

THE LEGISLATIVE ASSEMBLY OF MANITOBA

2:30 o'clock, Friday, June 26, 1970

Opening Prayer by Mr. Speaker.

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

INTRODUCTION OF BILLS

MR. JEAN ALLARD (Rupertsland) introduced Bill No. 145, an Act respecting The Town of Beausejour.

INTRODUCTION OF GUESTS

MR. SPEAKER: At this point I would like to introduce 30 Grades 2 to 8 students from Barrick School under the direction of Mr. J. P. Dyck. This school is located in the constituency of the Honourable Member for Morris. On behalf of the Honourable Members of the Legislative Assembly, I welcome you here this afternoon.

STATEMENTS

MR. SPEAKER: The Honourable First Minister.

HON. ED SCHREYER (Premier) (Rossmere): Mr. Speaker, before Orders of the Day I would like to make a short statement in connection with this manifestation of patriotism and display of our flag.

Mr. Speaker, Dominion Day this year has a special meaning for Manitobans. July 1st, 1970, is the day when the people of this province are more aware than ever of our place in Confederation. As Canada celebrates its national birthday on July 1st the whole country will at the same time be saluting Manitoba in its Centennial year. The small flags on each member's desk will serve as a reminder of this fact. I ask that on July 1st Manitobans everywhere fly the flag of our country. It will be a visible indication of the pride we all feel in being Canadians and the flags are displayed here on honourable members' desks as a reminder to them individually to take this message and give it application in their respective constituencies between now and the First of July, when they have occasion to meet with as many of their neighbours and constituents as possible, that they will pass the message along. That's really why the flags are placed here. It is hoped, of course, that closer to July 15th it would be much appreciated if the same could be done respecting the flag of our province.

Mr. Speaker, while I'm on my feet may I also draw the attention of honourable members to the invitations which have been distributed now on each member's desk inviting honourable members to attend at the Special Session of the Assembly which will be addressed by Her most Gracious Majesty on the morning of the 15th of July. This invitation will be followed later this afternoon with a kit of information relative to the proceedings of July 1st, the ceremony at the Lower Fort at which the Federal Cabinet will be in attendance and also the arrangements worked out for the remainder of the afternoon of July 1st when honourable members, many of them, will be expected to host a visit by Federal-Provincial Ministers in their respective areas. And also, as promised, on Monday there will be detailed information relative to the Royal Visit itinerary in the different parts of the province. Thank you.

MR. SPEAKER: The Honourable Member for Swan River.

MR. JAMES H. BILTON (Swan River): Mr. Speaker, my interest in the matter is obvious and I would like to thank the First Minister for his very encouraging remarks this afternoon. I had hoped that probably he would mention that in requesting that we prevail upon our constituents to fly the flag on the proper date that he would have also included the Manitoba flag and I would appeal to all Manitobans on that day to proudly fly the flag of Manitoba.

Again I thank him for the interest that he has taken in bringing the members on this side of the House up-to-date and making us part and parcel of everything that's going to happen, which we hope will be a tremendous success not only for the people of Manitoba but also for the Dominion of Canada.

MR. SPEAKER: The Honourable House Leader of the Liberal Party.

MR. GORDON E. JOHNSTON (Leader of the Liberal Party) (Portage la Prairie): Mr. Speaker, I believe the First Minister should be complimented. His remarks can be quite well taken by Manitobans. I think some of the people, young and old, who bitterly complain at times about what they think is wrong with Manitoba and with Canada could do well to pause and reflect

(MR. G. JOHNSTON cont'd.) that in all the history of man there has been very few societies such as the one we live in and very few opportunities that has existed in the past that does exist today in this great country of ours; and for those who sometimes complain and feel they're hard done by I think they should thank their lucky stars that they're in a country like this at this time.

MR. SPEAKER: The Honourable Member for Churchill.

ORAL QUESTION PERIOD

MR. GORDON W. BEARD (Churchill): Mr. Speaker, I was just wondering how long we'd be sitting on July 1st. Will it be a short day that day?

HON. SIDNEY GREEN, Q.C. (Minister of Mines and Natural Resources) (Inkster): Mr. Speaker, if there is any sitting on July 1st it will not be in this Chamber.

MR. SPEAKER: The Honourable Member for Riel.

MR. DONALD W. CRAIK (Riel): Mr. Speaker, before the Orders of the Day I would like to direct a question to the Minister of Agriculture, either he or the Minister of Health in charge of the Clean Environment Act. Could he indicate to the House whether any measures are being taken by his department, by the Agriculture Department or by the Clean Environment Commission to check on the amounts of mercury that may be going into agricultural chemicals, and then of course distributed on to the land?

HON. SAMUEL USKIW (Minister of Agriculture) (Lac du Bonnet): I'm not aware that my department has been doing a check. Maybe the Honourable Minister of Health might inform you on that matter.

HON. RENE E. TOUPIN (Minister of Health and Social Development) (Springfield): Yes, Mr. Speaker, we have made a check on this and we submitted a press release to the public I'd say about three months ago on the subject. I could get a copy of it and make the honourable members of this House aware of the content of this press release.

MR. CRAIK: A subsequent question, Mr. Speaker. Has there been any subsequent evidence that there may in fact be larger amounts of chemical since that time though that have been evidenced as coming from that source?

MR. TOUPIN: Mr. Speaker, if I can recall the gist of the press release it gave the maximum amount of fertilizer to be used per acre. I don't really know how many pounds per acre were used by farmers this year but this is something that we could check into.

HON. RUSSELL PAULLEY (Minister of Labour) (Transcona): Mr. Speaker, this morning the Honourable Member for Assiniboia asked me a question in respect of a lay-off or an alleged lay-off at Motor Coach Industries. I understand my colleague the Minister of Industry and Commerce has some information in this regard and I'd like to suggest that he be permitted to answer the matter at this time.

MR. SPEAKER: The Honourable Minister of Industry and Commerce.

HON. LEONARD S. EVANS (Minister of Industry and Commerce) (Brandon East): Thank you very much, Mr. Speaker. Because of the question raised by the Honourable Member from Assiniboia we inquired into the matter.

Motor Coach Industries Limited it turns out exports 93 percent of its product to other countries, particularly the United States, and the revaluation of the Canadian dollar has caused them to implement a program to hold the line on its costs. They have not, however, laid off any of their staff but are simply not replacing those who are leaving on their own. It is normal I am told by officials of the company that each spring a number of workers leave to plant crops on their farms while others move into the construction industry for the summer months. This year the company has not hired more people to offset this normal attrition and thus employs about 70 fewer than they did in the winter. Openings in all departments are being filled by inter-company transfers where possible and in general Motor Coach Industries will stand pat while observing the changing value of the Canadian dollar. The company has made it clear, however, that they are concerned with the federal policy with respect to the upward evaluation of the dollar and therefore the belt-tightening is strictly in relation to the recently announced federal policy of allowing the Canadian dollar to move upward in its value and in its relation to the U.S. dollar.

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

MR. HARRY E. GRAHAM (Birtle-Russell): Thank you, Mr. Speaker. My question is for the Minister of Agriculture. Has the Minister of Agriculture made any representation to

(MR. GRAHAM cont'd.) Ottawa for assistance for the flooded areas of southern Manitoba?

MR. USKIW: I think my honourable friend will recall that yesterday or the day before the answer was given to a similar question and that we were prepared to table any correspondence providing we had the agreement of the Federal Government.

MR. GRAHAM: A supplementary question, Mr. Speaker. Is the Minister of Agriculture aware that a similar question was asked in the House of Commons the other day and the reply given by the Prime Minister was that there had been no correspondence between Manitoba and the Federal Government?

MR. USKIW: I think, Mr. Speaker, that was before the question was put in the House, to which an answer was given, two or three days ago.

MR. SPEAKER: The Honourable Member for Riel.

MR. CRAIK: Mr. Speaker, I wonder if I might inquire regarding the invitation which is on our desk, or announcement of the Special Sitting on the Fifteenth. Does this include the immediate family, say the children of the people invited? There is a space here where it says "fill in names" and I wonder if we could get some guidance on this.

MR. SCHREYER: Mr. Speaker, this question I take it is with reference to the arrangements for seating, etc., at the time of the Special Address by Her Majesty? Is that correct? In which case, Mr. Speaker, I can advise the honourable member that the arrangements are that Her Majesty would be addressing members of the Assembly, members of the public of Manitoba on the south portico of the building and there really will be no special seating arrangements other than those that are made at the time of the opening ceremonies of each session, somewhat similar seating arrangements would be made. All other seating would simply be on a non-formal basis. It would be much the same as the arrangement that was made Centennial 1967, July 1st, at which time the Queen addressed the joint session of the Senate and the House of Commons. There was seating arranged for members of the Senate and House of Commons and the many others who were there simply took their positions where best they could find them or felt that they wanted to be.

MR. CRAIK: A subsequent question just for clarification, Mr. Speaker. Will Her Majesty be addressing this body in this Chamber?

MR. SCHREYER: No, Mr. Speaker, I hoped I had made that clear. The address by Her Majesty will be given from a dais that will be constructed on the south portico of the building.

MR. CRAIK: Oh, just the one.

MR. SCHREYER: Yes, yes.

MR. SPEAKER: The Honourable Minister of Health and Social Development.

MR. GRAHAM: I had a supplementary question, Mr. Speaker.

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

MR. GRAHAM: I had a supplementary question. Then in effect there will be no seating arrangements made for members' wives and their families?

MR. SCHREYER: Yes, Mr. Speaker. I indicated that the arrangements for July 15th will be much the same as they are during the Opening Day Session of each legislative session. In other words, there will be seating arrangements for members, their wives, members of the other branch of government, the judiciary, their wives and so on.

MR. CRAIK: Just to finalize it, Mr. Speaker. Then should we include, in sending this card back should we include the names only of Mr. and Mrs., or do you want the children's names as well? -- (Interjection) -- Just the same as what's on the front?

MR. PAULLEY: Children will not be seated.

MR. SCHREYER: Well, Mr. Speaker, I must confess I don't have that detail of information and if it's safe to go by precedent then I hark back to the arrangement that was made July 1st, 1967. Seating arrangements were for members of the Commons and the Senate, members of the judiciary but not as I recall for children of the family.

MR. SPEAKER: The Honourable Minister of Health and Social Development.

MR. TOUPIN: Mr. Speaker, I would only like to clarify on the answer that I gave to the Honourable Member for Riel a while ago regarding mercury content. I gave you an answer pertaining to the mercury -- to the amount of fertilizer allowable per acre by farmers when they use fertilizers. I would like to indicate that a press release was actually submitted to the public I think about a month ago saying that the tests that had been made in different parts of the country regarding wheat and different types of grain indicated that the amount of mercury

(MR. TOUPIN cont'd.) content into these grains was way below even half of the maximum allowable of mercury content. The highest amount of mercury content found in grain at that time was .002 parts per million.

MR. SPEAKER: The Honourable Member for Riel.

MR. CRAIK: I wonder if I could just give the background to my question. There has been concern expressed that the federal authorities are in fact not moving very rapidly in this area and that considerable more rapid action could be taken by the Food and Drug Directorate as well as the Federal Department of Agriculture in this field.

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

MR. GRAHAM: Thank you, Mr. Speaker. My question is for the Minister of Cultural Affairs. Several weeks ago I raised the question personally with the Minister about seating arrangement for children of members of the family of the members of this Legislature. Could the Minister of Cultural Affairs now advise us if seating arrangements have been made for members of the family of the members of this House?

HON. PHILIP PETURSSON (Minister of Cultural Affairs) (Wellington): I defer to the Honourable Minister for Government Services, if I may.

MR. PAULLEY: I take it my honourable friend is referring to the day Her Majesty is here? The answer is no. Arrangements have been made for the erection of a platform on the south side of the building and a mock up of this Assembly on the south side of the door. Seating arrangements have been made as indicated by the First Minister. The Members of the Assembly will in effect be seated where the mock -- (Interjection) -- that's right, as we are seated at the present time in this Assembly. And our wives or sweethearts or husband, as the case may be, one per member, will be seated -- (Interjection) -- will be -- pardon? -- (Interjection) -- Well, if you have more than one, I don't know. I'll tell Bernice though your confession today. The wives of the members will be seated on the platform. The Queen will be on a dais -- (Interjections) -- I'm trying to give this information to the members in all seriousness, because I'm sure the questioner was serious, and I would suggest that if members are interested in the plans that I be given the opportunity without too much additional interruption.

Representatives of the judiciary, the senior courts, of course, will be seated, as will indeed be the representatives of all denominations, seated on the platform tier by tier I might say, Mr. Speaker, at the south side of the building. Provision is being made to have two or three of the oldest residents of Manitoba present and of course seated. It is my understanding, Mr. Speaker, that there are two people, one Indian and one non-Indian, who are over 100 years of age, to be in attendance if at all possible if health allows, and arrangements have been made for seating them.

