

THE LEGISLATIVE ASSEMBLY OF MANITOBA

8:00 o'clock, Monday, July 20, 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. Orders of the Day. The Honourable Member for River Heights.

MR. SIDNEY SPIVAK, Q. C. (River Heights): Mr. Speaker, on a question of privilege, I wonder if Aristotle Onassis could leave my seat so that I could take my proper place. -- (Interjection) --

MR. SPEAKER: Orders of the Day. The Honourable House Leader.

HON. SIDNEY GREEN, Q. C. (Minister of Mines and Natural Resources)(Inkster): Mr. Speaker, I move, seconded by the Honourable Minister of Labour that Mr. Speaker do now leave the Chair and the House resolve itself into Committee of the Whole to consider the following bills: No. 43, etc.

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

COMMITTEE OF THE WHOLE HOUSE

MR. GREEN: Mr. Speaker, I believe we were considering Bill No. 138.

MR. CHAIRMAN: . . . and the proposed amendment of the Honourable Member for River Heights. The Honourable Member.

MR. SPIVAK: Mr. Chairman, before we begin, I wonder if the House Leader could indicate whether it's still his intention to follow the Order Paper in terms of the other Acts.

MR. GREEN: Yes, Mr. Speaker.

MR. CHAIRMAN: On the proposed amendment of the Honourable Member for River Heights. The Honourable Member for River Heights.

MR. SPIVAK: Mr. Speaker, I wonder whether the government could indicate whether as a result of their deliberations over the supper hour they have decided to accept the amendment or not?

HON. LEONARD S. EVANS (Minister of Industry and Commerce)(Brandon East): Well Mr. Chairman, there's nothing to deliberate. As I indicated earlier, that this amendment amounts to absolutely nothing. The intent of the amendment adds nothing to the intent of the original section apart from imposing some rigidities and unparliamentary procedures on the committee and therefore there is no need for the government to consult or deliberate. As I stated earlier, Section A of the amendment is merely a repetition of what was already included in the proposed Development Corporation Act. Subsection B is covered in Section 44 and secondly, is covered in the intent of subsection A.

With respect to the holding of meetings and the calling of the chairman after the first day of June in each year, it's our feeling that this is boxing in the committee; the committee is the master of its own rules and its own activities and therefore the amendment really adds nothing to this Act and therefore it's the government's feeling that it should be defeated.

MR. CHAIRMAN: The Honourable Member for River Heights.

MR. SPIVAK: Mr. Chairman, I'm sure that the honourable Minister is a very good professor. I'm sure as a professor he fulfills that function very well and he's understood by his students. He's not a very good lawyer and I can tell you one thing Mr. Chairman, he obviously doesn't understand the Act, because all the assurances that he gives us are not contained in the Act, and while he may talk as he does about the committee system I think it is fair to say that the committee system works at first at the call of the government and secondly by government majority, and we have enough precedent to indicate that the committee will do the bidding of the government at the particular time and that there's no assurance or guarantee other than the good will of the present government that the things that he says are going to happen will happen. I suggest it is as much in the present government's interest, because they may not be the present government, they may not remain in government, they may be in opposition and they may very well regret the fact that -- (Interjection) -- oh I'm very pessimistic about the present government's chances of holding office. I'm saying it's in the present government's interest to see to it that there is some compulsion so that in fact, the committee, the Standing Committee on Economic Development will have the opportunity

(MR. SPIVAK cont'd.) for a review to take place. If in fact this does not happen then it's left to the discretion of the government of the time; which will be moved I believe by the political exigencies at the time; and I may say, Mr. Chairman, that there's enough evidence with respect to the standing committee to indicate that it was not in the government's interest because of other activities for it to deal with economic activities and as a result the committee for all intents and purposes did not meet and the procedures were a sham, and that's all I can believe will happen here. I really do not believe that this is in the interests of a proper evaluation of the equity provision with respect to the development fund and the proposals that have been brought forward so far. If the government adopts this position I think they will suffer the consequences of possibly hurting the very thing that they do not want to hurt, and that is the proper functioning and carrying on of those undertakings in which for one reason or another the government has seen fit to finance through equity and the ability to help those companies that have found themselves in some financial difficulty.

MR. CHAIRMAN: The Honourable Member for Rhineland.

MR. JACOB M. FROESE (Rhineland): Mr. Chairman, if you take a look at the amendments and also the present section in the Act to which this amendment is to be placed, we find there is a considerable difference. In the Act it says that "the chairman may be required to attend;" however the amendment before us makes it very clear that the committee, well makes it very clear that the chairman will be in attendance at the first meeting. Even the members of the committee could be overruled by the government's majority not to make the request or that may not be required for the chairman to be there, to be present. This would make it very clear that at the first meeting the chairman would be present and I don't think that's such a bad idea at all. I don't know, we haven't had any such meetings yet, whether the government would deny a request like this. We haven't had the experience, maybe they would be quite willing to call the chairman I don't know, but this would just make it clear that he would be in attendance.

MR. CHAIRMAN: I believe it's getting difficult to hear the honourable member's comments.

MR. FROESE: The reason I feel that is of importance that the Chairman do appear is that for the first time under this Act we will have the Corporation participate in equity position in various companies that do borrow in this way and I think for that reason it is very important that we do have the top officials of the Corporation present so that we can make enquiry personally from them because at this time we don't know just what the policy will be of the Corporation Board in connection with companies where there might be subsidiaries or so on, whether they will allow new subsidiaries to be brought into being -- for those companies that will be borrowing from the Corporation. Maybe this will not happen, but certainly I think it should be made open to us that we could question the Chairman and the Manager of the Corporation on these matters because we find too often that subsidiaries are formed and then milking the corporation dry or vice versa and certainly this should be known to members of this House so that they could question them on these points.

The way I see it all it does it makes it mandatory for the manager and the chairman to be present at the first meeting. I don't think we're asking too much on this. Maybe this is what the government has in mind that they would not even object so why not cede to this? Certainly we are embarking on a new aspect as far as the Development Corporation is concerned, that we will now be acquiring equity in various companies by way of extending monies and we don't know what the experience will be. I hope it will be successful, but at the same time I certainly cannot see the objection that the government seems to raise against the amendment before us.

MR. CHAIRMAN put the question on the proposed amendment and after a voice vote declared the motion lost.

MR. SPIVAK: Yeas and Nays, Mr. Chairman.

MR. CHAIRMAN: Call in the members. On the proposed motion of the Honourable Member for River Heights. Should I read the amendment or is everyone familiar with it?

A COUNTED VOTE was taken, the result being as follows: Yeas 17; Nays 25.

MR. CHAIRMAN: I declare the motion lost.

Section 32 --passed. 33 . . . The Honourable Member for Rhineland.

MR. FROESE: On 33, "Powers of the Corporation," it starts off with the corporation or a subsidiary of the corporation may enter into agreements. Is it the intention to set up additional enterprises as subsidiaries of the Corporation?

MR. EVANS: Mr. Chairman, this particular section is no different from a similar section in the previous bill. In other words, this is nothing new that is being introduced by this government at this time. This is simply a repetition of a clause which was in the Act known as The Manitoba Development Fund Act. Possibly I could quote the particular section. It was Section 34 in the preceding bill. Page 93 of the previous office consolidation of the Manitoba Development Fund Act Section 34, this reads the same except instead of the word "Fund" the word "Corporation" is to be found.

In answer to your question specifically, I can simply say that if it's necessary to make things happen with respect to economic development in the province, I'm sure the Manitoba Development Corporation will utilize this section of the Act. After all the intents, the major purpose of the Act is to promote, stimulate economic development in the Province of Manitoba and if this can be done through the exercise of this particular section, then of course this section will therefore be used.

MR. FROESE: I just want to make it clear to the Minister when the Act was previously introduced by the previous administration I had some very strong exceptions to certain provisions in the Act, so that when he says there is the same provisions contained in the old Act, this doesn't necessarily mean that I accepted them at that time and I voted for them.

