values of many properties. -- (Interjection) -- Sure you are. You're reducing the values of properties because people will then not be able to do what they wish to do with it. They're subject to another authority and this places a restriction on them and it certainly will reduce the value of the properties concerned. I do not want to reflect anything on the Minister himself; this is on the legislation.

MR. CHAIRMAN: (Bill 38, remainder of section 1, sections 2, 3, 4, 5, 6 (16)(1) were read and passed) Section (16)(2)— The Honourable Minister.

MR. GREEN: Mr. Chairman, maybe I should point out for the Member for Churchill that fences are accepted, so I was correct, it doesn't apply to fences.

MR. CHAIRMAN: (The remainder of Bill 38 was read section by section and passed.) Bill be reported. . . . The Honourable Member for Rhineland.

MR. FROESE: Mr. Chairman, I move that the Bill be not reported.

MR. CHAIRMAN: I'm advised that one cannot ask for the Bill not to be reported but may vote against the Bill - that the Bill be reported; the member may vote against that.

MR. CHAIRMAN put the question on "that the Bill be reported" and after a voice vote declared the motion carried.

MR. CHAIRMAN: That concludes the Bills. Call in the Speaker. Mr. Speaker, your committee has considered certain Bills and agreed to pass the same without amendment.

IN SESSION

MR. DOERN: Mr. Speaker, I move, seconded by the Honourable Member for Kildonan that the report of the committee be received.

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

BILLS NOS. 5, 6, 12, 13, 49, 62 were each read a third time and passed.

MR. GREEN: Mr. Speaker, I move, seconded by the Honourable Minister of Labour, that Bill No. 38, An Act to amend The Water Control and Conservation Branch Act, be now read a third time and passed.

MR. SPEAKER presented the motion.

MR. SPEAKER: The Honourable Member for Rhineland.

MR. FROESE: Mr. Speaker, just a few words. I just want to be on record on third reading of this Bill that I am opposing it on the grounds that we are infringing on the property owners, on the property rights of individuals and I feel this is unnecessary, it's uncalled for and we're just placing more citizens subservient to the state.

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

GOVERNMENT BILLS

MR. SPEAKER: Adjourned debates on second reading. The proposed motion of the Honourable First Minister. Bill No. 43. The Honourable Leader of the Official Opposition.

MR. WEIR: I'd ask leave to have the matter stand, Mr. Speaker, please. (Agreed)

MR. SPEAKER: On the proposed motion of the Honourable Minister of Mines and Natural Resources, Bill No. 17. The Honourable House Leader of the Liberal Party.

MR. BARKMAN: Could we have this matter stand, Mr. Speaker. (Agreed)

MR. SPEAKER: The proposed motion of the Honourable Minister . . .

MR. GREEN: Would you call Bill 67, please?

MR. SPEAKER: On the proposed motion of the Honourable Attorney-General. Bill 67. The Honourable Member for Birtle-Russell.

MR. WEIR: Mr. Speaker, I hadn't really expected Bill 67 to be called at this point. My colleague stood the Bill in my name. I don't have my notes with me so if we could have it stand again today. If I had known it was coming - I'm prepared to speak on it.

MR. GREEN: Well, Mr. Speaker, you may call Bill No. 65, then.

MR. SPEAKER: The proposed motion of the Honourable Minister of Mines and Natural Resources. Bill No. 65. The Honourable Minister of Mines and Natural Resources.

MR. GREEN: Mr. Speaker, this matter has been discussed for some time by all members of the House. The Act is, as I indicated at the outset, intended to deal with some of the problems of isolated communities in northern Manitoba. It doesn't pretend to change what has been a historical situation overnight, but it does intend to provide a climate in which that situation can, if not rectify itself, at least put the people in those isolated communities in as close a position as possible to be the masters of their own destiny, as is available to other citizens within the province.