As far as the others are concerned - and by "others" I mean the public in general - it's hoped that we'll be able to accommodate them, but there will be standing room only. We just simply haven't got the space to make provision -- (Interjection) -- Well I don't know about the media. They're going to take pot luck with the rest I think. As a matter of fact, as far as the media are concerned, I believe there's a couple of hundred coming from the Old Land here, so they'd take the whole arena in any case. I should say that also there is a seat or two for the Ladies-in-Waiting to Her Majesty and the likes of that on the platform. But this generally, Mr. Speaker, is the plan at the present time; of course it is subject to change. It is hoped that Her Majesty, as she and her entourage comes down from the station on Broadway that all will have the opportunity, but we just simply haven't got sufficient area or room to provide seats for all.

That, Mr. Speaker, generally speaking is an outline of what the proposition is and the reason I have possession of this information is because of the involvement of the Department of Public Works, the Government Services in the provision of platforms, etc.

MR. SPEAKER: The Honourable Member for St. Matthews.

MR. GRAHAM: I have a supplementary question, Mr. Speaker.

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

MR. GRAHAM: Thank you, Mr. Speaker. In effect then, am I correct in assuming that this government is then discouraging children from coming to visit the Queen on the 15th of July?

MR. PAULLEY: Mr. Speaker, normally I wouldn't answer such a ridiculous question, but I feel impelled to. We're making every effort throughout the whole of the Province of Manitoba -- (Interjection) -- If my honourable friend thinks that we can put about 300,000 children on

(MR. PAULLEY cont'd.) the Legislative grounds and has the answer, then I respectfully suggest that he may offer it; but to say that this government is not making as much provision as it can to have the children see the head of our state and our country, and her Consort and her children, is absolute ridiculous nonsense.

MR. GRAHAM: Show us your plan then

MR. SPEAKER: The Honourable Member for St. Matthews.

MR. WALLY JOHANNSON (St. Matthews): Mr. Speaker, I'd like to address a question to the First Minister. In view of the fact that this morning on a local radio program, the President of the National Young Conservatives chose Chairman Mao as the man he most admires, is the First Minister prepared to console the Honourable Member for Lakeside about the fact that his party is becoming rather too progressive?

MR. SPEAKER: . . . the kind of a question we're going to be committed to -- what he heard?

MR. SCHREYER: If I might be permitted to answer that question, I would answer it as follows: That the statement made by the newly elected president of the Young Progressive Conservatives is a manifestation of the fact that the Progressive Conservative Party in Canada has undergone great transition in recent years and days.

MR. BILTON: Mr. Speaker, how naive do the government feel that we are? The setup, you know, from the backbench to the First Minister.

MR. SCHREYER: Point of privilege, Mr. Speaker.

MR. SPEAKER: Was the honourable member directing a question to a member of the Cabinet?

MR. SCHREYER: Mr. Speaker, if I may on a point of privilege, and it is a point of privilege although perhaps it's not a serious one, I want to assure the Honourable Member for Swan River that there was no setup. That was the first time that I heard the question, when it was asked here just a few seconds ago.

MR. BILTON: Mr. Speaker, I would do less if I didn't accept the word of the First Minister, and I do, but this isn't the first time we've had an exhibition such as this. It makes it very obvious

MR. SPEAKER: The Honourable Member for Lakeside.

MR. HARRY ENNS (Lakeside): Mr. Speaker, on the point of privilege. Insofar as myself was being brought into it, I must confess shock and utter amazement of any person who would address a murderer of some 40, 50 million human beings as being anybody's ideal, as being one that I have no problems of utterly and totally disclaiming any, or any close relationship to.

MR. SPEAKER: The Honourable Member for Morris.

MR. WARNER H. JORGENSEN (Morris): On the point of order, Mr. Speaker. The questions that are to be directed to the ministry must according to our rules come under the administrative responsibility of the government, and I see that the First Minister has assumed administrative responsibility for Chairman Mao's behaviour.

MR. SCHREYER: Mr. Speaker, that does constitute a point of privilege. The Honourable Member for Morris is quite right I should think in his point of order. Questions to be accepted have to do with the administrative responsibility of the government and I accept that as an order of this House. On the other hand, the question was asked and no one opposite seemed to object and I thought it was just as well to answer it.

MR. SPEAKER: The Honourable Member for St. Matthews.

MR. JOHANNSON: I was going to ask a supplementary question along the same lines to the Attorney-General. Does the Attorney-General consider that a security problem concerning the safety of the state is developing within the Conservative Party?

MR. BILTON: Mr. Speaker, must the business of this province stand still for that sort of nonsense?

MR. SPEAKER: The Honourable Member for Arthur.

MR. J. DOUGLAS WATT (Arthur): Mr. Speaker, I'd like to change the subject and direct a question to the Minister of Agriculture in regard to wheat. My question to the Minister -- I'm directing the question to the Minister of Agriculture. I wonder if the Minister of Agriculture has made any representation to Ottawa in regard to the date that Neepawa wheat will be permitted for export into the United States?

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

MR. SPEAKER: The Honourable Member for Lakeside.

MR. ENNS: I'm sorry, Mr. Speaker, I have one more question having to deal with Her gracious Majesty's visit to Manitoba. I'm wondering if it's known to the Honourable Minister of Cultural Affairs or the Minister of Government Services, if Her Majesty is making a visit to Deer Lodge Hospital or some other occasion that will be specifically set aside to visit with the veterans? There are certain veterans within the constituency of long standing and age that are asking about this situation.

MR. PAULLEY: If I may, Mr. Speaker. The answer to my honourable friend is "yes", she will - the Prince of Wales and Princess Anne, and I believe also Her Majesty and Prince Philip, will spend a short time - my friend I'm sure can understand that it will be a relatively short period of time at Deer Lodge Hospital. I also understand that arrangements are being made for representatives, either Her Majesty and her Prince Consort to go to Children's Hospital as well. So that is the case.

GOVERNMENT BILLS

MR. SPEAKER: The Honourable House Leader.

MR. GREEN: Mr. Speaker, I believe that we were discussing Bill No. 104.

MR. SPEAKER: The proposed motion of the Honourable Minister of Youth and Education. Bill No. 104. The Honourable Member for Rhineland.

MR. JACOB M. FROESE (Rhineland): Mr. Speaker, when we adjourned just over the noon hour, I was discussing some provisions in Bill 104. I have one or two comments to make to some of the other provisions. I certainly am in accord in allowing credit unions to be brought in as depositories for schools. I think this is quite in order and certainly they can accommodate some of the school districts and divisions probably better than the banks can because of the hours that they're open.

However, there is another provision here in connection with the delegation of functions to superintendents. I feel that in this area we're centralizing too much power to the superintendents. Before long if this keeps on, I think schools of this province would be run by the Public School Finance Board and the superintendents and the boards of divisions will probably have very little say. Certainly I have no objections for school divisions to empower the superintendent to do certain things, that's what they're there for, that's what the boards are there for, to assign certain duties to these people; but when we outline the way we have them in Section 460 this empowers them to get all the necessary staff and I'm just wondering where we're going with this. I certainly have my reservations on that one.

Then on the last page, in connection with authority for disposing of land, etc., I think I have to oppose this very strenuously, at least if it's to apply to school districts in non-unitary divisions or in multi-district divisions, because the Public School Finance Board in most, if not in all cases, has contributed hardly any money toward the cost of the schools, or teacher-ages, whatever the case may be, and then for them to later on, if the district is dissolved, that they then go ahead and take over and take all the funds as a result of the dissolution, I certainly cannot go for that, and certainly will have an amendment to propose on that particular section. This is if this section applies to divisions, of multi-district divisions.

I have checked most of the sections. I didn't get the time to check this one out particularly whether it also applies to multi-district divisions, so if the Minister can clarify that situation I would appreciate that. So, Mr. Speaker, I do have some very strong reservations on some of the provisions. Others I do endorse and I hope to have some further comments when we get to committee.

MR. SPEAKER: The Honourable Minister of Youth and Education.

HON. SAUL A. MILLER (Minister of Youth and Education) (Seven Oaks): Mr. Speaker, I want to thank honourable members for their comments on this bill. When I introduced it, I mentioned it was an omnibus bill, it covered a variety of items. Some members have spoken on it, and I wanted to point out to them some of the items that they questioned are not new at all but rather they are there because they were omitted in the revised statutes quite by accident - inadvertently omitted during the printing process. These would be Sections 5 and 12 and 13, the ones dealing with the religious exercises. For example, the Member for Emerson questioned that. I just want to say to him at this stage that this is simply identical to what existed before, there's no change whatsoever, and I want to bring to his attention that in his remarks, in reading it in Hansard today, I can realize that he is making an error in interpreting it. This

(MR. MILLER cont'd.) deals with the religious exercises, not with the hours for religious teaching. This is the exercises that are usually held in the morning or as has always been the case, they can be held just before the closing hour in the afternoon, and the flexibility has always been left to the school boards. There's absolutely no change envisaged here at all. I can see when reading it he may have thought this referred to the instruction rather than the exercise. It's identical as I say with what it was in the past.

The Member for Rhineland seems to feel that we're giving too many powers to the superintendents and a number of members question this. The Member for Roblin I think did as well, and the Member for Emerson; of course they didn't quite agree; the Member for Emerson couldn't see why it needed any vote of the Board at all and he felt that superintendents should have the authority. In fact these are not new powers at all. These powers are vested in the board today. The only reason why we're doing it this way is because it makes it administratively easier and more proper for the board to give to the superintendent, if it so desires and in its wisdom by a two-thirds vote which has to be done by annual resolution, to permit the superintendent to do the things which today they're doing in any case. I can give you an example. Every contract with a teacher has to be signed by the chairman; so you have the anomaly the superintendent coming in to Winnipeg, for example, to interview potential teachers and has a blank Form 6 with him already signed by the chairman because the superintendent really does the hiring of the teacher. So that these are anomalies that I think should be corrected because what they're doing isn't quite legal. The others are simply to make the routine of operating more efficient and more sensible, so that they don't have to hold special meetings constantly or to get ratification for something which everyone agrees should be done. In any case, all of the steps, as I say, that have to be taken here will have to be in the final analysis approved by the board; the powers are vested in the board; they're simply made possible now for the superintendent to act on the instructions of the board itself.

The Member from Ste. Rose and the Member from Lakeside both wanted to question - not that they disagreed with Section 14 which dealt with acting through the Lieutenant-Governor-in-Council on the recommendations of the Boundaries Commission - they were simply concerned about giving people an opportunity to be heard and hear their opinions. I would like to point out to them that in the Interlake - and this is really what triggered this because that's the only area where we have a final report - there have been meetings, and many meetings, and I think the Member for Lakeside suggested that I might say this, they've had meetings and hearings until they're coming out of their ears. They've had ample opportunity to be heard and they have been heard. They haven't been shy about coming forward.

I can tell members that I have received many submissions by letter from individuals and from groups of individuals and these letters have been referred back to the Boundaries Commission; they have held other hearings and they have come up with additional suggestions. In any case, I can assure the House that the intention, once it's decided what steps will be, there will be sufficient lead time publicity given so that the public will be aware of what is contemplated and in that way they can make known their views. As the Member from Riel correctly pointed out, the board of reference can be used, especially on border areas, so they can be brought into play to help in settling any minor disputes that might arise.

The Member for Emerson was concerned whether the reference to textbooks meant that the province was considering getting out of the support of textbooks and that is not the case at all. It's simply we hope a better way can be found to use the dollars that we're spending, and as he himself admitted, it could perhaps be done more efficiently.

I think, Mr. Speaker -- I believe I've answered the main questions that were put to me. The Member for Riel asked regarding the powers granted to superintendents and where this request came from. I must tell him that it was Winnipeg who started this. They have asked for this, and this of course is permissive legislation. If no board wants to act on it they're not required to. Winnipeg has asked for this permissive legislation and we feel that it makes sense to give it to them. If they find it doesn't work then next year they don't have to go along with it, and of course no school board is required to go along with this because it is not an extension of any existing powers vested in the board at the present time. There have been suggestions that there may be amendments brought in by honourable members in Law Amendments, and if they do so, we'll deal with them at that time.

MR. SPEAKER: The Honourable Member for Lakeside.

MR. ENNS: Mr. Speaker, I wonder if I'd be permitted to ask the Minister a question on

(MR. ENNS cont'd.) -- (Interjection) -- Thank you. Insofar as that the only completed report that he has with respect to school boundaries from the Boundaries Commission deal with the Interlake, would it be the intention of the Minister to exercise his authority that he would have once the bill is passed to accept the Boundary Commission's recommendations with respect to school boundaries in the Interlake?