MR. CHAIRMAN: (Sections 33 to 43 of Bill 138 were read section by section and passed.) Section 44 -- The Honourable Member for River Heights.

MR. SPIVAK: Mr. Chairman, I have an amendment. Does the Minister of Industry and Commerce have an amendment on this?

MR. CHAIRMAN: The Honourable Minister.

MR. EVANS: Thank you. Mr. Chairman, Section 29 of the Act was asked to be stood this afternoon inasmuch as the Honourable Member for River Heights had prepared a rather lengthy amendment. We have considered his amendment and we have come up with our own amendment to this particular section which will, I believe, accomplish the intent of the Honourable Member's amendment, that is to broaden the extent of disclosure. I really feel that...

MR. SPIVAK: Mr. Chairman, on a point of order, first . . .

HON. RUSSELL PAULLEY (Minister of Labour)(Transcona): What's the point of order?

MR. SPIVAK: Well, first of all, we're dealing with Section 44 to begin with. -- (Interjection) -- Yes, that's right, and secondly, there is some relevance to what the Honourable Minister is saying, and there is some relevance to what the honourable member is saying, and I certainly would be interested, if I'm correct, the section would stand amended, at least the amendment before the committee, there is an amendment before the committee, before the government can introduce another amendment. -- (Interjection) -- Yes. The Honourable . . .

MR. EVANS: Mr. Chairman, it was my understanding that 44 also had been passed, but if this isn't the case I understand that you wish to debate Section 44.

MR. SPIVAK: Mr. Chairman, I'm going to introduce an amendment on 44, but if in fact the government does have an amendment on 29 I would hope that they would at least give me an opportunity of reviewing it because as it happens, my amendment now is before the committee on 29 and that would have to be voted down and the government's introduced, and if I could see it I may very well be prepared to withdraw it, depending on what it contains. I don't know what it contains.

MR. PAULLEY: Mr. Chairman, if I may, on a point of order. I don't know how we've got down to Section 44 if we still have amendments to consider under Section 29. It does seem to me, and I must confess ignorance at the procedure, if we're at 44 and the Honourable Member for River Heights says, well, we've got an amendment to 29. What happened?

MR. SPIVAK: Mr. Chairman, I accept the Honourable Minister of Government Services' admission of ignorance because he's really unaware of the situation. It's the first time that he's -- well, it's one of the true statements he's made in the last little while. Mr. Chairman,

MR. PAULLEY: If I may, Mr. Chairman, the Assistant Clerk has clarified the point for me; I understand the Section 29 was deferred in view of the amendment, so that's okay; and now I've been informed as to what the present situation is, it's okay.

MR. SPIVAK: Well, Mr. Chairman, my amendment would refer back to Section 29 because this section itself would be amended to include, and my proposal would be amended. If I may, for the benefit of the House, without moving the amendment at this particular time, without moving the amendment, may I try and indicate the intent of this amendment and possibly

(MR. SPIVAK cont'd.) suggest that we go back to 29 and resolve that before this one is dealt with, because this may have to be altered in view of any change that may occur.

MR. PAULLEY: If I may, Mr. Chairman, it is my understanding that the Minister of Industry and Commerce has an amendment to 29 that may satisfy my honourable friend the Member for River Heights.

MR. SPIVAK: Well, as a matter of fact, I'd just like the opportunity, if I may, to read the amendment. My amendment stands; I'm not prepared to withdraw it until I have an opportunity of at least reading this to know what the intent is here. So Mr. Chairman, may I do this, then? May I move my amendment on 44 and the discussion to take place on 44 to give me an opportunity to let me examine 29? Otherwise would the committee just give me an opportunity to examine this to determine whether we'll withdraw it or not?

MR. CHAIRMAN: I think that we should get this point clarified because it seems to me that procedure is going out the window. The Leader of the Official Opposition.

MR. WALTER WEIR (Leader of the Opposition)(Minnedosa): Mr. Chairman, on a point of order, I don't think it's going; would you believe "gone"? Mr. Chairman just made a point that he thought procedure was going out the window, and I said, on a point of order, would he believe "gone"?

MR. CHAIRMAN: The Honourable Minister of Labour.

MR. PAULLEY: If I may, Mr. Chairman, it's my understanding now . . .

MR. CHAIRMAN: Order.

MR. PAULLEY: . . . that there was an undertaking by the government that an amendment to . . .

MR. CHAIRMAN: My order was directed at the members of the Assembly. The Minister of Labour has the floor.

MR. PAULLEY: It is my understanding that there was a suggestion that there should be an amendment to Section 29 and that that amendment would be considered before Section 44 was considered. This is the information, Mr. Chairman, that I have received, and I understand that the Minister of Industry and Commerce was prepared, and it was suggested that he so do, to introduce an amendment to Section 29 that might accommodate the position of the Honourable the Member for River Heights, and if that is the case, then I would in all due respect suggest that the Minister of Industry and Commerce introduce the amendment to 29 because, as I understand it, Section 44, the adoption of Section 44 is contingent on the disposition of the amendment to Section 29.

MR. CHAIRMAN: The Honourable Leader of the Official Opposition.

MR. WEIR: Mr. Chairman, if I can speak for just a moment on the point of order, I'm sure the Member for River Heights will have an opportunity to read the amendment that the government didn't really want to give him a chance to read, as I make out. The fact of the matter on the point of order, Mr. Chairman, is, as I understand it, that the Member for River Heights has an amendment. -- (Interjection) -- No he hasn't, not yet. There is an amendment, and the Minister's amendment would be conditional upon the Member for River Heights withdrawing his, and I think by the time I'm finished that maybe the Member for River Heights will have had a chance to read the amendment and may be in a position, if it meets the qualifications that is considered, that that might be able to be done and we would be able to proceed then to Clause No. 44. I don't know how long I have to carry on on this point of order.

MR. PAULLEY: Mr. Chairman, again on the point of order, if I may, it is my understanding that there is not an amendment to Section 29 before us but -- (Interjection) -- Is there?

MR. SPIVAK: Yes. Mr. Chairman, I think if the Honourable Minister of Government Services will allow me, I think we can . . .

MR. PAULLEY: Yes. Let's clarify this.

MR. WEIR: Well, is there an amendment or isn't there?

MR. SPIVAK: Mr. Chairman, there is an amendment that I introduced on 29 that the honourable members opposite have and have dealt with. They've now proposed, or will be proposing another amendment which is much shorter. Now, before I withdraw my amendment, and I'm prepared to withdraw my amendment if I understand the proposal clearly - and this is to expedite the matter not to confuse it any more than it has to be - I want it to be clearly understood that what was attempted in the amendment that I introduced was the

(MR. SPIVAK cont'd.) opportunity for detailed explanation and it was worded accordingly. There is a general proposition here, in the amendment as proposed, which would change 29 (1) into a general statement which supposedly would indicate or include all the things that I've suggested. Now, if the government is prepared to indicate that in the wording that is now proposed in this amendment the intent and the thrust of the detailed amendment that I've presented is included, then I'm prepared to withdraw it, but all I would like is some kind of commitment that that is intended in this language.

MR. PAULLEY: May I, on a point of order? My honourable friend cannot withdraw it without unanimous consent. That, first of all, is the rule of the Assembly. Now, by a gentlemen's agreement, maybe we could hear the amendment proposed by the Honourable the Minister of Industry and Commerce and go from there as a result of a gentlemen's agreement, rather than strict adherence to the rules.

MR. WEIR: Well, Mr. Chairman, on the point of order, maybe the Minister of Labour would rather that we would vote the amendment down and then, the subject matter having being dealt with, it might not be possible for the Minister of Industry and Commerce to move his amendment. Really, Mr. Chairman, what is attempted at in this matter is one of cooperation rather than . . .

MR. PAULLEY: Well, I'm endeavouring to bring about a gentlemen's agreement. If my honourable friend is not prepared to consider a gentlemen's agreement . . .