Mr. Speaker, I would like to point out that this government has been in office for slightly less than a year and during that period it has designated as one of its priority subjects the problem of the people in Northern Manitoba and to that end, Mr. Speaker, even before the Legislature met, I had, as Commissioner of Northern Affairs, I had been meeting and having dialogue with people from the Manitoba Metis Federation, people from the Manitoba Indian Brotherhood and directly with people in Northern communities which I had the opportunity of visiting prior to the Legislative session which commenced in August of 1969. Mr. Speaker, I admit to having had very little experience in this area prior to being designated as the Commissioner, but it was apparent to me almost immediately that the Department of Northern Affairs was set up as essentially a work-oriented department, a department which had a relatively small budget - I think it runs to about \$900,000; a totally insufficient staff - I think about five people in total working in the field, and that essentially their activities involve the creation and implementation of works projects in Northern communities.

Mr. Speaker, they were not people who were trained to deal with people; they were trained essentially to deal with things such as roads, such as air strips, such as projects of one kind or another, and that being the case, Mr. Speaker, and in view of the fact that their activities were carried on in essentially people-oriented communities, that is communities which were very close in terms of the population knowing one another and in terms of the population having an identity of interest, that they were not involved in developing the people resource of the community to the extent that it appeared to me to be necessary.

Now, Mr. Speaker, I want to make it clear that there has been, particularly from the Member for The Pas, some fairly strong criticism of the staff of Northern Affairs. I think the member may feel that he can somehow soften his criticism of the Minister by criticizing the staff and that, Mr. Speaker, is just not possible. As far as the staff of the Northern Affairs Department is concerned, I assume responsibility for the department, I assume responsibility for the staff and if the staff is criticized then I want the Member for The Pas to know, not that I object to it, but because it is the fact that that is a criticism of the administration which certainly he has the right of putting and it has great value for him to put his criticism but I think that he must appreciate that this is not a criticism of other people, it is a criticism of the Minister in charge of the program.

And it is a fact, Mr. Speaker, that as soon as we walked into the department we did several things. We met with several of the communities, we created a Northern Task Force which held 61 meetings and visited 41 communities between October 15th and January 15th of the

(MR. GREEN cont'd.) 1969-70 year. We then held additional meetings and brought back a report to the Legislature. We then brought in a bill which dealt with the question and during all of this time, we were also conducting entirely new forms of activity in Northern Manitoba. We started to form community councils, the program which has had a great deal of success and which to my knowledge has had the great approval of many of the people in the northern community.

In addition to that we have created a bill which does almost all of the things that were requested at the Northern Task Force meetings but in addition to trying to create a different climate and in addition to bringing in a bill, Mr. Speaker, we have also decided that the Northern Affairs Department is going to take on a new complexion and the Member for The Pas is aware of this and I merely bring it to the attention again of all of the members of the House that in addition to an operation branch in this department, there will now be a branch which is specifically designated to deal with the people problems and the problems which can only be solved through a social animation type of program. There has been a head of this department named and I want to indicate so that members of the House will know that as one of the persons, as a matter of fact the most important recommendation for the naming of the head of this department was the Member for The Pas whose views in this connection I value as I value as well the Member - the views of the Member for Churchill, the views of the Member for Rupertsland, the views of the Member for Swan River, the views of the Member for Flin Flon and I can say that on the whole, the views of honourable members have been that we are doing the types of things that are necessary to change the climate of the Department of Northern Affairs and Mr. Speaker, I want to make it clear that I will not be agreeing to a criticism of the personnel in that department because I don't feel that the personnel in a department are the people who are responsible for the policies that are set by the department. And I think that the criticism that has been made of the personnel is essentially a criticism of Northern Affairs and the type of program that it started with. I don't make this as a harsh criticism because I think everything has to have its beginning and the beginning of the department -- it was an operations department -- the types of things that happen under those circumstances are not surprising to me. The Honourable Member for The Pas did list several things where he indicated that Northern Affairs personnel have behaved in a manner which did not meet with his approval and which did not meet with the approval of the people in the community. And I don't have to defend this because it did not take place essentially within the present administration, but nevertheless Mr. Speaker, I think that the fact should be put into perspective.