MR. MILLER: Well, the only boundaries we can deal with at the present time are the Interlake boundaries because that's the only report that's final, so that's all we're going to be dealing with until such time as we get the final report. The rest of Manitoba, as you know, there has been a provisional report, then they've gone back, they've been holding hearings, but I haven't yet received the report from them. All we'll be dealing with is the Interlake itself if we deal at all.

MR. ENNS: Just one further supplementary question, Mr. Speaker. I'm asking it primarily because of the fact that I'm sure the Minister appreciates that some advance notice will have to be given to the Interlake in terms of fall elections or trustee elections, something like that, that again the question really is: is it his intention to implement the Boundary Commission's report with respect to boundaries in the Interlake upon receiving it.

MR. MILLER: Yes, I recognize that there is the problem of this fall's elections, and I don't know the mechanics and I don't know whether it can be done in time for this fall or not, or whether a special election has to be called, I'm not sure. As I say, we want to give people lead time, so I can't really answer whether it can be done for October or not.

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

INTRODUCTION OF GUESTS

MR. SPEAKER: At this point I would like to introduce 45 Grades 9 to 12 students of Pleasant Valley in the State of Iowa in the United States of America. These students are under the direction of Mr. Charles Camp. On behalf of the Members of the Legislative Assembly, we welcome you here this afternoon.

GOVERNMENT BILLS (Cont'd.)

MR. SPEAKER: The proposed motion of the Honourable First Minister, Bill No. 43. The Honourable Member for Riel.

MR. GREEN: Mr. Speaker, I'm sorry. I intended that we proceed with Bill No. 111.

MR. SPEAKER: The proposed motion of the Honourable Minister of Health and Social Development, Bill No. 111. The Honourable Member for Birtle-Russell. Stand? (Agreed)

The proposed motion of the Honourable Minister of Municipal Affairs, Bill No. 39. The Honourable Member for Wolseley.

MR. LEONARD H. CLAYDON (Wolseley): Mr. Speaker, this is a very extensive bill and perhaps the most extensive that's before us at this session, and I recognize that it's going to require a great deal of page by page study in the committee. I have only one comment at the moment and that's respecting the title of it. It says it's "an Act respecting Municipal Institutions." On the Order Paper it calls it "The Municipal Act" and on Page 1 inside it says, "This Act may be cited as a Municipal Act." I do believe that it has been known to be The Municipal Act by everybody for years gone by and I think it should continue to be called the Municipal Act. Perhaps this correction could be made.

At the moment it seems largely that this is due to the separation of the Assessment Act from The Municipal Act and largely is housekeeping work, and I'm prepared to say let it go to committee where we will deal with it clause by clause.

MR. SPEAKER: Are you ready for the question? The Honourable Minister of Finance.

HON. SAUL CHERNIACK, Q. C. (Minister of Finance) (St. John's): . . . a question to the honourable member, Mr. Speaker. Is this not a bill on which we spent many days between sessions preparing it for presentation to this session? Is that the bill we're speaking about?

MR. CLAYDON: The Municipal Act, yes.

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

MR. SPEAKER: The proposed motion of the Honourable Minister of Finance, Bill No. 108. The Honourable Member for Souris-Killarney. Stand? (Agreed)

The proposed motion of the Honourable Attorney-General, Bill No. 122. The Honourable Member for Gladstone.

MR. J. R. FERGUSON (Gladstone): Mr. Speaker, I adjourned this bill on behalf of the

(MR. FERGUSON cont'd.) Member for Fort Garry. In his absence could we have it stand? (Agreed)

MR. SPEAKER: The proposed motion of the Honourable Minister of Youth and Education, Bill No. 113. The Honourable Member for Winnipeg Centre.

MR. BUD BOYCE (Winnipeg Centre): Mr. Speaker, I adjourned this debate for the Member for St. Boniface.

MR. SPEAKER: The Honourable Member for St. Boniface.

MR. LAURENT L. DESJARDINS (St. Boniface): Mr. Speaker, there is no doubt that I consider this bill to be one of the most important pieces of this legislation, indeed of any session that I've ever attended. After waiting so long it is only befitting that this bill should be introduced, and I hope unanimously approved in this our Centennial year. I am positive that this permissive legislation, as well as the legislation that will be introduced after the government studies the recommendations emanating from the Manitoba Mosaic Congress to be held later this year, will do more to promote unity in our province, to correct past injustices and to help eradicate prejudice and misunderstanding in our society.

Lors de son entrée dans la Confédération de 1870, l'acte de l'Amérique du Nord et l'acte du Manitoba reconnaissaient le français et l'anglais comme langues d'enseignement. Nous savons que ces droits ont été abrogés en 1890 et en 1916 l'anglais a été constitué la seule langue officielle d'instruction dans les écoles publiques de la province. Ayant perdu leur droit de préserver et de promouvoir leur langue dans le système d'instruction publique, les canadiens français du Manitoba ont fondé l'Association d'Education des Canadiens français qui avait pour but de préserver l'identité française et catholique des Franco-manitobains. Pendant plus de quarante ans, l'Association a maintenu l'enseignement du français dans nos écoles, préparant de concert avec les enseignants un programme d'étude, s'occupant du recrutement et du recyclage des maîtres, contrôlant les examens de français et maintenant des inspecteurs d'école à ses propres frais.

Ce n'est qu'en 1952 que le Ministère d'Education assumait la responsabilité des programmes d'étude, du choix des manuels scolaires et même de l'inspection des classes, lorsque le gouvernement libéral Campbell accorda l'enseignement d'une heure par jour de la 7e à la 12e année.

Les années '60 au Manitoba ont appartenu au parti conservateur mené par M. Roblin. Elu en 1959, comme député de Saint-Boniface, j'ai présenté en 1963 une résolution pour faire accepter l'enseignement du français à partir de la première année. Le gouvernement à cette époque permit par règlement l'enseignement du français à partir de la première année sans faire intégrer ceci dans l'acte scolaire. A deux autres reprises, en 1965 et 1966, j'ai présenté à la Chambre de nouvelles résolutions voulant que l'acte scolaire soit amendé pour permettre l'usage du français comme véhicule d'enseignement. Inutile de vous dire que ces motions furent amendées et défaites dans leur esprit. Toutefois, l'idée faisait son chemin et de concert avec les efforts de l'Association des Commissaires d'écoles, de l'Association d'Education, des enseignants, des fonctionnaires canadiens français et la sympathie grandissante de la presse anglophone, l'opinion publique se transformait. En novembre 1966, le parti libéral accepta, à la suite d'une motion que j'avais présentée à la convention générale, le principe du français comme langue d'enseignement pour tous ceux qui le désiraient. Le principe ayant été adopté par le caucus libéral, M. Roblin, premier ministre conservateur, pouvait fort de cet appui, présenter le Bill 59 qui permettait l'usage du français jusqu'à 50% du temps. Quoique boiteux dans ses règlements, le Bill 59 marquait un pas en avant.

Les événements qui ont marqué le Manitoba en 1969 sont connus de vous. Le Nouveau Parti Démocratique sous la direction de M. E. Schreyer remportait la victoire dans 28 des 57 circonscriptions en réduisant le parti libéral à 5 députés et sans chef. C'est au lendemain de cette élection que j'ai choisi d'appuyer M. Schreyer pour qu'il puisse avoir une majorité en Chambre et par conséquent former le présent gouvernement du Manitoba. En somme, il s'agissait pour moi de faire un choix entre deux hommes plutôt que deux partis: M. Weir, chef du parti conservateur qui ne s'était pas montré sympathique aux canadiens français, ni à l'idée d'un Canada bilingue; ou M. Schreyer, qui, lui, avait dit durant sa campagne électorale et en beaucoup d'autres circonstances, qui avait, dis-je, déclaré de façon non-équivoque son désir de voir un Canada bilingue qui permettrait à tous les canadiens de s'épanouir selon l'une ou l'autre des deux langues officielles du pays.

Tout en demeurant libéral-démocrate, j'ai accepté le poste d'adjoint législatif au premier ministre Schreyer et j'ai pris la responsabilité du Secrétariat des relations fédérales-provinciales-culturelles qui a pour but d'analyser les conséquences du bilinguisme au Manitoba

(MR. DESJARDINS cont'd.) et de soumettre auprès du gouvernement des recommandations pour développer une politique constante dans ce domaine. Cette politique comprendra évidemment cette nouvelle loiscolaire qui est aujourd'hui introduite. Nous sommes également en train de négocier avec le gouvernement fédéral au sujet de l'établissement d'un collège pédagogique de langue française au Manitoba. Vous comprendrez par conséquent, que notre but est de permettre aux franco-manitobains de prendre leur propre destinée en main - pour être en mesure de prendre leurs propres décisions - pour jouir et contrôler les structures qui sont nécessaires à la promotion d'une culture, d'une langue, bref d'une identité canadienne française au Manitoba.

Nous croyons que les commissaires, avec l'appui des fonctionnaires provinciaux, joueront un rôle de premier ordre vis-à-vis la réalisation de cette législation au niveau local.

English Translation

Upon its entry in 1870 into Confederation, The British North American Act and the Manitoban Act recognized French and English as the languages of instruction. We know that these rights were suppressed in 1890 and 1916 when English was constituted as the only official language of instruction in the public schools of the province. Having lost their rights to preserve and promote their language within the public school system, the French-Canadians of Manitoba founded the Association d'Education des canadiens français du Manitoba which had as its objective to preserve the French and catholic identity of the Franco-Manitoban. For more than 40 years, the Association maintained instruction in French in our schools, preparing jointly with the teachers a program of study, preoccupying themselves with recruiting and in-service teaching for the teachers, controlling the French exams and maintaining school inspectors at their own expense.

It was only in 1952 that the Department of Education assumed the responsibility for study programmes, the choice of school books and even the inspection of classes, when the Campbell liberal government granted the teaching of one hour per day of French in grades 7 to 12. By 1955, the teaching of French became an optional course in grade 4.

The 1960's in Manitoba belonged to the Conservative party led by Mr. Roblin. Elected in 1959 as the member for Saint-Boniface, I presented in 1963, a motion to have the teaching of French accepted from grade 1. The government of that day permitted by regulation that the teaching of French be acceptable from grade 1, without integrating this in the Public school legislation. On two other occasions, in 1965 and 1966, I presented in this House new motions pressing for an amendment to the Public School legislation in order to permit the use of the French language as a vehicle of instruction. It is needless to say that these motions were amended and rejected in their intent. However, the idea was progressing and with the efforts of the School Trustees Association, the Association d'Education, the teachers, the French-speaking civil servants and the growing sympathy of the English press, public opinion was changing. In November 1966, the Liberal party accepted upon presentation of a motion I made at the party convention, the principle that French be a language of instruction for all those who desired it. The principle, having been accepted by the liberal caucus, Mr. Roblin, the Conservative Premier, could, on the basis of this support, present Bill 59 which permitted the use of the French language as a language of instruction up to 50% of the time. Although found wanting in the regulations, Bill 59 marked a step forward.

The political events in 1969 are known to you. The NDP under the leadership of Mr. E. Schreyer, won victories in 28 of 57 electoral divisions, reducing the Liberals to 5 members and no leader. The day after the election, I chose to support Mr. Schreyer in order that he could form a majority in the House and consequently form the present government of Manitoba. In short, the question for me was to make a choice between two men rather than two parties: Mr. Weir, leader of the Conservative party who had not shown himself to be sympathetic to the French Canadians or to the idea of a bilingual Canada; and Mr. Schreyer, who had during his campaign and on many other occasions, stated without ambiguity, his desire to see a bilingual Canada which would allow all Canadians to progress according to one or the other of the two official languages of Canada.

Remaining all the while a liberal-democrat, I accepted the position of Legislative Assistant to Premier Schreyer and I took on the responsibility of the Dominion-Provincial-Cultural Relations Secretariat which received the mandate to analyse the implications of bilingualism in Manitoba and to submit recommendations to the government in order to develop a consistent

(MR. DESJARDINS cont'd.) policy in this area. This policy entails evidently the new school legislation which is introduced. We are also in the process of negotiating with the Federal Government for the establishment of a French teacher training institution in Manitoba. Thus, you understand that our aim is to allow the Franco-Manitobans to take their own destiny in their hands - to be in a position where they may take their own decisions - to use and control the structures which are necessary for the promotion of a culture, a language, - in short, a French-Canadian identity in Manitoba.

We feel that the Trustees, with the support of the provincial civil servants, will play a role or primary importance vis-à-vis the implementation of this legislation at the local level.

Mr. Speaker, we have come a long way, especially during the past ten years. The climate in Manitoba has changed considerably. There is no doubt that there are still some prejudiced people in Manitoba and some people who will criticize this bill, who will misunderstand it, but in general the population of Manitoba I am sure is ready to accept this kind of legislation, especially if we are ready to give the proper leadership and work towards uniting all of Manitoba and truly work to develop a mosaic of which we will be proud, a mosaic that could be the envy of other provinces - and yes, of other countries.