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

MR. EVANS: Mr. Chairman, on a gentlemen's agreement basis, I would like to inform all members of the House of a proposed amendment that I wish to introduce to Section 29(1) which, in my opinion, takes care of everything that was proposed by the Honourable Member from River Heights, and perhaps more. It has been the intention of the government, as was stated earlier in debate, to introduce the idea of disclosure of individual transactions. This fundamentally, I think, is the important innovation which this government has brought in and we should all recognize this. I think that we've provided in the Act, as it stood originally, for this type of disclosure, disclosure of individual companies, of individual amounts, the rates, the terms, etc. We did not mention leases specifically and I suppose we could go on and say, well, we didn't mention other types of financial arrangements that could be made, and indeed we didn't, but I think we covered in all intents and purposes the bulk, the vast majority, 98-99 percent of the cases. However, in order to ensure that every type of financial assistance that is provided by the Manitoba Development Corporation, as it will be called after the passage of this Act, in order to make sure that all types of financial transactions are disclosed, I therefore will be proposing - and I hope that there is going to be unanimous acceptance of it and that the Member from River Heights will withdraw his particular amendment - that it read as follows:

That subsection (1) of Section 29 of Bill 138 be amended by striking out clauses (a), (b) and (c) thereof and substituting therefor the following clauses: (a) the amount and nature of assistance, financial or otherwise, granted or to be granted by the Corporation and the parties to whom the assistance was or is to be granted, whether by way of loan, guarantee, lease, grant, investment or otherwise (and I suggest, Sir, that "or otherwise" encompasses every other type of financial transaction or deal that could possibly be made) and (b) the terms under which the assistance was or is to be granted.

Now, we use the phrase "is to be" because in some cases the Corporation might enter into an agreement which will take place in X number of months hence, or an agreement that will be pending upon certain transactions that might take place, but I submit, Mr. Chairman, that this amendment that I wish to propose will more than cover the suggestions that were made by the Member from River Heights. Therefore I would - and he has been given a copy of this about 10 or 15 minutes ago - I would urge that he withdraw his particular amendment and let this one stand, knowing that it is the intention of the government to have full disclosure, because this was our intention in the first place.

MR. CHAIRMAN: The Honourable Member for Rhineland.

MR. FROESE: Are there more copies available? Because I would like to take a look at it before I grant leave.

MR. CHAIRMAN: The Honourable Member for River Heights.

MR. SPIVAK: While the Honourable Member for Rhineland is obtaining a copy, may I simply say I accept the statement of the Honourable Minister of Industry and Commerce that

(MR. SPIVAK cont'd.) the proposed amendment in its short form contains the detail that was requested initially by me, and I'm prepared to withdraw it on that basis and on the undertaking that he's given, and therefore I would ask leave for it to be withdrawn.

MR. CHAIRMAN: Does the member have leave to withdraw his proposed amendment?

MR. FROESE: Just one moment. One moment. (Agreed)

MR. CHAIRMAN: By leave, the proposed motion of the Honourable Member from River Heights is withdrawn. The Honourable Minister of Industry and Commerce.

MR. EVANS: Well Mr. Chairman I would therefore move that subsection (1) of Section 29 of Bill 138 be amended by striking out clauses (a), (b) and (c) thereof, and substituting therefor the following clauses: (a) the amount and nature of assistance, financial or otherwise, granted or to be granted by the Corporation and the parties to whom the assistance was or is to be granted, whether by way of loan, guarantee, lease, grant, investment or otherwise; and (b) the terms under which the assistance was or is to be granted.

I believe you have a copy of the . . .

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

MR. PAULLEY: Could we return now to Section 44?

MR. CHAIRMAN: I might point out that the procedure is improper but nevertheless we're in it. Section 44.

MR. PAULLEY: . . . a gentlemen's agreement.

MR. SPIVAK: Well, Mr. Chairman, I'm going to be moving an amendment to 44 and I think it was appropriate that 29 be dealt with before I deal with 44. Mr. Chairman, I move, seconded by the Member from Arthur, that Section 44 of Bill 138 be amended by adding thereto immediately after the word "year" in the fourth line thereof, the words and figures, "including balance sheets, profit and loss statements, and other financial statements and information of the type mentioned in subsection (1) of Section 29 in respect of each industrial enterprise and operation in which the Corporation is involved under this Part."

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

MR. EVANS: Well, Mr. Chairman, I would suggest that this particular amendment, although the honourable member has not explained it . . .

MR. SPIVAK: Well, let me explain it.

MR. EVANS: Would you like to explain it? Okay. Go ahead and explain it.

MR. SPIVAK: Notwithstanding the comments of the Honourable Member from St. Boniface, I think it's necessary before he or anyone else votes on this that there be some explanation given. Mr. Chairman, the intent here is again to deal with full disclosure -- no, not to play politics, as the Honourable Member from St. Boniface seems to think. He plays the game all the time. -- (Interjection) --

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

MR. SPIVAK: It's very hard to ignore him, Mr. Chairman. He seems to be everywhere today. -- (Interjections) -- Well, your eyesight is very bad today, Russ.

Mr. Chairman, the intent here is to try and deal with adequate information in those areas in which there very well may be a position taken under Part II by government. So far no government, not even the present government, have in fact dealt with any matter under Part II, but there have been statements made that it will be the intention of this government to try and enter into partnership, or to try in fact carry on undertakings under Part II, and frankly. Mr. Speaker, I look forward with some anticipation to the first project that they will undertake. But if we are going to be consistent about the disclosure items, then I would think that it's necessary to be consistent with respect to the disclosure items for those specific undertakings under Part II, and it's necessary for the members in the House to not only have a report that would indicate that the government is now operating under Part II in a particular section, but at least to have details which will give us an opportunity to analyze properly what is taking place and be able to make the judgment on the stewardship of the government with respect to this specific undertaking, which would involve government involvement in industrial enterprises.

Now there is nothing really in the amendment that I believe the government would be unhappy about. We talk about balance sheets, we talk about profit and loss statement, which would indicate in a fiscal year how the corporation has operated and it would give us the information to make a judgment of it, and other financial statements and information of the type that is mentioned in subsection (1) of 29 which, as the Minister has just indicated, is to

(MR. SPIVAK cont'd.) the amount and nature of assistance, financial or otherwise, to be granted to the corporation, the party to which the assistance was granted, if it's a joint venture, the manner in which funding has taken place, and all the other details, and the terms under which the assistance is to be granted.

If you recall, Mr. Chairman, in the amendment that I was proposing under 29 (1), which was withdrawn, there was an indication that there could be, the Corporation could make - that is the Manitoba Development Corporation - could make grants to get financial assistance, and this may in fact be a proper thing. The only point here is that because they are dealing with the public money and there is going to be disclosure in the manner as proposed, that we have the full details. And I would commend, Mr. Chairman, the government to accept this amendment.

MR. EVANS: Well Mr. Chairman, it is my complete understanding that the Section 29, as amended, would provide for complete disclosure of all activities of the corporation, whether it be under Part I or Part II as such. The fact of the matter is that in our minds we did not make any distinction, that the Corporation would be required to provide all this type of information. The clause is not an exclusive clause. It does not - Section 29 as amended does not exclude reference to Part II operations as such, and therefore all that is needed to be disclosed is already provided for. And I would submit respectfully, Mr. Chairman, that the amendment as proposed to Section 44 is completely redundant and absolutely unnecessary, and therefore should be voted down.

MR. SPIVAK: Well Mr. Chairman, again, I think the Honourable Minister of Industry and Commerce should recognize that he is not a lawyer and that his information or his statement is not correct. The truth of the matter is this; that the Act provides for two reports. One is 29 and one is 44. One is under Part I and the other is under Part II. The Minister of Finance is aware that the Manitoba Development Fund publishes two reports, one under Part I and one under Part II, and I can remember when he was in opposition several times indicating that Part II showed absolutely nothing. -- (Interjection) -- Let me say this to the Honourable Minister of Government Services. Reference was made to the fact of 31(3), that the chairman may be required to attend a meeting of the Standing Committee, the Legislative Committee on Economic Development, to provide the most recent annual audited statement of assets and liabilities and profit and loss in respect of any company in which the Corporation has acquired an equity position, and the equity position we are talking about is under Part I, not under Part II. And again, Mr. Chairman . . .