The Northern Task Force met in 40 communities and there may have been several hundred pages of evidence of the people in the communities related to various government departments. And I think that the Member for The Pas quoted five or six examples of mistreatment by Northern Affairs or alleged mistreatment by Northern Affairs. Now Mr. Speaker, I don't think any department of government that was daily involved with the people in the community could help but get criticism and I think that if one went through that Northern Task Force report, one would find that Health and Social Services got its share, and Mines and Natural Resources got their share, Education got their share, and I would - nor could I Mr. Speaker, operate a department by saying that if there is criticism of the administration that the administration has to be changed. I would say that if there is criticism of the administration which reflects a misdirection in government policy, then that government policy has to be changed. And this is what is attempted to be done by this particular bill.

Now Mr. Speaker, I'm not suggesting that the staff is never responsible but I suggest that when the staff is responsible and the policy is changed and there is a clear demonstration that this is the case, then it's the Minister who is responsible for either continuing or not continuing the staff. And I have Mr. Speaker, in a relatively short period of existence been involved in many, many areas in which I have employed people. The Member for The Pas says this is not a summer camp and I rather suspect that that is a direct allusion to the fact that I was the director of a summer camp for several years and I felt that I had learned something about dealing with staff in that situation. I felt I learned something about dealing with staff when I ran my law office. I felt that I learned something about dealing with staff in the various other positions that I've held in which I have had responsibility of staff working for me, whether it's been as a director in people's programs or whether it's been as an administrative head in the New Democratic Party or elsewhere, and there are always Mr. Speaker, in every circumstance when you deal with staff and you are dealing with people, there are always some who say that the way of remedying a bad situation is to get rid of the staff. That's the easiest suggestion.

(MR. GREEN cont'd.) I never heard it when I was on that side of the House. I don't think that anybody who got up in this House and tried to make that criticism would find a great deal of support for his position. If staff is not behaving properly then it's the Minister who must be replaced and not the staff. But the fact is that there are always people who say that the answer to a problem is to get rid of the staff. Now I'm not saying that that is the Member for The Pas' position, but I want him to understand that that position will always be there, no matter who the staff is, that if we change the entire staff, there would be some people who say, get rid of the staff. I call them the head hunters. There are always some people who think that the answer to their problem is to get rid of a civil servant. I want the members to understand that no matter what we did in that connection that there would be criticism of civil servants and I am not of the nature that I will immediately see the answer to my problems as making that kind of choice. That kind of a thing, Mr. Speaker, is akin to a lynch mentality, that if somebody is to blame you get that person and I have hope that with the new policy that is being presented that the staff within the Department of Northern Affairs is capable of doing a good job and I accept responsibility if they don't and I want the Member for The Pas to know that. But I do want him to know that no matter what staff is there, no matter how the staff acts, I never expect nor can I expect any Minister in this government to expect to eliminate criticism of the government or of people who work for the government. No matter what happens, there will be some who criticize and I'm not objecting to this. I think that this is a very legitimate thing but I think that one has to understand that particularly in the isolated communities of the North, which is a group of people who probably most ill done by than any other group in society in terms of enjoying the material benefits that the society is able to produce, that there are bound to be frustrations, that these frustrations have to be directed against the nearest possible target and the nearest possible target will be the man on the scene: the conservation officer, the Northern Affairs Director, the community development person maybe, or somebody else, the nurse, the doctor, somebody else who is on the scene and we have to, as far as I'm concerned, accept that as being one of the characteristics of the department and we have to deal with the issues as we see them in the hope that we can get up and answer to the Legislature that we have done the right thing.

Now Mr. Speaker, I want to give one example of the fact that it's very difficult to eliminate or even temper all criticism and I make no attempt to do so. As far as I am concerned, if we have succeeded in doing anything in the last 10 months in Northern Affairs, it's that we have succeeded in giving these people an avenue to hammer on and I accept that, I say that without that, we are not doing the right thing and I welcome them doing it in the future. When they start talking with a degree of sophistication in hammering us that the municipal councils do or that the opposition does then I know that we will have done right by these people. I accept that and I make no attempt to stop it. But that will take place and it doesn't mean that the department is not doing its job; in fact indeed, the reverse could be true; it could mean that the department is doing its job.