Mr. Speaker, there is a note of sadness however. It is unfortunate indeed that Mr. Edmond Prefontaine, the former member for Carillon is not in the House today to take part in this debate. I know how pleased he would be, how eloquent he would be. He would probably tell you how worked to retain the French language and culture here in Manitoba. He would praise the l'association d'Education des canadiens français for what they have done and I am sure that he would have words of remembrance for the long time Chairman of the St. Boniface School Board, Mr. Marion. In his own inimitable way he would graciously thank each and every member of this House for supporting the bill, but if he isn't with us today, we can assure him that we are thinking of him and we appreciate what he has done for the French speaking people of Manitoba.

Mr. Speaker, there were and are so many people who were instrumental in obtaining this legislation that it would be impossible to name them all, but certainly the lion's share of the credit should go to the present Premier who while campaigning for the leadership of his party and later on during the election campaign, always spoke frankly and made it clear that he was backing the official language's bill. This bill would be a tribute to him in his keen interest in national unity and the building of the Manitoba mosaic. Of course, to achieve this he needed the help and co-operation of all members of his cabinet, especially I think that we can have a special note to the House Leader who has always favoured the bilingual addition here in Manitoba, and also the Minister of Youth and Education who has been so understanding and fair in preparing the bill, and - well, I said all the Ministers, and the Minister of Health who advised him on some matters I'm sure.

It would be unfair for me not to mention former premiers Roblin and Campbell who led the province toward the acceptance of this kind of legislation and who certainly were responsible for the change of attitude of our citizens. There is no doubt that the Prime Minister of this country, with the co-operation and fairness of the leaders of all the major parties in Ottawa and the hard work of his secretary of state, made it possible, or at least easier for Manitoba and other provinces to enact legislation such as we have before us today.

I must make special mention of the Honourable Member from Ste. Rose who while he was leader of the Liberal Party of Manitoba saw his party at the annual convention of 1966 unanimously approve a resolution recognizing the principle of making French a teaching language, and this, Mr. Speaker, is what I believe really started things on the upswing. But more than any other politician, if we are looking at this kind of progressive legislation today, we owe it to the newspapers of Manitoba, especially the Winnipeg dailies, the Winnipeg Tribune and the Winnipeg Free Press who gave leadership and whose editorials certainly were instrumental in eradicating prejudice and in educating the people of Manitoba.

Mr. Speaker, this legislation is first of all permissive legislation. It is not meant to shove French down anyone's throat, and that includes the French-speaking Manitobans as well. The Department of Education is insisting that all citizens of this province will learn to speak English and this bill in no way will interfere with those who are not interested in learning the French language, but, it will allow those who wish to use French as a teaching language the opportunity of doing so and, of course, should help to retain the French language and culture in Manitoba.

(MR. DESJARDINS cont'd.) The people themselves will decide how much or how little French they want and how fast they wish to implement this program. The government does not intend to push French. The government is presently negotiating with Ottawa under the announced program of granting financial help for the teaching of the two official languages. We are talking about a formula that will make it possible for Manitoba to recover the added cost of implementing this legislation. We are looking to Ottawa for assistance in establishing in St. Boniface a French teachers' college.

But, Mr. Speaker, this legislation deals only with Volume II of the report of the B & B Commission. Manitoba does not intend to stop there. This is just the beginning; we do not intend to forget any of our citizens. There will be no secondclass citizens in Manitoba. Again, with the co-operation of Ottawa the province is sponsoring the Manitoba Mosaic Congress which I referred to earlier, where Volume IV of the report will be studied and where we hope that the first meeting of representatives of all our people will produce resolutions which should inspire new federal and provincial legislation.

Mr. Speaker, during the past 11 years I spoke on this topic many, many times; perhaps some of my speeches were too emotional and perhaps because of my eagerness and my impatience I have been unfair with some of the members, and if so, I am sorry and I apologize. Today I wish to congratulate and thank all the members of this House who will be instrumental in the passing of this bill.

I have had, like most of you, some tough moments in this House, some very unpleasant moments, where I felt that the lot of a politician was a thankless one, but today, I can assure you that the heartbreaks were well worth it. Thank you, Mr. Speaker.

MR. SPEAKER: The Honourable Member for Swan River.

MR. BILTON: Mr. Speaker, I move, seconded by the Honourable Member for Fort Garry that debate be adjourned.

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

MR. SPEAKER: The proposed motion of the Honourable the First Minister. Bill No. 121. The Honourable Member for Souris-Killarney. (Stand)

MR. SPEAKER: On the proposed motion of the Honourable Minister of Mines and Natural Resources. Bill No. 123. The Honourable House Leader of the Liberal Party.

MR. G. JOHNSTON: Mr. Speaker, I rise in support of Bill 123, I think that it is filling some of the gaps that have been allowed over the years to exist in the law governing the protection of wildlife. For example, the prohibition of the use of vehicles, air, snowmobile or land is long overdue. This will afford a great deal of protection to all phases of wildlife; I think nearly all of us have either heard or have actually seen this happening and it was within the law, and as the years go on and the wildlife becomes less plentiful, even in this northern part of the hemisphere it is of concern to all people who are interested in conservation. I would hope that the Minister would work closely with the Wildlife Federation. This is a voluntary group, many thousands of members who over the years have been dedicated to the preservation and the conservation of the game and fish in the province, and if the Minister can establish a close liaison with this group, the Wildlife Federation, it would make his work very much easier and he would have thousands of willing cooperators who would be most willing to help. I hope that when he receives the time to consider the resolutions that come out of the annual meeting of the Wildlife Federation that he will pay heed to them because they are given in the interests of the province, there is no self interest at heart. These people I am sure want to continue to have to flourish what we have in this province in the wildlife field.

As we look to some of the jurisdictions to the south of us, and even in Europe, in some countries and even some states the only hunting or fishing now that exists, only exists for the privileged few; it exists on the estates in Europe, some of the large preserves that are financed and maintained privately for private persons of great means. I am sure we don't want that to happen here.

I am sure that the people of Canada and Manitoba are ready for very very firm laws, very strict laws for the protection of wildlife. I think the day has gone when a person can buy a \$5.00 license and a box of shells and go into the countryside and start shooting and killing and taking game of all kinds. Even within our laws, a person who is interested in sport and thinks nothing of spending \$50 or \$100 in a season for a season's ticket to attend a number of games, whether it's football or hockey, they think nothing of spending hours pursuing this pursuit and also in spending a great deal of money in following what they consider to be their hobby, and I'm afraid

(MR. G. JOHNSTON cont'd.) the day may be approaching in Manitoba where we have to increase our licensing fees for fishing and hunting so that the money taken in by way of fees can be put directly back into increasing that resource, which is renewable - which is renewable, and by careful husbanding and by careful management, we can leave this heritage for our sons and those who are yet to come in this country.

Now there is one problem that both federal and provincial governments have refused or failed to come to grips with, and that is that part of the Indian Act that allows the native people their right by law to hunt at all times of the year, and while many and most of these people are conservationists themselves, they know that the seed stock must continue year after year, there are those that do not, who do not respect the law of nature and some are found to be guilty of shooting indiscriminately, jacklighting at night, using trucks, selling the deer - in some cases it's deer - selling the deer for \$10 a deer. These very few native people are spoiling it for their brothers, both their red brothers and their white brothers, and while the Indian Act when it was written back in the formative years of the nation gave the right to the Indian people to harvest food in this manner, I don't think the authors of the Act at that time thought that the day would ever come in Canada where there could be such a serious depletion of deer, elk, moose, certain fowl - wildfowl. I'm sure that the authors of the Indian Act never foresaw the time when many of these species would be faced with extinction, and if there is not a change in the Indian Act to modify it somewhat, then certainly in Manitoba there will be very few areas left where there will be any hunting at all.

The work of the Conservation Officers will be for naught in my opinion in certain areas - I can think of the area around MacGregor, I can think of the area in the Carberry Hills - where it has been found that there has been wanton slaughter and where the work of the Wildlife Association and those who are interested in wildlife is not really accomplishing anything. I would think it is time for the Province of Manitoba to certainly take the lead in advising or requesting the Government of Canada to have a look at this problem in conjunction with the provinces and with the senior government.

I have had a letter passed on to me from a constituent in MacGregor who is the President of the local Wildlife Association, and in his letter he expresses great concern for some abuses that take place in that area. He had written to the federal MP, although it wasn't his own - it was a friend of his, Mr. Cobb - Mr. Barry Donnelly of MacGregor wrote to Mr. Cobb and he asked for some action in this regard. Yes, I would read the letter from -- well, I'll quote out of the letter because it's not useful to quote it all, but he expresses great concern -- as a matter of fact it might not be wise for me to read the letter - I haven't quoted out of it - but I'll be willing to table it for any member who wishes to read it, but he expresses a strong concern in this field. I respect his request and I know from personal knowledge that what he states is going on, but I would quote from the letter that Mr. Chretien wrote to Mr. Cobb on the subject and I am willing to table that also.

I'll just take the last paragraph -- I'll read the whole letter. This is a letter written to Mr. Cobb from Mr. Chretien. "Mr. Wray has brought to my attention your letter of Feb. 10th in which you request information for Mr. Barry Donnelly, President of the North Norfolk and MacGregor Wildlife Association on the subject of Indian hunting of deer in Manitoba. As you are aware, Indians can hunt for food on unoccupied Crown land, federal or provincial, and on other land to which they have right of access. If this is not the case, then law enforcement which is entirely within the jurisdiction of the province may be necessary. We trust that Indians may increasingly have access to provincial amenities and services. At the same time the cultural, particularly where it conflicts with the traditional ways, cannot be pushed or hurried. Under the circumstances I do not wish to make any comments because I believe that the officials of the provincial government, who are responsible for game within the province, should assess the situation you describe and recommend a solution."

Mr. Chairman, to me that is an invitation to the provinces to make some suggestions and try and reach a degree of co-operation and meet this problem. -- (Interjection) -- No, I don't think so.

MR. GREEN: Why doesn't he suggest something? It's his jurisdiction.

MR. G. JOHNSTON: Well, I'm suggesting something right now if you don't want to.

MR. GREEN: I'm listening.

MR. G. JOHNSTON: I'm suggesting that the Indian Act is outmoded in this regard, and for the protection of our renewable resources there should be a change made.

MR. GREEN: Well, the Federal Government should change the Act.

MR. G. JOHNSTON: Well apparently the Minister. . . .

MR. GREEN: It's their Act.

MR. G. JOHNSTON: . . . by his statements, is afraid to say anything to Ottawa in this regard.

MR. GREEN: It's their Act. I have enough trouble with my own.

MR. G. JOHNSTON: I agree, but I'm sure if the writer of the letter is an honourable person, if he invites recommendations, he would consider the recommendations.

MR. GREEN: I'll talk to him.

MR. G. JOHNSTON: So, Mr. Speaker, I would hope that the - and I know this is touchy politically, I know that -- (Interjection) -- Well I think it is. Perhaps the Member for St. George doesn't, but I can assure you that the Indian Federation and others may -- they may not misinterpret my words, but they may place a different interpretation on them than I place upon them myself, and I see nothing wrong with talking over this thorny problem with the Federal Government to see if some changes cannot be reached that would be beneficial to all Canadians - red, white, brown, black or whatever, so that we can protect this resource for those who will be coming after us.

The Member for Assiniboia suggests that it will be beneficial especially to the Indian people who depend upon having the availability of hunting to them. What was that?

MR. GREEN: I said I'm glad he's so nice to the Indian people - your colleague, he's doing them a favour.

MR. G. JOHNSTON: Well I don't understand what the Minister of Mines is saying, but when he closes debate perhaps he could explain his point of view in this regard.

MR. SPEAKER: The Honourable Member for Brandon West.

MR. EDWARD MCGILL (Brandon West): Mr. Speaker, in commenting briefly on bill 123, I regret that I was not in my seat to see the presentation of the Minister and the record of Hansard of course is not available to me to go over the comments that he made at that time, but I would like to make one or two brief points.

The definitive section of the Act is rather interesting and adds some new definitions that are useful and I think certainly provide an improvement in the Act itself. The discussions that were held recently by the Wildlife Federation at Clear Lake at their annual meeting were also of interest, as I have gone over them quickly. I rather regret, and I imagine the Minister regrets that he wasn't able to be there due to the pressure of his business and his duties in the House, but I do think the Honourable Member from Portage has said that the Federation does a great deal and provides a great deal of interesting debate and recommendations that must be of use to the department in their decisions with respect to wildlife.