MR. PAULLEY: It may be under either or both and it's the same thing.

MR. SPIVAK: Mr. Chairman, my intention is to try and expedite the matters before us. My intention as well is to try and deal in a very positive way with the intent of the government, and if you will allow me . . . Again, Mr. Chairman, before this amendment was made, I went to the Legislative Counsel to determine whether in fact such an amendment would be required and I am informed by him that it would be and I am informed by him that the provision, the provision contained in what I had proposed, that was prepared by him, would in fact complete what was intended, or what is intended, but what really is not contained within the Act now.

MR. EVANS: Mr. Chairman, I . . . point out that in Section 31(3) on page 18 of the proposed Bill 138, there is reference to disclosure by the chairman. Again there is no separation made to Part I or Part II, and it is our understanding that there will be a disclosure of the entire operations of the Corporation as such, and this is -- certainly it's listed under Part I but it doesn't make specific reference to Part I. Therefore, it is our understanding that it applies to the total operations of the Corporation, not to any particular section or part of the Act as you interpret it.

MR. CHAIRMAN: The Honourable Member for Rhineland.

MR. FROESE: Well Mr. Chairman, if it is understood by the government that this would be covered by it, why don't they accept this amendment then? I can see no reason. Because under Part II the government is going to go into business. They will be in business under Part II on their own, and certainly I think, under that provision, members should have every right to all the information they are seeking, and over the past number of years, we have had a separate report under Part II of the Development Fund Act. It was a nil report but still we had a report, and I take it that we will in future also get separate reports under Part II and I feel that there is nothing wrong by putting this amendment into the section.

(MR. FROESE cont'd.) Certainly it would safeguard it, and as has been pointed out by the Member for River Heights, that he in consultation with the Legislative Counsel, that this is required, and therefore I feel that it should be passed.

MR. CHAIRMAN: The Honourable Member for River Heights.

MR. SPIVAK: I think I have been a reasonably tolerant man up to this point, but I am going to suggest, Mr. Chairman, that if the government doesn't want to accept this they can stand up and say it and not let the Minister of Industry and Commerce attempt to try and spout a law that he knows nothing about, and I want to -- (Interjection) -- Well, we'll have the question; you have the majority; we know the way the vote's going to go and I know what will happen, but you will allow me to finish my remarks.

Now Mr. Chairman, if the Honourable Minister of Industry and Commerce's knowledge of law is correct, then I'll sit down, but I would ask him to take counsel with the Legislative Counsel and to determine whether in fact this is so or not. Now the intent of this is to try and deal with those specific situations under Part II in which the government would enter and create a Development Corporation under Part II of the Fund. Taking a . . . company, which has already happened on three occasions under Part I and is not the same situation, and the Minister of Industry and Commerce who continually talks about it outside this House as if it is the same situation should now determine that one happens to be a method of financing and one is the actual involvement in operation of a Crown corporation, and there is a distinction between that.

Now, I don't know whether anyone has come to the conclusion on the other side as to whether they are intending to deal with this or not, and if you are not, then I'll make some comments, but at this point I would prefer to sit down and to see whether you are prepared to accept this on the basis that there is not, in fact -- the drafting that now is before us does not contain the specific proposals that are contained within the amendment under Part II, because there is a possibility -- and the government has declared this -- that they are intending to proceed with Part II, and I would think that we might as well correct it now so that in fact, when they do proceed under Part II, we will be able to have the information.

MR. CHAIRMAN: Are you ready for the question?

MR. SPIVAK: Well Mr. Speaker, in view of the fact that the government is not prepared to make a statement, then -- (Interjection) -- You've made a statement. Well then, may I say, Mr. Speaker, that if the government accepts that the Minister of Industry and Commerce's interpretation of the law is correct, then I must say that one cannot think very highly of the legal opinions of the members on the opposite side.

Now, it's very easy, because the government majority have passed this over, but let's now analyze where we really stand. The government has indicated to us that they are the ones who believe in disclosure.

A MEMBER: Open government.

MR. SPIVAK: Open government. They have indicated to us that it's their intention to act in a way in which there will be full opportunity for the people of Manitoba and the Legislature to have the right to examine the financial matters of the Fund and to be able to deal with all matters. Now I suggest, Mr. Chairman, and I suggest again, that under Part II, if this is not passed, then the government will be in a position of filing -- and they know this, by the way, at this point. They will be in a position of filing a report which will detail and give whatever information they desire.

Now Mr. Chairman, I had no confidence in the members on the opposite side; and notwithstanding the fact that they are going to stand up and say we had no confidence in you and what happened in the past, I must examine what has happened with respect to the present question of equity items, that is equity participation, and the statements that have been made inside and outside this House and throughout this province of their new policy of equity participation. to suggest that there has been a distortion and the public in this province had been misled as to the intent, and I don't want to have it further perpetuated by this report. The whole objective of the report is to present accurate information so that we have an opportunity of judging the stewardship of the government with respect to the matters before us. I have already indicated, with respect to the equity matters, there is some question by some members in the community, who have some knowledge of the investments that have been made, as to the judgment of the government, and at this point we are not asking specifically because obviously there has to be a time when this has to be taking place, and the time is not to have this through

(MR. SPIVAK cont'd.) the question period, the time is not to have this in the estimates of the Department of Industry and Commerce, the time is to have it when the people involved, the General Manager and the Chairman of the Fund, can appear before a committee and can present accurately information together with detailed statistical information in connection with the financial position so that an intelligent evaluation can be made. If we don't do this, we are going to perpetuate what has happened in the past, notwithstanding these sections. And if the members on the opposite side are prepared to do this and if members are so concerned about their position and are so afraid to allow this to take place so that we can have information dealing with the balance sheets, the profit and loss statements and other financial statements of the Crown corporations in Part II, and if they're not prepared to accept it, then I must say that their words ring hollow.

Now there's only one other explanation for this, Mr. Chairman, and that is that the suggested amendments came from the members on this side. Now surely they have reached some degree of maturity to recognize that maybe some members on this side can make a contribution to their thinking, and surely they're not going to have their thinking -- you know, prejudice their own thinking to the point where they're not going to listen to amendments that have been proposed which are furthering the objectives and aims that they have expressed.

Now having said this, Mr. Chairman, I look forward to seeing whether the government is prepared to support this or not. I recognize they have a majority and I recognize that they can turn this down, but in turning this down, notwithstanding the statements that have been made by the Minister of Industry and Commerce as to what this means, and he doesn't know what he's talking about and this isn't the first time this has happened, then I suggest, Mr. Chairman, if this happens, that the government really is not intending -- (Interjection) -- Your intention is to do what? -- (Interjection) -- Well, if you're intending to approve this, this is fine, but that wasn't your indication . . .

MR. EVANS: Mr. Chairman, I am not a lawyer, as the Honourable Member for River Heights points out day in and day out, but I can read Part II, and Part II says not a darn thing that you cannot disclose information on a particular company. There's no reference to secrecy with respect to a particular company in Part II and therefore automatically Section 44, which refers to the Annual Report, means automatically the government may disclose the information on a particular company or a particular enterprise, and it is the government's intention to do so, and I don't know how many darn times I have to repeat it.