Now we have made changes. I hope that those changes will achieve some results. I hope that the problems that the Member for The Pas has outlined will be dealt with through the changes but I don't promise. Indeed, I think it would be the height of irresponsibility for me to promise that there will be no criticism. There will be criticism. The very fact that there is criticism, to me, will indicate that we are doing a job.

I want to indicate the kind of thing that happens, not with Northern Affairs, this happened with the Department of Mines and Natural Resources. There was an argument about sturgeon fish in Wabowden or the Thicket Portage area. In any event, the --(Interjection) -- Well, sure there will be. The conservation officers went to the people to discuss the new regulations and I was presented with a document which read as follows: "George Taylor stated they were more concerned about fish than people. Andrew Kirkness, the spokesman, told the conservation officers they opposed the new proposals. He further explained that they had heard rumours about the new proposals and the Department of Mines and Natural Resources did not bother to involve the people. Once again we are being clobbered by the civil servants and this is why the people ask for the meeting. How long must the civil servants continue to make laws that will affect the livelihood of the people of the North? The people of the North are fed up with the civil servants' archaic approaches and their lack of common sense, mostly because of the negative effect their working approaches have on the people." Now this is a criticism of the conservation people in the north and I accept that as a criticism. I don't say that it's right, but I accept the fact that

(MR. GREEN cont'd.) going and meeting with the people will result in criticism and I think that this is a good thing.

But, Mr. Speaker, when I received the particular document which I've just read, I wrote Mr. Kirkness who was the spokesman for the group - and I want honourable members to listen to this letter because I think it is a reflection on what I have been saying - I say, "I acknowledge receipt of your representation relative to sturgeon fishing. For your information I am enclosing a copy of the report that has been prepared by our departmental staff relative to this." In the letter I sent them the reasons why the conservation officers had set the limits that they did. And I want to indicate that that itself is not usual for a departmental report to be sent to the people who are complaining, but I see nothing wrong with it and I sent them the report. "It seems to me that there are bound to be differences of opinion between conservation officers and people who are being prevented from exploiting a resource as they see fit. This does not necessarily mean that the conservation officers are thereby cruel, dictatorial bureaucrats and the people who are seeking to make use of the resources always right. There would be conservation laws necessary no matter who was in charge and probably there would be animosity against the people making the conservation laws no matter how fair they tried to be."

Now, Mr. Speaker, I submit that this is true, even if the people in the area themselves were making the conservation laws, they would conserve and there would be an argument between people who wanted to take more and between what was prepared by the people concerned. "Therefore, I would ask that you advise me as to whether the matters contained in the enclosed report are proper considerations in your opinion." Now I asked them whether they would agree that these are proper considerations. "It will then be possible for us to have a meaningful discussion of this matter." Now I ask members of the House, no matter what side, whether they would regard this as being a criticism of the people in the area. I say there are bound to be differences of opinion between people who are making conservation laws and people who wish to exploit the resource.

Well, Mr. Speaker, without an answer, the press release that was issued by the people concerned is headed: "Minister Accuses Northern People of Exploiting Their Own Resources". Now that's the response to the letter. "This land was my land, this land is your land. The present-day Indians and Metis, descendants of the original inhabitants of the land, were accused in a letter last week of trying to exploit a resource as they see fit." Now you can see how careful the words have been taken in terms of my misunderstanding as to how they would be read. That's not what was being said at all, and the press release continues in that respect.

But I ask you to look at the headline: "Minister Accuses Northern People of Exploiting Their Own Resources". Well, Mr. Chairman, first of all - or Mr. Speaker, I have no objection to the people in the area exploiting their resources. I think that this is a good thing, that the resources of an area are meant to make people happy, but there was an argument which I will never be able to solve, and I defy King Solomon to solve an argument as between people who are conservation officers and people who are attempting to use a resource that is there. That is something which will always, I would expect - and perhaps I'm wrong - be subject to dispute. But nevertheless, the answer and the attitude that I took despite me reading it to honourable members, was considered by the people to be a very negative position.