The interesting parts of this Act are of course those new sections that deal with wildlife certificates and how these fees are to be used. I think - and perhaps the Minister did say this - he might have said that this is a bill that's been in the works for some time, because I think probably -- (Interjection) -- You did say it -- because I understand that these ideas have been under discussion and consideration and I think it's a commendable step that they come forward at this time and that the machinery for doing something to assist those people in the province who have been providing free of charge the habitat and the feed for this important resource of our province, that these people are going to be given some recompense for the provisions that they are making. I'm hoping that this won't take too long to implement. It has been a long time in the mill and it may be possible without too much further delay for the department to make this wildlife control fund operative, and that some payment can be made for the lure crops that would be useful and for the development and operation of feeding areas for wildlife.

Again, through my absence, I am unable to say whether or not the Minister commented on some assistance that might be available for this purpose from the International Waterfowl Commission. I think in the early 1960's there was some legislation federally that set up an International Waterfowl Commission and there were some funds available, I believe, for payment to farmers based upon the acreage of potholes that they would have available for wildlife. This might be a source of funds for your control fund. I understand that the intent was to provide an acreage payment for potholes and also perhaps to provide some payment for running around the potholes some barley seed, that would give seed of the particular type that is apparently preferred by the game birds we're so interested in preserving. I'd be interested, if the Minister hasn't already commented on this possible source of assistance, if he might do so when he closes debate on this bill.

MR. GREEN: Mr. Speaker, I wonder if the honourable member would just repeat that last thought. I didn't get it entirely.

MR. MCGILL: I'm sorry. Do you mean the comments in entirety on the International Waterfowl Commission?

MR. GREEN: Yes.

MR. MCGILL: Well, I understand that in the early 1960's at Ottawa that they were successful in setting up an International Waterfowl Commission and that the purpose of the commission, with assistance from both the Federal Government and the United States Government, would be to preserve the habitat and the breeding grounds in Canada particularly of our waterfowl by providing payments, a suggested payment of \$30.00 for every acre of potholes contained in the farm areas of Western Manitoba, and all of Manitoba, and that in addition they would encourage farmers to seed barley around the edges of the potholes - two-row barley I'm told by those people who are familiar with this planning. Apparently waterfowl are gourmets and they have a taste for a special type of barley and they will travel quite a distance to get the kind of food that they enjoy. But if this assistance is available, then it perhaps may be added to the fund that you now propose to set up under this Act by means of a wildlife certificate payment.

I note too in the Act in at least one section, perhaps more, that the word "director" has been eliminated and the word "minister" put in. This is a change in authority and I think perhaps a commendable one, in that it provides for perhaps immediate action when such action is needed during the hunting season when circumstances are likely to change very quickly.

The length of the regulatory part of the Act is also impressive. It perhaps is necessary that this all be contained within the regulations as they will be made from time to time by the Lieutenant-Governor-in-Council, but somehow it perhaps makes it more difficult for people who come under these regulations to know exactly their position from time to time when these regulations are not spelled out completely in the legislation. For instance the licensing of taxidermists and tanners, not a large group in the province but nevertheless a group that probably would favour having clearly defined legislation which would set out their areas of action and the fees which might be applicable to their work.

Mr. Speaker, the principle point of the legislation on which I would like to comment would be the authority which would be given to the Minister to provide for hunting on Sunday in areas which, in his opinion, might be properly served or better served by that kind of a decision. I would appeal to the Minister to give this some pretty careful thought before the final decisions are made - and I speak I think now on behalf of the involvement here that is unable to speak for itself, those that are most affected perhaps but are unable to make presentations in committee, and I mean of course the wildlife involved. I would like to suggest that the legislation is slanted towards maybe being concerned about the people rather than the wildlife. I think that if we need Sunday hunting it's only because we're trying to accommodate people who would like to use that day as one that is free for the purposes of that sport.

A MEMBER: There was a fair amount of wildlife in committee the other night.

MR. MCGILL: Yes, the regulations would not of course apply in that respect. But, Mr. Speaker, the wildlife, I feel, deserve and should have some period of rest during the hunting season and it should be one day on which the animals could lie down or do whatever they do on their day off - rest up for the next battle or the attack, as it comes from more directions than ever and I think it's worth considering. The animals of our province deserve to have someone to represent them here because the hunting lodges and the hunters will certainly be represented in committee and presentations will be made.

Let me speak to you for the moose and the elk and the deer and the antelope and ask you to reconsider this, that if you take this responsibility and if you grant it in certain areas of the province - and I presume you're thinking about some area where the banging of high-powered guns will not affect people, but people can sleep at other times and animals may need that rest for the purpose of survival - and I think if you grant it in one area then the pressure will be on you very very hot and heavy as time goes on to expand that area and there'll be good and convincing arguments for expanding. So I suggest that we give the animals the rest they need and leave them one day, whatever part of the province they're in, and I would think, Mr. Speaker, that this should be -- and I would be prepared to submit in the committee stage an amendment which would have this effect. Thank you.

MR. SPEAKER: The Honourable Member for Gladstone.

MR. FERGUSON: Thank you, Mr. Speaker. I'd like to comment very briefly on this bill. In the introduction yesterday by the Minister of Mines and Natural Resources, he made a very good presentation, and in the 35 regulations that are prescribed in the bill, there's a lot of meat to the problems that have been confronting both the hunters and the hunted. The Minister stated that he was not a hunter himself, but he has been quite a competent person in the House and in most cases I admire his actions. Some of his ideology I don't go along with, but I'm quite sure that he would be quite a competent representative on both sides of the picture.

I would like to start off with the compensation for loss of livestock which is not too significant a figure, but during the course of the hunting seasons there are a limited amount of loss. It's not prohibitive or anything like this - I don't even know what the statistics would be on it - but there will be a certain amount of loss over the course of the year. -- (Interjection) -- Yes, and to the individual that has suffered the loss it certainly is quite a loss. Something that the general public is not too familiar with is the fact that in a lot of cases fences are cut, pits are left open and normally there's a certain percentage of loss due to this. This again enters into the relationship between the hunters and the land owners. In most cases in Manitoba the relationship has not been strained. Farmers have so many people, if they're hunters themselves, they have a proportionate number of friends that they invite, deer hunting gangs with the party system. This is the same sort of a deal I would imagine that probably would be 50-50 in most cases.

Another would be the compensation for loss of crops. Just how this will be arrived at the Minister probably will tell us when he's closing debate. The losses basically would boil down to the fact that on the Riding Mountain it would be elk, deer scattered throughout the province. The Honourable Member from Roblin isn't here, but they have bears in Roblin, and ducks and geese I believe would be the predominant damage, crop damages in the province.

A suggestion possibly to the Minister - I made it to the Minister last year - was the fact that possibly if land was leased, and I think that there would be no problem in most areas now doing this, say if it was on a three-year basis possibly, pay so much a year and charge the hunters an extra fifty, seventy-five cents, whatever the case may be, and designate it on your provincial map that this would be a free hunting area. The land would be leased from the farmer, he would be paid for it with the understanding that he would sow it to barley and leave the crop and the city hunters when they left the city would have a designated area that they could go to hunt.

I think this would also relieve the pressure in the late fall when the crops are not being harvested, that with the granting of scare permits and one thing and another the birds are chased out, they would go to these areas, and I'm quite sure that the game wardens in most of the districts are familiar with the fields that the birds congregate in the fall, and I think this would merit some consideration. Possibly on the third year the land could be summerfallowed. It would go back to the farmer and if he wished to renew his agreement with the province, he could; if he didn't wish to, possibly someone else; but I think it would be a thought.

Another thing I would like to bring up at this time, Mr. Speaker, is the party licenses for elk hunting on the Riding Mountain. Applications will be accepted to participating people, but immediately an elk is shot the license is cancelled and a lot of the pairs have been split up. If one fellow had to stay home the other fellow would have to go up by himself at 40 below, or whatever the case may be, to do his hunting. I believe that if they are allowed to apply for licenses in pairs that there should also be a party license issued which would give the benefit of both hunters being able to hunt. You could limit this to two rather than go to larger numbers. At least it gives company to the one member that is still remaining to hunt if his license has been cancelled. There's always a possibility in foreign areas of a person becoming injured, becoming lost or something like this, and I think that this is another thing that the Minister I hope would consider and go along with.

Another aspect of our wildlife and management was covered very aptly by the Honourable Member from Portage, and I'm quite sure that the Minister is aware of this. I presented a petition to him very recently, and in looking through the resolutions that were presented at Clear Lake, I think that there are between two or three or four resolutions that are stressing the same thing, that nightlighting by our Indian population has got to be stopped and this is all there is to it.

In my own particular area I've had several complaints, and two I think for the record I will mention, where the farmers apprehended the culprits in the field, ordered them off, they returned later on, let the air out of the tires of the combines and turned the switches on. This is maybe a statement that possibly there was no backup for or no proof of, but it seems awfully

(MR. FERGUSON cont'd.) funny that it should have happened immediately following. Another case in the same area where the gas tank was shot off a tractor following the same circumstances. It's being used as a prop where private land is being hunted, deer being shot on the road line which is Crown property, and game wardens have apprehended the culprits and they've been taken to court and it's been thrown out. I believe that if something is not done about this that there could be serious problems because local residents - I think that the petitions I presented to the Minister will show this - this blocked off an area roughly ten miles square and I would hope that there would be some action on this if at all possible and I'm quite sure the Minister will do what he can on it.

Sunday hunting is another thing that I'm certainly in agreement with the member for Brandon, that the animals and the birds have got to have a day off the same as everyone else. Your feeding pattern of your migratory birds is disturbed every day that there's hunting. Mind you we have only morning shooting in some areas for geese but the ducks are still chased continuously. Your big game, the same thing. Now whether it's Sunday or whether it's Wednesday you feel that it's discriminating against a certain segment of our licence-buying public why this is fine but I do feel that there's got to be a break for the birds to establish their feeding patterns again and for the animals. I mean it's only fair play. They have no one, as the honourable member stated, to stick up for them so consequently I think that we, the people that are directly involved with more or less the management of them and the producing of them by -- I would like to stress that this is something that should be looked into. I think this is all I have to say on this, Mr. Speaker, at this time. Thank you.

MR. SPEAKER: The Honourable Member for Morris.

MR. JORGENSON: Mr. Speaker, I should like to address myself to only one aspect of the legislation that is now before us and it was touched upon by the Member from Brandon. That is the one dealing with the suggestion by the Minister and which is contained in the legislation that an effort would be made to set up a fund to compensate farmers, in particular, for losses sustained during the life of the growth of an animal and assisting farmers in maintaining our wildlife population. I want to deal particularly with -- although it's not referred to specifically in the legislation, I think the Minister shows some interest in the subject when my colleague, the Member from Brandon was speaking and since I had some connection with this subject at the time that the legislation was being enacted in Ottawa I felt I should like to elaborate upon it and ask the Minister if he would be kind enough to seek some information that I will be asking him and present that information either at the time that he closes the debate or perhaps later on in committee.

The waterfowl population on the North American continent is largely raised in the pothole countries of western Canada and the northern United States. I think about 75 percent of the entire waterfowl population is raised on the prairies and what has not been generally known, Sir, is that to a large extent it has been the farmers of the prairie provinces that have been depended upon to maintain that population. No effort, no consideration has been given to assisting him in providing a waterfowl population that hunters throughout the North American continent enjoy during the hunting season. In the early 1960's when the ARDA legislation was being considered, the American Wildlife Federation were alert enough to have some knowledge of the content of that legislation and Mr. Ira Gablesen who was the head of the American Wildlife Federation at that time -- I'm not sure whether he still is or not -- approached me as parliamentary secretary to the Minister of Agriculture at that time and asked if he could sit in on some of the discussions that were taking place in connection with the waterfowl aspect of ARDA and believe it or not, it does come in to the ARDA picture. He sat in the House of Commons throughout the entire progress of that legislation through the House and offered many useful suggestions.

One of the suggestions that he did offer and was subsequently taken up by the Minister of Agriculture, Mr. Hamilton at that time, and the Secretary of the Interior, Mr. Stewart Udall of the United States, was the establishment of an international waterfowl commission, something similar to our International Joint Commission since waterfowl are a joint responsibility of both Canada and the United States. We raise them here and then they winter down in the southern states. It's pretty difficult to -- they don't need a passport and it's pretty difficult to assert jurisdiction over waterfowl. For that reason and because the Americans were very -- and particular Mr. Gablesen, who I have a great deal of admiration for, had a great deal of knowledge of the Canadian system and our sensitivity towards American control. He suggested that a waterfowl commission be set up to assist farmers in the propagation and the preservation

(MR. JORGENSEN con t'd.) and increasing in numbers of the waterfowl population of the North American continent, by a system of surveying the water or the pothole areas of the prairie provinces, finding out those areas that were capable of maintaining water in sufficient quantities, even through dry years, to enable waterfowl to hatch and breed during the summer months. His suggestion was that a sum of money equivalent to what would normally be available to a farmer in the normal course of producing a crop be made available to farmers by simply renting the land from them and then assisting them further by asking the farmer to seed a certain portion of that pothole with barley and, as had been mentioned by my colleague from Brandon, waterfowl are pretty discriminating gourmets. They won't even cut six row barley if there's two row barley available and will travel miles to go to barley and leave wheat alone. So by this method it was possible to retain the waterfowl population in a small area until they moved on to the marshes and the swamp areas for feeding prior to their departure for the southern states.