MR. HARRY ENNS (Lakeside): Mr. Chairman, I'm not a lawyer either but it's just not possible that I'm hearing right. The government, this government "may" disclose - did I hear them right? After the big production they've been making on the question of disclosure with respect to MDF loans? The Honourable Minister of Finance, it was his pet challenge to the previous Premier, and I'm referring to Premier Roblin in this instance. This whole question of disclosure with respect to MDF funds and loans arrangement has been one of long-standing argument with the then-Opposition group, the New Democratic Party, and now we have, we witness a squirming in the chairs, a legal argument as to whether or not an Act will apply or will not apply, and then finally capped off with -- really, what is in the back of their minds is that they want to regain precisely, precisely, the same powers, if you want to, that the previous administration did - which I must admit, after having listened to the reasoned arguments of members opposite, I've come to the conclusion, as obviously has the . . .

MR. EVANS: Would the honourable member submit to a question?

MR. ENNS: . . . come to the conclusion -- No, Mr. Chairman, I'd like to finish what I have to say. I must say that I've come to the conclusion that, with respect to the lending out of public funds in one way or another way, that full public disclosure is unquestionably the right course. Now, for this government to suggest to my honourable colleague the Member for River Heights that they wish to reserve for themselves the discretion as to whether or not they will or not - and Mr. Chairman, he chose, he used the word "may". He used the word, not I, and as the Member for River Heights has already indicated, the government will do exactly what they want to do; they will do exactly what they want to do because they have their troops and they can muster it. But Mr. Chairman, it's our responsibility right now particularly, on this particular issue, to indicate just how the wheel turns, how the wheel turns, that if they now wish to choose for themselves to hold the discretion to themselves as to whether or not the disclosure will be made.

Now, if there is any doubt about this, then accept the amendment. The amendment is

(MR. ENNS cont'd) a reasonable one; it calls for further disclosure; and particularly in view of the fact that the government is entering into or has announced that it's entering into new fields with respect to Part II of the MDF Fund, then it seems to me, Mr. Chairman, that the request coming from this side is only reasonable.

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

MR. CHAIRMAN: (Section 44 of Bill 138 was read and passed.) Section 45 — The Honourable Member for Birtle-Russell.

MR. HARRY E. GRAHAM (Birtle-Russell): When you're dealing with Part III of the MDC . . .

MR. CHAIRMAN: We are now.

MR. GRAHAM: . . . Section 45, with the loans to MLAs prohibited, there's a little word in the last line which leaves the door open, where it says, "in which a member of the Legislative Assembly has a substantial beneficial interest." Could the Minister please define for me the word "substantial"?

MR. CHAIRMAN: The Honourable Minister.

MR. EVANS: Mr. Chairman, in this respect there's been no change, to my knowledge, from the preceding Act. The only changes, instead of the word "Fund" we're using the word "Corporation" and you can read it word for word, and -- well, I'll read the old Act: "The Fund shall not make a loan to any member of the Legislative Assembly, directly or indirectly, or to any person acting in his behalf, or to any firm, corporation or organization in which a member of the Legislative Assembly has a substantial beneficial interest." And I submit, Mr. Chairman, that the Section 45 of the new Act reads word for word except the word "Fund" is replaced with the word "Corporation". So I submit, Mr. Chairman, the word "substantial" now means the same as it did under the administration of the former government.

MR. GRAHAM: Thank you very much for the words of wisdom from the Minister. Now I know what "substantial" means. Maybe I should ask the First Minister if he could define for me the word "substantial".

HON. ED. SCHREYER (Premier)(Rossmere): Mr. Chairman, I would define the word "substantial" to mean something more than insignificant.

MR. CHAIRMAN: The Honourable Member for Rhineland.

MR. FROESE: Mr. Chairman, this is the section that I brought in in 1966. The Bill at that time did not have such a provision and my amendment at that time did not contain the words "substantial beneficial interest." This was the provision added by the Honourable Duff Roblin at that time, so that's where you have the substantial beneficial interest from.

MR. CHAIRMAN: (Sections 45 to title of Bill No. 138 were read and passed.) Bill be reported.

MR. CHAIRMAN: The Honourable Member for Rhineland.

MR. FROESE: Mr. Chairman, I will move that the bill not now be reported.

MR. CHAIRMAN put the question and after a voice vote declared that Bill 138 will be reported.

MR. GREEN: Bill No. 140, Mr. Speaker.

MR. CHAIRMAN: Bill 140?

MR. GREEN: No. 150.

MR. CHAIRMAN: (Bills Nos. 150, 110, 130, 136, 133, 144, 145, 146 and 63 were each read section by section and passed.) Bill 129 Section 1, 4(4F) — The Honourable Member for Sturgeon Creek.

MR. FRANK JOHNSTON (Sturgeon Creek): Mr. Chairman, I'd like to state again that the powers given the Metropolitan Corporation in Bill 129, Section 1, (4F), (4G), (4H) and (4I) are far too extensive a power to be given to anybody of municipal government in any province or in any country, and actually they have not been given to anybody else in this country as far as I can find out.

Mr. Chairman, I would like to read briefly a letter that I have received. A copy of it was sent to me and it explains very well my position on it. The letter is addressed to the Honourable Minister and copies went to myself and the Honourable Attorney-General, and it's from the Mayor of St. James-Assiniboia, and I say it explains my feelings and some that I think should be taken into deep consideration by the members of this House.

"The addition of Sections (4F) and (4G) as set out in Bill 129 would remove all restrictions and the valuable limitations to the powers of expropriation granted to Metro. It would

(MR. F. JOHNSTON cont'd.) leave in doubt whether those responsibilities granted to the municipalities of distribution of municipal services and recreation are to remain with the municipalities or whether they are now transferred to Metro.

"Section 197 of The Metropolitan Winnipeg Act provides: 'In the event of a conflict between any provisions of this Act and any provisions of The Municipal Act or the charter of any city or town, the provisions of this Act prevail.' Subsection (b) of Section (4G) in Bill 129 sets out simply that Metro may develop or redevelop any land acquired by Metro and, without limiting the foregoing, provide services for the land. In order to avoid conflict and confusion between the responsibilities of municipalities and Metro as to the distribution of services (the responsibility of the municipalities) and the supply of the main services (the responsibilities of Metro), this section should limit the power of those purposes authorized by the Metropolitan Winnipeg Act.

"Subsections (c) and (e) of Section (4G) of Bill 129 provide general power and, when combined with general expropriation powers of (4F) in Bill 129, may lead to a conflict of responsibilities and to confusion. The power of expropriation in Section (4F) is general and sets no limit as to the purpose under which Metro may expropriate. These general expropriation powers, when combined with subsections (c) and (a), does allow the Corporation to enter into any type of building construction and house building. These same provisions allow the corporation to enter into any recreational or cultural facilities.

"It is submitted that no public body should be allowed such wide and general powers. The Municipal Act provides municipalities with certain responsibilities for recreation and distribution of services. Unless the provisions referred to in Bill 129 are limited to those responsibilities given Metro under The Metropolitan Winnipeg Act, Metro may well assume broader powers than those given to it in The Metropolitan Winnipeg Act. The general power of expropriation is so wide in (4F) that it allows for taking of lands for any purpose without, in (4F), expropriation, without expropriation as authorized under The Metropolitan Winnipeg Act where it is deemed necessary for its purposes, thereby limiting expropriation to those purposes authorized in The Metropolitan Winnipeg Act.

"The City of St. James-Assinibola submits Sections (4F) and (4G) of Bill 129 are limited and may serve as transfer of authority from the municipality to Metro, which could possibly establish Metro as a regional government and an area of municipalities as of administrative branches. If this is the purpose of the amendment in Sections (4F) and (4G) of Bill 129, surely these powers should not be granted until the Boundaries Commission have reported, and further until a decision is made as to new boundaries, and their power established. The alternative section (4F) and (4G) should be amended to limit the new powers to those purposes described in the Metropolitan Winnipeg Act."

Mr. Chairman . . .

HON. HOWARD R. PAWLEY (Minister of Municipal Affairs)(Selkirk): Would the honourable member permit a question?

MR. F. JOHNSTON: Certainly.

MR. PAWLEY: Would the honourable member, who is a member of the St. James Council -- I received the original of this letter this morning and I was wondering why the City of St. James-Assinibola -- and I'm sure he could provide me the answer -- why they failed to present this submission to the appropriate committee when we were dealing with this matter in committee stage where public representations were being heard.