Now they have a right certainly to that viewpoint and I'm not going to attempt to prevent them from expressing that viewpoint. All that I'm attempting to say is that if the people in this room, or if the people in Manitoba in fact, expect that the Department of Northern Affairs will be able to operate in a way so as to eliminate criticism, then I say to you that that can't be done and I say, as a matter of fact, the extent to which this new concept in fact inspires greater criticism of us and of the policies rather than of the civil servants who may be executing them, which is my responsibility, and if I find that there is a difference between the policy and the execution then certainly my duties are clearcut and I hope that I will be able to exercise them. But if one expects that to take place then I have to say that it can't take place. We expect just as much criticism from isolated communities in the north as we get from members on the other side of the House, members in our own group and other people in Greater Winnipeg. Certainly the free expression and the frank expression of the opinion of the people is something which is a prerequisite to any meaningful democratic process. This is what we're trying to do in Northern Manitoba.

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

MR. GREEN: Bill No. 56, Mr. Speaker.

MR. SPEAKER: On the proposed motion of the Honourable Minister of Municipal Affairs..

MR. GREEN: Mr. Speaker, I wonder -- I passed over before and didn't call Bill No. 17. The Honourable Member for Portage la Prairie is here now, perhaps he wants to proceed on it.

MR. SPEAKER: On the proposed motion of the Honourable Minister of Mines and Natural Resources. Bill No. 17. The Honourable House Leader of the Liberal Party.

MR. G. JOHNSTON: Mr. Speaker, considering the importance of the bill I shouldn't say I was surprised but I did notice the fact that the Minister who introduced the bill spoke very briefly. I think it's only about a half page in Hansard. When the Leader of the Official Opposition decided to reply and he took a somewhat opposite view the positions were reversed, where I found the Leader of the Official Opposition speaking for 40 minutes or very close to that and the Minister when he introduced the bill spoke very briefly.

However, Mr. Speaker, I do consider Bill 17 a very important bill. The title "Manitoba Natural Resources Development Act" indicates to an extent what part of the contents are. I might say at the outset, Mr. Speaker, that I give qualified support to the concept of the bill and to the idea behind it. I think that the members of the Northern Task Force time and time again heard from the people of the remote communities how difficult it was to earn a living when they could look around and see what they thought were some of the raw or natural resources that could be utilized if they had some assistance by way of capital and by way of expertise. I think nearly every community that we went to where there was an unemployment problem and where there was a problem with people having to take welfare whether they wanted it or not, this view was expressed and I was rather surprised to hear the Leader of the Official Opposition take such violent exception to what his interpretation of the bill was. I thought that, well I'm sure by reading -- on the first page of the bill it states explicitly that the bill is to be used in carrying on in a sparsely populated and remote area of the province by local personnel exercising employee, managerial and proprietary functions. To me this means that we are trying to comply with some of the recommendations of the Northern Task Force.

I note on Page 60 of The Task Force Report that recommendation No. 28 states that consideration should be given to the establishment of an isolated communities development fund. I suppose Bill 17 could be loosely interpreted as doing just that. Recommendation No. 29 states that the government should increase its support to the people in isolated communities in the development of local industry. This would mean improving existing industries such as trapping, fishing, lumbering, retail selling, guiding, etc. Every attempt should be made to assist the people in isolated communities in viable new industries such as the tourist and manufacturing industries. Government departments should be instructed to hire as many local people as possible, and so on. The same -- Recommendation No. 29 -- towards the end of the paragraph states and I quote: "Local residents should have priority in the exploitation of local resources. The establishment of new industries again means financial involvement from both levels of government."