Now I know that a number of contracts have been let in western Canada and some of those in Manitoba and my question to the Minister would be: to what extent is this program still being maintained? How many contracts are being let at the present time; what are the rates that are being paid to farmers for maintaining the duck population on the North American continent? The Americans are very interested because they like to increase the duck population because there are an increasingly large number of hunters who want to participate in what is considered to be one of the finest sports on the North American continent. They know that that waterfowl population will not be maintained unless something is done to assist farmers in -- and who are the people that are primarily the responsible ones -- in insuring the retention of this waterfowl population. In the northern states to a large extent the American Corps of Army engineers have drained a lot of that pothole country, much to the detriment of the waterfowl population and now the Wildlife Federation down there are buying up all these potholes and refilling them in order to restore that balance of nature that is necessary if the duck population is to survive. And since I was very interested in the program at the time of its inception, I wonder if the Minister now would or some time during the course of debate would be able to provide us with some answers as to how this program is progressing or if the department here indeed have some ideas as to how they can assist in the development of this program. I hope that something can be done to make sure that we have this tremendous asset retained in this province.

The amount of money that is available to the government through the taxes on the hunting equipment, the hotels that are rented by tourists, by the hunters, the amount of other things that they consume while they're in the province are a boon to the provincial revenues. And these can only be maintained if the waterfowl population itself is maintained and I hope that the department, his department has been giving some thought and consideration to assisting farmers who are the people really farming this -- they're not farming it in the sense that they're getting anything out of it but they are the ones that are really producing the product and up till this point very little consideration has been given to assisting them in providing for the hunters of the North American continent, a commodity that they get a great deal of enjoyment out of. So I hope the Minister will be able to throw some light on what the activities of the department have been up to this time.

In addition to that, Sir, and this was also touched upon by the Member for Gladstone. I know the Wildlife Federation and the Game Department have been doing some advertising and some promotion of better hunter-farmer relationships. Too many hunters who come out from the city seem to think when they move into the rural areas that that country is theirs, without realizing it is owned by somebody and I suppose one could think of very many funny stories about city hunters going out -- and not only city hunters and shooting farm animals. I recall on one occasion in the southeastern part of the province where one farmer took the precaution of taking a can of paint and writing on the side of a cow in contrasting colour to the colour of that cow, the word "cow" and the animal was still shot. So one wonders just what you have to do to prevent an animal from being destroyed during the hunting season, but I hope that this kind of a program can be promoted in addition to the program dealing with waterfowl that I have mentioned.

MR. SPEAKER: The Honourable Member for Arthur.

MR. WATT: I'd just like to make a few comments. I think that the position on our side of the House has been pretty well placed before the Minister and the government in the persons

(MR. WATT cont'd.) of the Member from Morris and from Gladstone but I do want to say just a few words in regard to hunter relationship. I have to say that as far as the urban people who come out to hunt, by and large, do actually respect the properties and the environment in which they come to shoot but like all other segments of our human society there is that percent of people who disregard all respect for property and for the rights of the people and their property within the area that they hunt. But I do have to say that the area that I live in is very heavy in production actually of both wildlife fowl and particularly deer and we do get a great many hunters coming out from the urban centres to hunt and again I say most of them have the courtesy to come to farmers with posted lands or many without posted lands and ask for permission to shoot and in very few cases they're turned down.

Insofar as the compensation is concerned I want to say that while we have talked very much about conserving areas, particularly sloughs and so forth where wildlife will reproduce somewhere in what used to be their natural environment, the problem of course it does increase destruction to farm property and particularly to our crops. I don't know what the answer is insofar as compensation is concerned. I'm sure the Minister will get up and say why didn't you do what when. It has been a problem for years and no one has really come up with a solution to. I can say personally to the Minister that in my own case that I have suffered pretty heavy losses at times, particularly in the production of barley because in the area that I live there is a great many nesting areas and from year to year we do find wildlife reproducing there in the thousands. A year ago last winter in the heavy snows, many farmers lost a lot of fodder, in fact I visited one farm where actually 200 deer had moved right into his yard and were eating his haystacks right within a stone's throw of his house. In fact he showed me where they had -- after they had filled up on his hay that they came and lay up against the house to rest for the rest of the night. And this is actually a fact. -- (Interjection) -- I didn't get it.

MR. GREEN: I say I hope they were resting on Sunday.

MR. WATT: I want to impress on the Minister that there is a problem out there in the southwest area, as there is in other parts of the province, that I hope the Minister and his Department will give consideration to and try to find some solution whereby farmers will be a little happier with the production of wildlife within their areas and the relationship between hunter and farmer. I think with these few remarks, Mr. Speaker, I thank you for these few moments.

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

MR. GRAHAM: Thank you, Mr. Chairman. I assure the Minister my remarks will be short. I'm going to deal with one particular aspect of this bill that -- I'm not too sure whether the bill covers it or not. This is the field of compensation for damage by wildlife which may not enter the field of crop damage, but damage, physical damage to property from the actions of wildlife and, Mr. Speaker, I'm referring to a case that has occurred in my constituency this year where a municipality suffered severe damage to their road system and their drainage system from the actions of beaver in an area that was not under the jurisdiction of the province. And herein we come to the almost perennial battle of joint jurisdiction between the Federal Government and the province and the control of wild animals within the boundaries of a national park. I sympathize with the Minister because I know that he is going to have many problems in trying to solve this particular problem.

But irregardless of what the problems are, we do know what the results can be of the actions of wildlife and in this particular instance the beaver through their aggressive nature had built a series of dams within the part and with the excessive run-off this spring, the dams broke and when one broke then the whole works broke and there was a wild rush of water through runways which normally do not carry that amount of water at any given time and the result was that culverts, bridges and approaches were washed out through the actions of wildlife or as a result of action of wildlife. It's a very ticklish problem and I sincerely hope that the Minister can find some answer to this because the municipality is certainly concerned. They have no guarantee that it won't happen again; the beaver being a very energetic animal, can rebuild a dam very quickly and the Manitoba wildlife officers do not have the same freedom of control in a national park that they do in a provincial park. So I would ask the Minister to pursue this matter at the federal level to try and establish the boundaries of responsibility on the part of the various governments.

There are two or three of us in this House who represent constituencies that border on

(MR. GRAHAM cont'd.) the Riding Mountain National Park, which is a park that is unique in Canada in this sense that the Riding Mountain National Park is entirely surrounded by the agricultural industry. To my knowledge, no other national park in Canada has that distinction, that most national parks in Canada will have one or two boundaries that are adjacent to agricultural or industrial communities but the other boundaries are facing the natural wilderness. So we do have a unique situation with our national park in Manitoba and because of the policies of the Federal Government with regard to the maintenance of the national park, it does cause considerable problems in the agricultural areas surrounding it. Not only do we have crop damage from the wildlife in the park but we have additional physical damages: fences are knocked down by the wildlife of the Park; granaries are broken into by the wildlife and besides the actual destruction of crops, there is material destruction as well caused by the animals of the national park.

So I would urge the Minister to make himself thoroughly familiar with the situation that is prevalent in the area surrounding the national park and pursue at the national level, as vigorously as possible, a program which will establish policies that will not be detrimental to the agricultural area immediately surrounding the park.

MR. CHAIRMAN: Are you ready for the question? The Honourable Minister.

MR. GREEN: . . . the members would give me leave to make just a couple of remarks before I move adjournment.

I would close debate now but the debate has been naturally very wide-ranging, not strictly limited to the bill, and I think that's valuable because there was no chance to discuss many of the matters now raised during the departmental estimates, so I appreciate the matters that have been raised but on the other hand I would like to be able to give more definitive answers than I can at the present time, the staff not being available to me as they would be during the departmental estimates, so in order to do that I prefer to move adjournment and close debate after I have received better answers.

MR. CHAIRMAN: The Honourable Member for The Pas.

MR. RON McBRYDE (The Pas): I would like to move, seconded by the Member for Logan, that debate be adjourned.

MR. CHAIRMAN: The Honourable Member for Arthur.

MR. WATT: I wonder if I might direct a question to the Minister before this motion is put. I had forgotten to mention the cost of automobile damage by deer, particularly at this season of the year, when it is tremendous actually, the body shops in the southwest are just full of cars that have been damaged by running into deer. The deer belong to the government and I wondered when he's getting answers from the department that probably he might inquire into this area.

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

MR. CHAIRMAN: Bill 127, The Age of Majority Act, standing in the name of the Honourable Member for Roblin.

MR. BILTON: . . . be allowed to stand, Mr. Speaker, in the absence of the Honourable Member for Roblin. (Agreed)

MR. CHAIRMAN: Bill 116, an Act to amend The Civil Service Superannuation Act. The Honourable Member for Lakeside. The Honourable Member for Swan River.

MR. BILTON: Mr. Speaker, the Honourable Member for Lakeside stood this matter in my name and I wonder if I may proceed. Sorry the Minister of Government Services is not with us at the moment, however, I'm sure what I have to say will probably be related to him.

Mr. Speaker, I listened to the Minister the other day, with a great deal of interest and I recall that during the estimates that I did pose the question to him, as to whether or not something would be done in the interest of the retired civil servants. I am very, very pleased to see that this bill has come forward and in no uncertain terms it appears to me that an effort is being made to improve their lot. I note with interest, Mr. Speaker, that some 1,025 pensioners are going to benefit by this legislation and some 70 widows. I'm sure it will be well received by them and it is a step in the right direction.

I also note, Mr. Speaker, that it's going to cost in the neighbourhood of \$1,600,000. The majority of this money will be coming from the pension fund accumulation and the cost to the province is some \$128,000 which to me - and I am sure to every member of the House - is a worthwhile investment for those that have gone beyond the years of earning a little more towards their maintenance, and I am sure it will ease the burden of these faithful people in their twilight

(MR. BILTON cont'd.) years. I have examined the bill, Mr. Speaker, and may I say on behalf of our party, that we agree with it in every respect and would do nothing to delay its passage.

My only comments would be that the bill specifies a period from 1941 onward and I would like the Minister to tell us as to whether or not there are any former employees who retired prior to 1941. If there are, I wonder what is going to be done for them because this bill does not in any way provide in that direction. In the Approval of Index it indicates that the Lieutenant-Governor-in-Council has to approve, in conjunction with the Pension Board, this increase from time to time and I wonder why the Pension Board in itself might not have that authority in its ordinary jurisdiction.

I also note, Mr. Speaker, that the refund on death, that is to a widow, a widow that might be left, would be paid an accumulated amount from the association with a three percent interest. I wonder why that three percent, particularly in this day and age because this type of interest, Mr. Speaker, I suggest to you, went out the window some thirty years ago and this interest, of course, is being paid by the fund and I believe that this is wrong and that this three percent might be increased in order that the beneficiary may be that little bit better off by the provision of the pension that is being provided by the husband, as the case may be, in order that there would be that improvement of the financial benefit to that party that is left. So without any further ado, Mr. Speaker, I will resume my seat and wish this bill well and look forward to seeing it in committee.

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

MR. PETER FOX (Kildonan: Mr. Speaker, I beg to move, seconded by the Member for Gimli, 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. 130. The Honourable Member for Riel.

MR. CRAIK: Mr. Speaker, I would ask that this stand. (Agreed)

MR. SPEAKER: The proposed motion of the Honourable Minister of Transportation, Bill No. 132. The Honourable Member for La Verendrye.

MR. LEONARD A. BARKMAN (La Verendrye): Mr. Speaker, I am very interested in this bill. I'm not sure if I understand all the parts of it but I believe all members of this Chamber are very interested in what is going to take place and I'm sure that the people of Manitoba who have become very interested in many of these changes in the very near future. I thought perhaps that the Minister was rather direct in making some of the charges concerning some of the things that are going on but perhaps he has the statistics, perhaps he knows and I know it's usually not a very popular or popular political move to make changes like this and I must compliment him for having this energy and this desire to go ahead with many changes in Bill 132. The fact the Minister mentioned, Mr. Speaker, that it was basically a housekeeping bill and if this is only a housekeeping bill, I am very much afraid that the house was in pretty bad shape because there's quite a few changes in this one although I must agree that I am certainly going to support the bill. Other than a few points, I think this is necessary at times regardless how popular it may be and I agree that some of the proposed changes are certainly necessary.