MR. F. JOHNSTON: Mr. Chairman, I don't know. The Mayor of the City of Winnipeg with the aldermen -- in fact I was not present when they went over Bill 129 -- it was decided to write a letter to the Minister giving their opinion and send a copy to the MLAs in the area, and I have no idea why they did not make representation.

Mr. Chairman, the last paragraph, where it states that it's fairly obvious that if this power is granted the Metropolitan Corporation of Greater Winnipeg at the present time, this government is automatically saying that this city, regardless of what the Boundaries Report said, this city is going to be governed by the Metropolitan Corporation with the cities and municipalities being administrative branches, because if this Act is passed the way it is, it wouldn't matter what the Boundaries Report says. Metro will automatically have that power, and Metro has too much power right now. Metro is a fifth wheel of government that should be eliminated the way it presently is constituted. It's been a complete flop, and all-- (Interjection) -- Yes, that's right, and I'm sure that to you fellows it sounds marvellous. It sounds

(MR. F. JOHNSTON cont'd.) really wonderful. One big city. One big city. You'll all move out because you won't be able to afford it, and I'm telling you right now if you think you can go from twelve to one overnight, which is what this pretty well does, it sets the scene for it, it's impossible. Any aldermen that you'll meet in this area don't agree with twelve and they don't agree with one either; these men are responsible men and I assure you they can tell you more about setting up the city than you fellows know over there. This will give Metro far more power than any local government should have in any province, and that's basically true and you can't deny it. You're just saying that you're setting up Metro regardless of what the Boundaries Report may bring in.

MR. PAULLEY: I wonder if my honourable friend would answer a question. He may not be able to answer but I'm wondering whether my honourable friend, again as a Member of the Council of St. James-Assiniboia, whether he could tell me whether or not the letter was written in the knowledge of the provisions of the new Expropriation Act that has just been recently adopted by this Legislature that calls, as a requirement, for pre-hearings before expropriation takes place? It is my understanding this also is applicable to Metro.

MR. F. JOHNSTON: That's right. Mr. Chairman, I again can't answer that. I am a member of this Assembly. I do not speak for the St. James-Assiniboia Council when I'm here. This letter explains my position on Bill 129 so I read it, and I've expanded on it a bit. Now, the expropriation Metro does have to partake in. They have to go by the new Expropriation Act. Well, there again, why give them the power if the Expropriation Act is as good as the government says it is? And I believe it is. I talked to the Honourable Minister of Labour about it. The Expropriation Act says that they must tell the people ahead of time what they are taking the land for and what use it's going to ultimately be, so the argument that Metro gave us for this power in Law Amendments or at the Municipal Committee is not really valid, because if they're going to be forced to say what the land was used for, they're going to have to pay out just as much money, and that also will mean there will be all kinds of people's money tied up in land deals in this Metro area. They already tie up \$500,000 in river bank property and there's not a heck of a lot been done with that, but you're going to have Metro with all kinds of money tied up, and if they're buying it that far ahead, they're buying the land this far ahead so that people won't know what they're going to do with it, and the Expropriation Act says that they must know what they're going to do with it, all you're doing is putting piles of money where it could be used by the people. It does not apply that the Metropolitan Corporation, if they have to abide by the Expropriation Act, that they should have this power.

Secondly, I might say Metro is a body of people who do not collect the money that they spend. They have a favorite little trick, you know, of saying, "Oh, we haven't raised the mill rate too much, or . . . the mill rate," but then they go whipping around the city reassessing, and then the next year your bill is higher again. Metro does not collect the money they spend; they just send out bills, and all that's going to happen here is more people's money tied up with power that is second to none.

MR. CHAIRMAN: 4 (4F) — The Honourable Member for Birtle-Russell.

MR. GRAHAM: Mr. Chairman, I am a rural member, and on the question of Metro we quite often have a tendency to say, well, let the city boys worry about it; but actually, Mr. Chairman, if we are to fulfill our duty in this Legislature, we have to look at all facets of the legislative process and have to become familiar with the various pieces of legislation that do affect the urban area, and this is one piece of legislation that does affect the urban area. And if what my honourable colleague here has just reported is the case, then there is real cause for concern. But even if it was not the case, there is still cause for concern, because we found last year that the Premier of this province assured the insurance industry that they would be consulted and this Minister of Municipal Affairs went ahead with his program without consultation of the insurance industry.

MR. PAWLEY: Mr. Speaker, just on a point of order, I wonder if the honourable member is aware that he is not dealing with Bill 56.

MR. GRAHAM: Mr. Speaker, we have also seen the government here . . .

MR. CHAIRMAN: . . . or I will determine whether or not he is effectively dealing with the Bill 129.

MR. GRAHAM: We have also seen, Mr. Chairman, this government express their concern about the assessment practices in the Province of Manitoba, and we find this Minister introducing a tax deferral system bill which does deal with assessments, even though they are

(MR. GRAHAM cont'd.) going to deal with assessment at a later date. We now find that the report of the Boundaries Commission is supposed to be due at the end of this month and here is this Minister bringing in a bill which deals with possibly some recommendations of the Boundaries Commission. So we have . . .

MR. PAWLEY: Mr. Speaker, on a point of privilege, I would ask the honourable member to check the front of Bill 129. You'll find that this Minister is not the sponsor of this bill.

MR. GRAHAM: Mr. Speaker, whether he is the sponsor of it or not is immaterial; the question of municipal affairs is his responsibility, and if he is shirking his responsibility in that manner I feel that he should be more concerned than ever, but here we find that the Local Boundaries Commission, which has worked for several years, is due to bring in a report, according to the Premier, before the end of this month, and yet we find that this government is not waiting for that report but they are going to proceed anyway. If that was the case, I would say, why did they keep the Boundaries Commission on? If they are not going to wait for their report, why have them sitting? Why didn't they get rid of them? If they want to go ahead with their own program, what's the point in having a Boundaries Commission?

So, Mr. Chairman, I have some concern at this time because we have repeated examples here that the government is saying one thing and doing the other. This causes me concern and I'm sure it causes many Manitobans concern, because people all over this province are now starting to wonder just what this government is, in fact, attempting to do because they're saying one thing and doing the other. So I have a great deal of concern at this time when they say that they're going to do one thing and they're doing the opposite.

The point that my colleague has raised, I think is a very valid one, and if you are really going to listen to the report of the Boundaries Commission, is it that essential that this Bill has to be passed now? Is it really that urgent that it has to be passed now? A matter of two weeks till you get the report of the Boundaries Commission and another two years to study it, might cause you to think that maybe this is not in the best interests of the people of Manitoba. Then again it might be, and I'm not going to say. But why not wait until you have that report? You're not helping your cause or the cause of the people of the urban area by proceeding in a haphazard manner without waiting for a report which has taken considerable time to prepare, and whether it's a good report or a bad report depends on who's reading it and what interpretation you put on it, but that is your prerogative; you are the government - for a very short period of time, but that is another point. But if you think this is so essential to push through right now without waiting for the report of the Boundaries Commission, then I think that you must be prepared to take the consequences.

MR. PAWLEY: Will the honourable member submit to a question?

MR. GRAHAM: Certainly.

MR. PAWLEY: Is the honourable member just as concerned about the more or less equal powers that are granted to the towns, villages, and rural municipalities that fall under the Provincial Planning Act as he is with Bill 129 and the proposed powers there insofar as the Metropolitan Corporation of Winnipeg is concerned?

MR. GRAHAM: Mr. Chairman, at the way this present government is going we won't have to be too concerned about the towns and villages; there'll be none left if they carry on the way they're going right now.

MR. CHAIRMAN: The Honourable Member for Lakeside.

MR. ENNS: Mr. Chairman, I too am concerned, and when I'm concerned I would like to discern the concern that I have about a section of this Act. I am not opposed to the Bill that is before us but I'm opposed to, and I will vote against, the particular section here that deals with the powers in the additional zone.