Well, Mr. Speaker, I interpret Bill 17 as trying to do something about these problems. I think the day is passed where we can say the private enterprise should be solely responsible for all methods and all means of development in our country and in our province. I think that where there is a need for some action and a form of private enterprise in an enlightened manner is not able to do it well then I think government have a responsibility to step in. So I say that in answer to the Leader of the Official Opposition when he says that the Manitoba Development Fund can do these things, in effect I don't think that's quite so. The MDF was not set up to train people; it was not set up to seek out places where business should be placed. My interpretation of the MDF is that it is there to assist businessmen and people who wish to go into or expand certain areas of industry. But if MDF had been established to serve what Bill 17 is trying to do so well then I find it strange that nothing has been done in the four or five years that the MDF has been in operation; though in my opinion this was not a job that MDF should be trying to do, they have their hands full in working under the terms of reference that they are under. I say again one of the pleas that the Northern Task Force heard from people in the north was that we want work, we don't like to leave our homes, we want to work here if at all possible. While it is true that there are other recommendations for moving people, helping them to relocate, we heard time and again that many of the northern peoples want to stay in their communities but they do want to work and they do want to get out of the welfare cycle where it exists.

So when I said at the outset of my remarks, Mr. Speaker, that we in this party give qualified approval to the intent of Bill 17 and we are sympathetic with what it is intended to do, I

(MR. G. JOHNSTON cont'd.) find on examination of the bill that there is in my opinion some room for improvement. For example, the responsibilities of the Minister I think are so broad that he becomes almost a one-man authority and he can decide -- when I say "he", he and his staff can decide where to go and how to do it almost without any reference outside. So we would like to see in the bill and we will be moving some amendments later, at later stages, where, that the conduct of studies to examine the benefits and costs to the people of the province should be estimated and they should be made known. The establishment of terms of reference for studies conducted under a certain section of the Act should require the examination of the benefits and costs that can be expected if the Minister of Finance was to proceed under any of the alternatives as stated in Section 3. In other words, we're saying that the cost benefit studies, which no doubt the department would be making in any case, should be available and reported to the Legislature as well as to the Minister, so that the Legislature would have some control and have some knowledge of what the Minister's actions were and the cost benefit of feasibility studies you are making so that members of the Legislature could have a look at these too to decide on whether or not the Minister was acting wisely.

Also in the matter of the annual report, we think that the board of directors of a company which has received financial assistance under Section 3 (a) should annually within four months after the end of the fiscal year of the company make a report to the Minister upon all transactions of the company during its preceding fiscal year, and the report should include audited statements of its operating revenues and expenditures together with such other information as may be required. We agree the company should not be required to make a report if the government have disposed of all its shares but we think that there should be more direct reporting to the House through the Minister than presently exists in the bill. Also I think that any reports from companies operating under the Act -- the reports themselves should stand permanently referred to the Standing Committee on Economic Development of the Assembly and this again would give the Legislative Assembly some control and some, you might call it watchdog effect upon the actions of the Minister.

Mr. Speaker, I say again that I don't see Bill 17 as galloping or creeping socialism, I see it as a partnership of people and government, but because of that type of partnership I think there should be more open reporting to the Legislature than to the Minister alone, and if those amendments are accepted or a similarity of those amendments are accepted we have no problem in supporting the bill.

MR. SPEAKER: Are you ready for the question? The Honourable Member for Fort Garry.

MR. SHERMAN: Mr. Speaker, I move, seconded by the Honourable Member for Riel, that debate be adjourned.

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

MR. SPEAKER: The proposed motion of the Honourable Minister of Municipal Affairs. Bill No. 56. The Honourable Member for Rhineland.

MR. FROESE: I should probably ask to have it stood. However, because I did have prepared notes and I forgot my briefcase at home so whatever I'm going to be saying here this afternoon will be very impromptu and just off the cuff. But I don't mind it at all because I feel that I have some very strict beliefs as far as government auto insurance is concerned and the bill that is before us. I find that, first of all, in commenting on the bill itself too much is left to regulations and I pointed this out the other day. When we take a look at the definitions here, benefits, as defined in regulations, coverage means coverage as defined in regulations. Insurance monies means insurance monies as defined in regulations. Insured means an insured as defined in regulations and so it goes. I feel that there's far too much left to the regulations under this bill. Then we find later on where there is a section of the regulations 29 (1) -- that there is many more things to come under regulations than what I just mentioned. There is a whole lot of matters that will be determined by Cabinet and over which Cabinet will have complete control.