I was very interested in the probationary licence. This is something that I think most members in this Chamber have been thinking about for a number of years. I know I have myself. In fact about four or five years back I wanted to bring in a resolution, a private member's resolution, concerning this matter and I was warned by my colleagues that this might not just be the most popular thing and I kind of backed off but I do think that while the Minister mentioned in his discussion that perhaps the age that was more affected by accidents was the 16-18 age group - I am not sure just what it is - I remember listening to the Minister of Municipal Affairs the other day while in our discussions of Bill 56 and I think he tried to bring out the fact that perhaps the age having more accidents was perhaps between 18 and 20 or 19, but it doesn't really matter what the age is, I think, referring to an age in that area somewhere and I think it is a sensible attitude to follow. It sounds rather harsh when you talk of a person being convicted once and not really having a chance to get back in that whole one year; that year can become very long. I realize this. I was talking to a young fellow the other day and his father had been taken to the hospital and just during that time he found himself in a bit of trouble, a bit of a problem, he'd been driving while intoxicated. Of course, he was looking after approximately 80 cows and the father being in the hospital, this young fellow - and I

(MR. BARKMAN cont'd.) talked to him later - he was without his licence for a month - I think will appreciate his licence more than he ever has before because he is really a born farmer and he wasn't one of these that was happy not to farm. He was happy to look after these 80 cows.

Mr. Speaker, the bill mentions basically 10 or 11 or maybe more different changes. I must admit that as far as the suggestion is concerned that -- well youngsters or adults -- that motorcycle drivers will be forced to use helmets, I cannot quite agree with this request. I wasn't so sure; I listened to these young fellows the other day in the Law Amendments building and I wasn't too sure just what they meant with these helmets being very uncomfortable and what have you. In fact, I went home and got hold of my son's helmet and put it on and I says, blast it they are hot and I don't think these kids will want to wear them. Although perhaps in that area we can come up or somebody may be coming up with some type of a helmet that may not be as bad wearing as I think a lot of the heavy ones are to date, but at the present time I think the argument that some of the members presented in the Law Amendments that, well, we have seat belts in the car and we are forced to have them in the car but we're not really forced to put them on. I thought this argument was rather a practical one and I think that holds true to a great extent as far as helmets are concerned. I certainly agree with the Minister when he said the other day that there was more protection with people wearing helmets; I'm certainly not arguing that point. I just remember a couple of weeks ago my son came up and he says, I've got to have a helmet. Well, I says, that sounds practical even if it cost money; I guess you shall have a helmet, and he got one. In the meantime, two days later he had an accident with a car and he flew right over the car and lay sprawled out on the street and when I came home they phoned from the hospital and I went down there and I said, did you wear your helmet? No, he says, I didn't and I was glad he was still alive but not because of that incident, I'm certainly not saying helmets aren't more safe. I certainly agree.

Another thing that was brought up in the bill as far as overweight conditions are concerned on our highways, on our roads, I again must admit that this is certainly not a very popular law to enforce, but I think the time has come, leave alone all our frost damage and all the different things that happen to our roads in Manitoba, I think a lot of damage has been and is being done by vehicles carrying far too many pounds of weight, are overweight on their vehicles, and I think that the bill talks of some seven or eight changes insofar as the penalties section are concerned. I believe that if the weights have been set correctly on these roads - and I think some attention should be given to that fact - but if the weights have been set correctly, I think it is only fair play that stiffer penalties have to apply, and I realize that again this is certainly not a popular thing to say or to enact.

I find it myself hard to understand just what's going to happen when we talk of the - and it seems to apply more to older people than our younger people - as far as some just not being physically able or maybe mentally able to drive their vehicles and where we'll have our doctors examine these people. I wish that something could be done in this respect, that as much leniency is shown as possible, because I can't think of an elderly person needing a vehicle more perhaps than just about at the sunset of his life, and I know it is a problem and in many cases dangerous. I had a gentleman come up the other day. He had a heart condition and he knew it, and I phoned the doctor and he said he just didn't think he was fit to drive, but it was a terrible burden for this man to give up his license. So I do hope, especially in the rural areas, very often I believe a driver could be given some leniency perhaps just to be driving in the open areas. But I am sure that this will be given some consideration, because I can't really, other than the 16 year-olds, I don't know of anybody that appreciates a vehicle more than some of these older people - and now I'm talking of vehicles other than motorcycles, although they tell me that some of these fellows that don't get married in their life, they live a very long life and perhaps they would be wanting to drive motorcycles more than other vehicles at the age of 70 or 80 let's say.

Mr. Speaker, in respect to selling a used part, I have no objection to making very sure that the customer knows what he's getting installed in his car. I only wish to tell the Honourable Minister, not because I happen to be a garage owner, but I can't remember in the roughly twenty years that I've been in business that, other than particularly specified by the customer, I can't remember putting used parts in. Perhaps this is happening in places that I don't know of, but I don't think for one minute that any respectable garage owner or respectable service station owner is going to be worried about this legislation at all because it isn't going to affect

(MR. BARKMAN cont'd.) them. My concern is - and I may have read the bill wrong - it's partly to the wrecking people who I would think legitimately sell used parts. I don't see anything in the Act denying them the privilege, but I hope that when the Honourable Minister closes the debate that he was not referring to them when he mentioned the selling of used or worn parts.

I've certainly no objection as to making sure that when tires are retread or recapped they should be marked. Some of them you must admit, if you don't know tires too well, make a pretty good job of it and the odd one perhaps could get the idea that well maybe this tire is worth more or closer to a new price than to a used price, so I've absolutely no objection. I don't think anybody has.

I'm a little bit confused or stymied as far as the new part of the bill suggests that anybody having an accident of \$100.00 or more will have to have that vehicle, or a sticker will have to be put on that vehicle - I imagine this is by the police - and that garage owners or repair people will not be able to work on that car unless it shows the sticker of the damages more than \$100.00. Now I did not know that the hit-and-run situation was as serious as all that. Again, the Honourable Minister will more than likely have the figure. It just seemed to me that this was something I'm sure is going to be a nuisance to a great extent, but if the situation exists, this is fine, I've no objection to it other than I think it could become a bit of a nuisance as far as the owner and the garage people, the extra red tape involved.

Mr. Speaker, I think there is quite a bit more than anyone can say about this bill, and going back to the inspection of vehicles, again I have my reservations as far as the 1,600 a year I believe, to start off with, to some extent, but perhaps we should give this one a fair trial. I've no objection. Again, I just hope it doesn't become a nuisance, especially with the newer cars, but they do tell me that very often there's more wrong with a person's vehicle than most people think there are, so perhaps we can give that one a trial and we can adjust it as we go along.

So, Mr. Speaker, whether it be a matter of housekeeping or a matter of introducing quite a few changes, I believe the bill deserves support in most areas and perhaps we can request a few changes in the committee stage.

MR. SPEAKER: The Honourable Member for Elmwood.

INTRODUCTION OF GUESTS

MR. SPEAKER: Before the honourable member proceeds, if I just may introduce our guests in the gallery. We have 80 members of the Desmet High School Band of the State of South Dakota in the United States of America. They're under the direction of Mr. Lindbloom. On behalf of the Members of the Legislative Assembly, I welcome you here this afternoon.

GOVERNMENT BILLS (Cont'd.)

MR. SPEAKER: The Honourable Member for Elmwood.

MR. RUSSELL DOERN (Elmwood): Mr. Speaker, I just wanted to make a few remarks on the bill, and in particular the section that was just discussed by the Honourable Member for La Verendrye, namely the question of whether motocyclists should or should not be compelled to wear helmets.

One of the sections of the bill that I thought was very interesting, and it seems to me stands very well as it is, is the question of reports by doctors and optometrists who are advised by the Minister, or requested to make reports of medical deficiencies of their patient. It seems that the basic principle there seems to me as sound. However, the Minister suggested that perhaps after a trial period he might go further and make this a compulsory feature of the legislation. It seems to me that should that occur, at least at first hand it seems to me that would be an unwise procedure, that it would be better to be optional. I can see a score of problems involved in compelling medical people and in attempting to enforce that provision of the bill should the Minister decide at some later date that that is a desirable step.

The section of the bill that interests me most is a question that has been before this Legislature for a number of years and has aroused a fair amount of interest and public controversy. For two or three years I think my position was the same as the Minister's; namely, that it would be desirable and should be enforced by legislation for motocyclists to wear helmets, to be compelled to wear helmets. However, in the past year or two, after numerous discussions with people who operate motorcycles and giving it a great deal of thought on my own, I have

(MR. DOERN cont'd.) come to the conclusion that this should not in fact be a feature of legislation. I know that the intention of the Minister is sound and I know that the intention of people who believe that helmets should be compulsory is also sound and that these people are well motivated, because they are motivated out of a question of safety and they believe correctly that it is far better for a head with a helmet to bounce on the pavement than for a head without a helmet to bounce on the pavement. There's no doubt that a person is better protected and so I think that the principle here is sound. I know that the Honourable Minister probably for a number of years wore a hard hat as a part of his occupation and undoubtedly was convinced, probably having a few rocks fall off his helmet as well and has scars to prove it, that it is certainly a desirable feature just as are safety boots and other such precautions that are taken in industry.

Although I think that the argument is fairly strong, I see all sorts of practical difficulties with this provision, and it is on those grounds that I would reject and would not support this particular section of the bill. For example, we all have heard the argument about seat belts. Most of us have seat belts in our cars and most of us don't use them. I happen to be one who has seat belts in my car and I use them nearly all the time, but most people with all their -- sometimes to keep my passengers down. I don't think that I would like to explain further.

So if it is reasonable to argue that helmets should be compulsory, then it is reasonable to argue that seat belts should be not only compulsory in vehicles but also it should be a compulsory feature that they should be worn. For example if you made this provision, if this provision is enacted - and I happen to be one of those who believe that this section of the bill may in fact not carry - that you would also I think reasonably expect that it would be an essential feature of the legislation to require motorcyclists to also have their chin straps done up, because I'm told by people who operate these vehicles that many times you'll see cyclists whizzing around on their bikes but their chin straps are not buttoned up, so the police, or whoever it is who will have to enforce it, will have to not only observe a helmet on a head but will have to observe a chin strap neatly done up -- (Interjection) -- by amendment.

Another problem I see is that of course passengers will also be required to wear helmets, and I think the practice would be as follows, that a cyclist would have his own helmet and he would have an additional helmet, and of course any person who went along as a passenger would be given the same standard helmet. In some cases it would be too small but it would be strapped on; in other cases it would be very loose fitting and that too would be put on the head of the passenger and so you would certainly run into that. I hardly expect a cyclist to have small, medium and large helmets, you know, on his bike for the convenience of passengers. And of course as already pointed out, these helmets, although they are in terms of safety desirable, there's no question of that, they are in some cases very heavy and also on warm summer days are extremely uncomfortable to wear. The Minister would have to of course legislate certain standards and certain helmets would be acceptable and others would not. It seems to me that that would be impossible to enforce, because I hardly think that police would be running around stopping people and checking the insignia on their helmets and so on.

Of course there's no doubt that helmets alone are not sufficient protection, that really the properly well dressed motorcyclist wears leather clothing. It's really the old style motorcyclists, the fellow who has a Harley-Davidson and the black leather jacket and everything else, he was the guy who was properly dressed; it's not the person who's riding around in Bermuda shorts or the short-sleeved shirt at 60 miles an hour who's really well dressed in the event of a fall, etc. So that too could be considered in the sense that people should have proper attire, not just a proper helmet. Let's face it, motorcyclists are really unsafe because a person is simply exposed on two wheels at whatever speed they're going, and if that person is thrown then they're going to be in serious trouble.

Mr. Speaker, in conclusion on this section, I would also like to add this, because I think some members in listening to these briefs may be motivated in voting in a negative fashion by some of the presentations that we've heard. I didn't like personally some of the comments that were made to us when we had certain hearings, made by some of the people who spoke to us, who either talked down to us or spoke in a manner I think rather unbecoming to the - well, to the fact that they were speaking to duly elected members of the Legislature. I don't think that the proper attitude was expressed or the proper tone of remarks. I think we were talked down to and so on. I think that some honourable members might resent that, and of course some honourable members might not like the appearance, the haircut, the life style, the

(MR. DOERN cont'd.) clothing, the manner of people who operate motorcycles, and I think that maybe this is part of a package; maybe people ride motorcycles because there is a sense of danger and maybe they don't wear helmets because there's a certain sense of excitement and thrill and so on.

I think that a case certainly could be made, but I don't think that any member should cast his vote on the basis of forcing something on people because they don't like the looks of the people that are being considered, just as some honourable members might be tempted to say that people with long hair should be seized and their hair should be clipped off because they don't like the appearance of somebody. Similarly, I say that no member of this House should feel that because some of the motorcyclists may not be solid citizens or clean-cut youths like my honourable friend from Rhineland has in his constituency without sin and without problems, that they should vote for compulsory helmets on the grounds that - well, these are the kind of people that we should really keep in line and tell them what to do. I think the question should be decided on its merits, and although I am one of those who's highly sympathetic to the wearing of helmets, I feel that there are practical problems involved in forcing this legislation. I think there's inconsistencies involved in implementing the legislation. So I would conclude that part by simply saying that motorcyclists should wear helmets, in my judgment, but should not be compelled to wear them.