MR. GREEN: Mr. Chairman, is the honourable member aware that the additional zone has been struck out of that particular clause?

MR. ENNS: Thank you. I wish to thank the House Leader for that information. That removes the concern that I had.

MR. CHAIRMAN: The Honourable Member for Rhineland.

MR. GREEN: That's the first time I've got up and shortened the proceedings.

MR. FROESE: The Honourable Minister was interrupting me. Mr. Chairman, I move that the Section 1 of the Bill be deleted, and I want to speak to the motion. That's Page 1.

Mr. Chairman, we heard representation in committee on this particular bill and especially in connection with the Section 1 of the Bill. We heard from individuals, from

(MR. FROESE cont'd.) developers; we heard from Metro Council and the Vice-Chairman of Metro, and he told us, when questioned, in no uncertain terms that they were in the process, if this Bill was passed, to assemble land and to develop it but not to resell, so this means that the City would be the owner of the property indefinitely and that once the lands were assembled the intention was for the city to hold on to it. I feel that I cannot support this City of Winnipeg, or Metropolitan Winnipeg. -- (Interjection) -- Metropolitan Winnipeg. So Mr. Chairman, I for one cannot support this kind of business. I know that we as a government of Manitoba under the Development Fund are proceeding into business and are going to set up corporations, subsidiaries and take over businesses, as Bill 56 provides, and now we are also going to find that the Metropolitan area of Greater Winnipeg is going to follow suit, also go into business, that of land assembly and development and housing and so forth.

I don't think that when Metro was set up originally away back in 1960 that this really was the intent at that time. I couldn't support the government in connection with the Metro Bill at that time and I still can't subscribe to the principles in the way the Metro was established and the powers that were given to Metro. In my opinion they were far too excessive and I just don't go along with it. Here, too, there's no limit set as to the amount that the Metro Board can spend on the matter of developing and on the matter of acquiring land and then holding it indefinitely.

Therefore, I am moving the motion that this part of the bill be deleted because I feel that we are giving them far too much power, and right now through land assembly they're speculating on the supposition that land prices will continue to increase and that inflation will continue. On the other hand, if prices should go down, if the tight money situation prevails and continues and that the economy will deteriorate further, that Metro then could find itself with large liabilities on their hands, and the people in the City of Winnipeg and the various suburban municipalities would be required to foot the bill. And this would all happen without the people having any right or any vote or any say in the matter. We know that Metro does not have to go to the people for by-laws or any moneys. All they do is ask the various municipalities for the moneys and they have to put it up, so I cannot subscribe to the philosophy in this portion of the bill, and I intend to oppose it.

MR. CHAIRMAN: The Honourable Member for Fort Garry.

MR. BUD SHERMAN (Fort Garry): Mr. Chairman, I rise for just a brief moment or two to support the position taken by my colleague the Member for St. James-Assiniboia with respect to Bill 129 and to support - for Sturgeon Creek, correction, Mr. Chairman - for Sturgeon Creek - on Bill 129. I was thinking of his connection with the municipality of St. James-Assiniboia and it's from his experience in municipal affairs in that connection that he makes the plea that he does for a redrafting or reassessment of the directions proposed for Metro in Bill 129.

I similarly support the amendment moved by the Member for Rhineland and in fact, Mr. Chairman, had I not been so slow in getting to my feet I would have moved the amendment myself. I believe that Section 1 in its entirety, of Bill 129, will work to the severe financial disadvantage of individual municipalities in the Metro area. I believe that it contains within it regulations that will inhibit the negotiations undertaken by individual municipalities in the Metro area for attracting industry and I believe that it intends to place in the hands of Metro an absolute power that is extremely dangerous.

I'm disturbed also by the fact that I see no reference to and am aware of no opportunity of any right of appeal, of any avenue of appeal that individual municipalities may have against the Metropolitan Corporation should it be vested with this kind of absolute and autocratic authority. I think, Sir, that many improvements require to be made in the over-all administration of our Metropolitan community. I think that there is a strong case that can be made for rationalization of the Metropolitan setup as it currently exists. There's certainly a strong case that can be made for rationalization in terms of the multitude of services and administrations, the overlap of services and administrations that exist as a consequence of the proliferation of individual municipal administrations in the entire Metropolitan Winnipeg area, and I favour a rationalization of the present system.

I favour a tightening and an improvement in the loose, disorganized, and in many cases cross-purposed setup that we have at the present time with all the member municipalities and their conflicting ambitions and conflicting roles, but I don't think that the answer lies in the vesting in the hands of the Metropolitan Corporation this kind of absolute authority, and I fear

(MR. SHERMAN cont'd.) for the effect it would have on municipalities such as the one which I represent - and I make no bones about that vested interest, although I'm not a member of the Fort Garry Municipal Council, as my colleague from Sturgeon Creek is a member of the Council of St. James-Assiniboia, but I still have that concern for the rights and the role and the sovereignty of the municipality which I represent, which makes me extremely anxious for the future of the municipal function and the municipal role, when authority of such an absolute nature as envisaged in this bill is placed in the hands of the Metro Corporation. So I say, Sir, that I rise to support the amendment of the Member for Rhineland and only regret that I didn't beat him to the floor to move it myself.

MR. CHAIRMAN: The Honourable Member for Sturgeon Creek.

MR. F. JOHNSTON: Mr. Chairman, I've already made my few comments and I just make one more comment, that this power - and just think about it - this power gives Metro the power to expropriate any lands, any houses, any buildings, anywhere, and do as they please with it. Now that's a pretty wide power to give anybody. That's a pretty wide power to put upon the citizens of Metro Winnipeg. I know that this has been requested by Metro Winnipeg; for a long time they've been trying to ask for this particular power to be given to them, and I know, and in fact the Honourable Minister of Education mentioned to me that he presented it one time, I believe, and believed that they should have it to put this Assembly with the idea that they should have this power. But it's not right. You're giving a group of people who are not responsible for collecting any of the funds, as I said before, that they have to spend, and they will tie up money which will be nothing but a financial burden on the people plus they can do anything that they please, at any time, with their expropriation. Mr. Chairman, I practically plead with the members of this House not to give the Metro Corporation this power at the present time.

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MR. C HAIRMAN: The Honourable Member for River Heights.

A MEMBER: Not again.

MR. SPIVAK: Again. Mr. Chairman, there are a couple of aspects of this particular bill and this particular item that should be discussed and some note be made on the record. First, the development plan itself is not something that is undesirable. It's a desirable concept. -- (Interjection) -- Yes, just let me -- the development plan itself, the development plan itself is not an undesirable thing. We do know that the government intends to introduce very soon either amalgamation of the City of Winnipeg, or some concept of amalgamation, which will either accept the Boundaries Commission's recommendation or Meyer Brownstone's recommendations -- either one. We do know as well that there are proposals for the development, commercial development of the downtown area, some of which are in conflict with the development plan as proposed by Metro. We know as well that there was a proposed project for Centrepoint which involved, or was conditional on provincial government participation in a convention facility. We know as well that there is discussion now taking place with another developer for a convention facility to be tied into his development, and from all appearances it would appear, it would appear that the first land to be expropriated by Metro under this specific provision will be land to be used by a commercial developer in connection with his specific project which will tie in with the over-all development plan but which may very well involve a convention facility to be financed partly or wholly by the province.

Now, none of these things in themselves are things that should be of concern except that the intent of this proposal was not to be used as a vehicle for commercial enterprises who are desirous of and concerned with purchasing property, and through the use of this specific power will be able to acquire property that they may not otherwise acquire on the same pricing condition. Now I don't think that was the intent.