I just wondered about certain matters, for instance under the limitation of actions, why do we have a six-month term for actions whereas in the past this has been governed I think by a year, is given a year. They've shortened the time in connection with that particular section and certainly our Limitations of Actions Act I think also states a year. I can't just see why we should curtail the time limit that has ordinarily been granted for this purpose. There are other matters that I will be touching on as I proceed with discussing the whole matter of auto

(MR. FROESE cont'd.) insurance.

For one thing, I feel that the amount involved -- the amount of money that is involved here I think is far too small to bring about this big upheaval and eliminating jobs for people and even disrupting communities and probably killing communities for that matter through a bill of this nature. I feel that it's unwarranted for the amount of money that this government intends to save. I have pointed out on a previous occasion where we could save many, many more millions in the way of interest on our debt. There are other ways in which we could save moneys. I am sure if we took a close look at our Health Department we could save more than the four million. Some of the things that are going on in our hospitals today I think are uncalled for and the expenditures are unnecessary and far too large. And at the same time they are increasing year by year and it seems to me that there is no way of stalling or of halting this steady increase in growth of expenditure of government, in particular the areas of service that this government supports and the money that we provide in support of those services. The same holds true for welfare. Education is another one that is just growing by leaps and bounds. I think we should find ways and means of trying to control costs in those areas and then there wouldn't be any need to go into government auto insurance and trying to save four million dollars. I doubt whether in the long run this will be saved because I don't subscribe to the system of monopolies and once you eliminate competition where are you going to be? You have no criteria henceforth to measure up to or up with and your expenditures will probably be increasing much faster than what they have been increasing under the present system of private auto insurance companies.

The matter of compulsory automobile insurance has more or less been subscribed to I think by all other parties of this House. I'm not sure whether the Member for Churchill agreed to it or not, I forget. I certainly don't necessarily subscribe to it. I feel this is one reason why they are using the argument now to bring in a monopoly and to bring in government insurance. If it wasn't a compulsory program I don't think the urge would be there to bring about government insurance, but because it is going to be compulsory under the bill this means that they will get all the business, it will be theirs for the taking under their specified programs or plans. And that's a question too, because the bill mentions plans, not one particular plan but "plans," and therefore we don't know of how many and what different kinds of plans we're speaking of. Just what will the whole thing entail?

The matter of bringing about another monopoly and establishing another monopoly in the insurance industry I think should bring us to mind of what has gone on in the past number of years. I think we've conditioned the people of Manitoba too much towards that line of thinking. Too much legislation has been brought in by the previous government of this nature and has been passed so that people are conditioned to that line of thinking and taking it for granted or accepting it as such, because we've passed any number of bills whereby the government takes away rights of individual people, acquires them unto itself, then sets up a board or a commission, whatever it is, and delegates large powers to that particular board.

This in my opinion isn't even democracy. I don't subscribe to the fact that this is democracy. I don't subscribe to the fact that this is democracy because every time you set up a government board of one kind or another you're eroding the powers of this Legislature. You're eroding the powers of the members of this House and there is too many businesses already established that do this very thing. We have different kinds. We have the utilities such as hydro and telephone where we meet annually in committee, where members of this House have the right to question that particular board on their program, on their projections - projected costs, on their projected plans and so on. We have a right to question and we do question them on this to a degree, and as a result we will have certain controls over the costs of the services that are being provided by these utilities.

But this doesn't hold true for all our government boards at all. The Crop Insurance and the Agricultural Credit Corporation never do appear before a committee of government and we never have any right to question them. If we do get a chance to discuss the estimates of that particular department in the House, well we can question the Minister. But I feel that if we set up these boards and commissions that the members of this House should have greater authority, should have greater control and greater involvement as to what is happening under these various boards and their administrations. Certainly I would like to know from the Agricultural Credit Corporation, I would like to discuss points with them and this is not possible the way it is set up.