The only other section I would like to comment on, Mr. Speaker, and this is really in the form of a question to the Minister which perhaps he can answer later on. Oh, there's one other thing on the motorcycles that I wanted to ask. I noticed that the legislation will require that no handlebars over a certain height will be permitted and I think that that deserves an explanation. I know we all see motorcyclists with their arms high in the air on occasion or perhaps down at their feet, and I think they call these - what? - ape hangers or some fancy term, and I assume that the Minister makes the assumption, correctly or otherwise, that a person is not fully in control of his bike with his arms up in the air holding on to these handle bars and I would like to hear a justification for that section because I don't know. He suggests that anything higher than 15 inches in the air is out of the question but anything a foot or so in the air is all right. I think he has to justify the inclusion of that particular section.

The only other section I would like to comment on is where there's perhaps improvements made on highway equipment and graders and so on, and I would like to also know whether it's possible for the front headlights on some of this equipment to be placed at a more standard level because some of these machines coming down the highway have their lights in unusual positions. They're not the normal truck or car white lights. They are sometimes placed 8 or 19 feet in the air and I think this is a safety hazard. I would like to know whether it's because of the mechanical problems of graders that the lights can't be lower down because it would hit the snow or be hit by gravel or what; why the lights can't be of a more standard level.

So with those remarks, Mr. Speaker, I intend to support the bill with the exception of the helmet provision.

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

MR. WATT: I was going to adjourn the debate . . .

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

MR. GRAHAM: Mr. Speaker, if I may at this time I have a few comments to make on the Highway Traffic Act. Basically I must say that I am in agreement with many of the changes that the Minister has proposed. With our changing society we have to constantly keep updating our regulations and this is one way that these regulations can be controlled. To me, Mr. Speaker, it's significant that in this Act we have many of the specifics spelled out, whereas in some other Acts the specifics are not spelled out at all, in fact we know very little about them; it's all in the regulations. However, in this Act there are many things that are spelled out specifically.

The right turn on red light I think is a progressive move. There are some areas where, through traffic congestion or if in the opinion of the traffic engineers it's not advisable, I can understand the provision that is left in the Act where it's not compulsory that every red light should allow a right turn where a right turn is permissible through normal traffic flow. However, the Act does give that permission which is a condition that is quite prevalent in other jurisdictions and I am glad to see that it is in this particular Act at this time.

Another factor that I think I must say something on is the helmet situation for motorcycle drivers. I agree that the wearing of a helmet is a desirable feature on a motorcycle. I

(MR. GRAHAM cont'd.) think that every effort should be made to point out to every person who rides or drives a motorcycle the dangers that are inherent in the operation of that type of vehicle and they should be also clearly spelled out to those people that there is a certain measure of safety in the wearing of a helmet of a prescribed standard.

There are many other things that should also be spelled out in driver education, and I think that the actions of the Minister in driver education are to be commended and we should encourage the upgrading of the automobile drivers, the bus drivers, the truck drivers and the motorcycle riders. But, Mr. Speaker, there's one other field of driver that does concern me as much as anything, he does not need a licence, and this is the child who rides his bicycle. I think that in this field there is much that can be done yet to improve the safety of our children in this province.

Mr. Speaker, there is one other aspect of this bill though that I am quite concerned about, especially today with the agricultural situation being the way it is, and this is the limitations that the Minister is trying to place on the operation of a farm truck. Mr. Speaker, I know many farmers in my area who have no automobile, they have a tractor and they have a truck and they use that truck as their main means of communication off the farm. Now, Mr. Speaker, we have evidence in this Act where the Minister's endeavouring to curtail the authorized use of a truck to an area within 50 miles of the farmer's residence.

Mr. Speaker, it could very well be that when I go home this weekend, if I indeed get a chance to go home, when I get up at 4:00 o'clock in the morning to drive back to the city, it could be that I would find I had difficulty with my automobile. I also have a farm truck. It would be impossible in my area to get garage service at 4:00 o'clock in the morning or 5:00 o'clock in the morning and yet I would be breaking the law if I used my farm vehicle to come in here to attend to the business of the province and make my small contribution. If I lived within 50 miles it would be legal, but all constituencies in this province are not within a 50 mile radius of the City of Winnipeg. Mr. Speaker, I think that this is a particular clause that I would ask the Minister very seriously to explain thoroughly, not only to me as a member of this Legislature but also to every farmer in the province.

Mr. Speaker, there are some other aspects of this bill that I have some qualifications about but basically I do accept many of the proposals of the Minister, and when this bill reaches the committee stage, no doubt we'll have many questions to ask at that time.

MR. SPEAKER: The Honourable Member for Arthur.

MR. WATT: Mr. Speaker, I had intended to adjourn the debate on this bill particularly to speak on the clause that the Honourable Member for Birtle-Russell has just spoken on, and that is the clause referring to the restriction of the use of a farm truck, so it is not my intention to adjourn the debate now - I think that he's pretty well covered that issue. I just wanted to make a few comments on it and to agree with what the Member for Birtle-Russell has said, that it does put and will put many farmers in the Province of Manitoba in a very difficult position insofar as transportation is concerned for their personal use, because as the member has said, many farmers, and I know personally of many farmers in the province who do not own an automobile but depend exclusively on their normally half-ton truck for the use of their personal transportation.

I want to point out to the Minister that while he has come up with some pretty unusual things in this Legislative Assembly from time to time, that he may possibly have some way of enforcing such regulation. This regulation does apply in Saskatchewan and my understanding is that there the law enforcement people have practically given up on it because who is to say without the radius of 50 miles whether a farmer is in fact using his truck just for personal transportation, because all you've got to do is simply throw a tractor tire in the back of your truck with a hole in it and say, well I'm going to Winnipeg to have it vulcanized, and who can prove that he is not. Or you could throw an old motor into the back of your truck and say I'm taking it in to see if it could be overhauled, and who could prove that he was not. So he may simply be going - and I'm not saying that farmers are subject to such violation deliberately of the Act - but I do point out that where I live on the Saskatchewan boundary, I have talked with many individuals across there who say that this sort of regulation or clause within an Act is almost impossible to enforce.

But apart from that, Mr. Speaker, a farmer up in the Interlake region for instance, 55 miles from Winnipeg, may not own an automobile but he could only drive within 5 miles of the City of Winnipeg and from there on he would be breaking the law if he moved into the city. I

(MR. WATT cont'd.) would ask the Minister to reconsider and to look at this clause in this Act, particularly Section (d) which restricts to a 50 mile radius the use of a farm truck for his transportation of his family or for personal use.

With these few remarks, Mr. Speaker, I have no further comments to make on this particular Act.

MR. SPEAKER: Are you ready for the question?

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

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

INTRODUCTION OF GUESTS

MR. SPEAKER: I would like to introduce 69 Grade 7 students of the Carman Elementary School. This school is located in the constituency of the Honourable Member for Pembina. On behalf of the Honourable Members of the Legislative Assembly, I welcome you here this afternoon.

GOVERNMENT BILLS (Cont'd.)

MR. SPEAKER: The proposed motion of the Honourable the First Minister, Bill No. 134. The Honourable Leader of the Official Opposition. Stand? (Agreed)

The proposed motion of the Honourable the Attorney-General, Bill No. 140. The Honourable Member for Fort Garry.

MR. BUD SHERMAN (Fort Garry): Mr. Speaker, this is good legislation I think, Bill 140, the Law Reform Commission Act. We recognize the reasons for the legislation and the essential object of it and we support that aim.

The Manitoba Bar Association's Committee on Law Reform I think has done excellent work, Sir, in recent months in the field of law reform and I would feel that we were remiss in this Chamber if we didn't recognize the efforts that had been made, particularly under the stewardship now just ended of the outgoing President of the Manitoba Bar Association, Mr. Robert Smethurst, and I wanted to take this opportunity to say that I'm sure all legislators in this Chamber, and certainly those of us on this side, do recognize and commend the work done by the Bar Association officers and the members of their Law Reform committee in this field. I think to that I would add my commendation of the Attorney-General's initiative in this area too, because the bill, as it's phrased, incorporates the primary requirements in the field of law and law reform that face the province at the present time.

One of the most thankless and I would submit, Sir, probably one of the most unglamorous jobs in any community is the job of culling our enormous file of law that accumulates month by month, year by year, and trying to keep it contemporary and trying to keep it rational and modern and efficient. The job of updating it and making it meaningful and workable is a thankless one, as I say, but it's a highly necessary, a highly vital one. In fact, it's probably one of the most necessary jobs in all government, because otherwise we become overwhelmed by the contradictory and complicated trappings of laws that with the best intention really operate in opposite directions or in hostile directions to each other and it becomes impossible to operate efficiently.

Mr. Speaker, I see that I'm in a position in the Chamber at the moment where I must suspend my remarks temporarily.

ROYAL ASSENT

DEPUTY SERGEANT-AT-ARMS: His Honour the Lieutenant-Governor.

MR. SPEAKER: May it please Your Honour: The Legislative Assembly, at its present session, passed several Bills, which in the name of the Assembly, I present to Your Honour and to which Bills I respectfully request Your Honour's Assent.

MR. DEPUTY CLERK:

- No. 7 - The Municipal Assessment Act.
- No. 44 - An Act respecting The Town of The Pas.
- No. 48 - An Act to incorporate Souris Golf and Country Club.
- No. 66 - An Act to amend The Insurance Act.
- No. 70 - An Act to validate By-law No. 656 of The Rural Municipality of Langford and By-Law No. 1997 of The Town of Neepawa.

(MR. DEPUTY CLERK con't.)

- No. 72 - An Act to amend The Executions Act.
- No. 73 - An Act to amend The Flin Flon Charter.
- No. 75 - An Act to amend The Liquor Control Act (3).
- No. 84 - An Act to amend The Income Tax Act (Manitoba).
- No. 103 - An Act to amend The Transcona Charter.
- No. 106 - An Act to validate certain agreements entered into by the Government of Manitoba and the City of Winnipeg.
- No. 107 - An Act to amend The Motive Fuel Tax Act.
- No. 124 - An Act to amend The Winnipeg Charter 1956 (2).

MR. CLERK: In Her Majesty's name, His Honour the Lieutenant-Governor doth assent to these Bills.

MR. SPEAKER: The Honourable Member for Fort Garry.

MR. SHERMAN: Thank you, Mr. Speaker, I recognize that it's 25 minutes past five but I only have one or two minutes or remarks that I want to say on this legislation, so I appreciate the opportunity to proceed and conclude my remarks at this time.

As I was saying, Sir, the welter of confusion and sometimes the welter of contradictions that develops after years of the accumulation of the files of law and libraries of law is a very real problem for all administrations and jurisdictions and hence efficient and imaginative work in the field of law reform is a very very essential requirement in society for its proper administration, and the kind of opportunities for reform and improvement that are opened up by the proposed legislation I think are very commendable.

The only grounds on which, Mr. Speaker, we on this side have any hesitation and any reservations, at least at this juncture, are the grounds having to do with the makeup of the commission, the membership of the commission itself. We do have some concern as to the membership of the commission, how the appointments will be handled, who will be considered, what the criteria will be for membership on that body. We have seen newspaper reports in recent days on this subject. There has been some substantial publicity on the possible potential appointees to the commission and we would hope, Sir, that the appointments are undertaken by the administration with a view to achieving the best in the way of streamlining and efficiency in the field of law that can possibly be achieved, and we would hope that there would be no room in the appointments to such an important body as this for favoritism, whether it be of a political nature or any other kind of favoritism.

What is essential if we are to have good law reform, if we are to streamline and modernize our laws and our legal machinery, is the conscientious attention of representatives who can bring to the whole field of law and regulation in our province, perspectives that not only cast imaginative points of view on society and society's requirements but that bring expertise, that bring expert points of view from all levels and all areas of society to the legal framework under which we live. The criteria therefore for membership should be qualifications of the highest order in terms of acquaintanceship with social problems, social problems as they are affected by our laws, Sir.

So that's the only reservations we would place on the legislation at this point. We hope that selection to the commission will be based on a very dispassionate and objective set of criteria with no room for favoritism that might have less than beneficial effects. Apart from that, as I said at the outset of my remarks, we regard it as good legislation and essential legislation, and we would like to see it proceed at this stage.

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

MR. SPEAKER: The Honourable House Leader.

MR. GREEN: Mr. Speaker, I move, seconded by the Minister for Cultural Affairs, that the House do now adjourn.

MR. SPEAKER presented the motion and after a voice vote declared the motion carried and the House adjourned until 8:00 o'clock Friday evening.