(MR. FROESE cont'd.) And I'm just wondering under this very plan here, what is the plan of the government? Will we have a right as members to call them in before a committee and to question them on the affairs of government auto insurance? It doesn't appear to me to be that because when we look at the sections which deal with the matter of reporting, we find that there will be a report made to the Lieutenant-Governor-in-Council - if I may be permitted to read one section - under Section 37, "There shall be submitted annually to the Lieutenant-Governor-in-Council (a) a report of the corporation upon its operation for the preceding fiscal year; and (b) a financial statement showing the operations of the corporation for that fiscal year in such form as may be required by the Treasury Board." Now are we as members of this House going to get those very same reports? The next one deals with the tabling of a report. But what kind of a report are the members of this House going to get and what opportunity will there be given to members to discuss the auto insurance business - or industry, if this bill comes to pass and government insurance is established.

We find that we have other areas. We have the University Grants Commission which never appears before a committee; we have the Public Schools Finance Board, although this is probably a little different because the grants are set out by regulations, but not so under the University Grants Commission because that commission doles out the money as they see fit and we allocate it to the commission. We have had other legislation along similar lines. The Medicare program certainly was made compulsory. I opposed it very strongly at that time on the very grounds that it was compulsory. Certainly not all the provinces had to go into a compulsory program in order to have Medicare brought in. B.C. didn't have, and doesn't have a compulsory plan as far as the Federal Government is concerned. I rather feel that it compares to a little story that I heard the other day. If you put a -- (Interjection) -- Oh, it's a clean one. If you put a frog into a pot of cold water and then start heating it, it would just stay there and cook, but if you dropped that frog into a boiling pot of water it would jump and hit the ceiling.

This is what we have been doing in Manitoba as far as this type of legislation. We have been conditioning the people to accept legislation of this type in too many of the legislation that has come forward. Now all of a sudden we find that before us we have a bill which is completely opposed to the business community of the province. -- (Interjection) -- Oh yes, the business people object to this. Sure they do, and therefore now they want a reaction but the reaction is slow in coming, although I think there is a considerable amount of reaction to the bill and I know it is because we had a large demonstration here one day before the steps of the Legislature. -- (Interjection) -- Well, let's see whether you can organize one or have one organized. At least it would show that there was some strength on your part because this way it looks as if the strength is all on the other side.

MR. GREEN: Would you then agree with it?

MR. FROESE: I still

MR. GREEN: So don't talk about it.

MR. FROESE: Pardon?

MR. GREEN: Don't talk about demonstrations; they don't mean anything.

MR. FROESE: Well, I thought on other occasions you had mentioned that demonstrations certainly were of merit.

MR. GREEN: I agree with that, but would you agree

MR. FROESE: Let's stick with it then. I could mention other government programs such as the Hog Commission. We passed legislation; there was a board established. We get a report but there is never time given to discuss the report. We never meet with the board. I think this is ridiculous, setting up these boards and then letting them have their own show and yet they are taxing the people. They are taxing the people of this province and I don't think this type of legislation should be brought in where we set up a government board and give them the power to tax and then run the show. I feel that we have to take greater responsibility. We as members of this Legislature should review the programs that these corporations bring forward from year to year, and if costs can be cut we should do so. I certainly do not intend, if this bill goes through, that they will henceforth do as they please and that this House will not have any say in the matter.

Then, too, because it is being made compulsory it will then be a requirement of a person to get insurance, and because you're setting up an agency, the agencies will then be selling the insurance and as a result this will enable the driver to drive a car. Instead of being a right for the individual to drive a car it becomes a privilege, and this is a completely different thing.

MR. SPEAKER: Order please.

MR. SPEAKER: Perhaps the honourable member may continue with his remarks after the dinner hour. It's 5:30; I'm leaving the Chair to return at 8:00 o'clock.