Now Mr. Chairman, the thing that disturbs me and I think I'm correct in this, is that at the committee hearings no one from the City of Winnipeg made any representation, and if I'm correct, neither did the mayor. Now if the Minister had been in communication or had there been some representation in writing or verbally made before him in connection with this bill, by the City of Winnipeg or by the mayor, I'd like to know, and I think it's important for the record, because I think it has a great bearing on the decision that has to be made by the members in this House, because if I'm correct, the only representation made was the representation from Metro in support of this, in terms of an official municipal body, was by Metro in support of this. Now . . .

MR. JOHANNSON: Would the honourable member submit to a question?

MR. SPIVAK: Yes.

MR. JOHANNSON: Did not the City of Winnipeg have a chance, an equal chance, along with other municipal bodies, to present a brief before the committee, and did they not certainly receive ample notification of the fact that this bill was coming before Law Amendments?

MR. SPIVAK: Mr. Chairman, this is exactly the point that I'm going to make, and you've made the point. I don't really believe that there was adequate notice because of the way in which our committees operated, and the Honourable Member for St. Matthews can shake his head. I really don't believe that. However, the city -- there's an onus on the City and the other municipalities to act in the most proper manner and there's a responsibility on their part to present a watching brief in connection with these items. Now the point, Mr. Chairman, that I make, and one that becomes very serious, if neither the City of Winnipeg nor its mayor, nor any of the municipalities, are prepared to come forward to the committee and to this Legislature to oppose this legislation and to oppose the specific provision, if neither bodies, or none of the bodies are prepared to come forward and deal in the specifics that I've mentioned, and others that are before them, then I wonder whether, Mr. Chairman, on this particular situation, whether there's justification to withhold support for this particular section in view of the fact that the other political institutions on the municipal level have not been prepared to come forward and to present their position. And Mr. Chairman, had they done this and had they presented the position which would indicate some of the things that I believe are the case -- but I'm not sure of them as a matter of fact and I'm not suggesting that everything that I've given or presented this evening is accurate; I only know this by thirdhand reports from others but I have a suspicion, unless someone is prepared to stand up and say that it's not so, that there's probably more truth in what I've said in this specific situation than untruth -- then I say, Mr. Chairman, how can the members of the committee here be expected to vote against this other than on the principle that's been expressed by the Member from St. James and the Member

(MR. SPIVAK cont'd.) from Fort Garry whose principle I respect and whose right of standing for that principle I respect as well? But it would seem to me that if those who are involved in the City Council, including the mayor, have any objection to this specific clause or are concerned about Metro's power, they should have been before the Committee and they should have made representations, and those representations have not been made and therefore one has to conclude that they're satisfied with the kind of negotiations that are taking place, in turn are satisfied with what is happening with respect to this plan.

Mr. Chairman, this specific section, we'll have an opportunity in the sessions to come, at least the Legislature will, of reviewing this section and determining whether in fact the powers that are being given are really going to be used in a way which will not accomplish the simple objective, which was to basically get the development plan into operation and to thus stimulate the City's development. And I think we're going to have to wait and see the experience of the next period of time to know whether this is the case and we can judge on that basis, and on the basis of that, Mr. Speaker, I would believe that there should be support for the specific section and not for the proposal before you.

MR. CHAIRMAN: Just to clarify a procedure again. I would like to remind members that it is not necessary to propose a motion for a deletion of a section. A proper method is to wait until a section is called and then to vote in the negative. It is only positive motions which are in order. So I would therefore refer back to the section I was dealing with and ask the Member for Rhineland, and any others, that when we complete the section and I call for the passage of Section 1, to at that point say nay, and if there is sufficient support or sufficient size of opposition, then a division may be called for, but it is actually not in order or not good procedure to move the deletion of a section. -- (Interjection) -- Well, I am still proceeding through Section 1. I'm on 4(4F) (b).

MR. FROESE: On a point of order, Mr. Chairman. You have accepted the motion when I made it.

MR. CHAIRMAN: I did not accept it. I simply accepted it physically. I did not say in any words that I had accepted it.

MR. FROESE: You accepted the motion and allowed it

MR. CHAIRMAN: Well the motion was handed to me and I did not accept it verbally. (Section 1 of Bill 129 was read and passed.)

I'm calling the question on Section 1 -- passed?

SOME MEMBERS: Nay.

MR. CHAIRMAN: If the Member for Rhineland would like to challenge the . . .

MR. CHAIRMAN put the question.

MR. CHAIRMAN: I believe the Nays have it.

MR. GREEN: Mr. Chairman, would you call the Yeas and Nays.

MR. CHAIRMAN: Call in the members. We're dealing with Bill 129, an Act to amend The Metropolitan Winnipeg Act.

A COUNTED VOTE was taken on Section 1 passing, the result being as follows:

YEAS, 29; Nays, 17.

MR. CHAIRMAN: Those in favour have it. Section 1 passed. (Sections 2 and 3 of Bill 129 were read and passed.) Section 4. The Honourable Member for Rhineland.

MR. FROESE: I move that Section 3 of the bill be amended by, deleting the words "sixteen thousand eight hundred dollars" and inserting the words "twelve thousand seven hundred and twenty dollars."

MR. CHAIRMAN presented the motion.

MR. PAULLEY: On a point of order, all the honourable member has to do is to vote against the section and then in effect it remains the way it is.

MR. FROESE: Mr. Chairman, if I may, the Honourable Minister is incorrect. The amount that I am putting in there is \$12,720. This is an increase of six percent. This is according to the Federal Government guidelines and therefore I feel that we are away out of bounds in increasing salaries in this way. Certainly I think we should be economy-wise at this time when the farmers of this province are facing a very serious situation, when they will be doing without many things that they would also like to see. They would like to see higher prices on wheat, coarse grains, flax and so on, but their return will be very limited. Certainly, prices of grains have gone down instead of going up in recent times, and here we are going to give these people big increases and I feel that we should be guided somewhat by the situation

(MR. FROESE cont'd.) that is prevailing today and that the increase be along the guidelines set out by the Federal Government, namely six percent.

MR. CHAIRMAN: The Honourable Member for River Heights.

MR. SPIVAK: Mr. Speaker, I have a question for the Honourable Minister of Transportation. I wonder whether he could indicate to the House whether he intends to protest this raise or not.

HON. JOSEPH P. BOROWSKI (Minister of Transportation)(Thompson): I agree with it but I'll vote against it.

MR. SPIVAK: Mr. Chairman, I have a question for the First Minister. I wonder whether he can indicate whether Mr. John Young has approved of this raise or not.

MR. SCHREYER: Well, Mr. Chairman, the question just asked, I know it was really put forward in a bantering manner but it does afford me an opportunity to make some comments relative to the amendment before us. In the first place, although I don't suppose the Honourable Member for Rhineland would put much weight in it, the fact remains that we are not fixing the salary by passing this bill, but leaving it in the judgment of the Metropolitan Corporation of Greater Winnipeg's elected council. I believe that is correct.

The second point, which again I don't believe the honourable member would put much weight in, is the fact that in different jurisdictions in this province, in this country, different provinces, and the different cities within each of the provinces, there are various levels of salary that are received by mayors of the larger cities and premiers of other provinces. It is a matter, I suppose, of interest to the Honourable Member for Rhineland that the salary received by mayors of the City of Vancouver, when you relate it to the salary received by the Chairman of the Metropolitan Corporation, it would seem that if this increase in fact implemented by the Metropolitan Corporation, that the salary would still be, I'm confident, substantially lower.

The Premier, or Prime Minister of British Columbia, for example, receives a salary much, much larger than that of the Premier of Alberta, Saskatchewan or Manitoba. I know that it's not being increased this year - perhaps this would please the Prices and Incomes Commission - but somewhere along the line in the past year, two or three or four years, the salary must have been increased substantially, otherwise it couldn't be at the level that it is now, so if an increase takes place in one year that would be higher or larger than that which would be acceptable to the Prices and Incomes Commission, the fact still remains that some time in recent years increases in salaries of mayors or premiers must have been to a degree that would have been unacceptable to a Prices and Incomes Commission had there been one, and I regard that as relevant to the amendment that is put forward by the honourable member at this time.

MR. CHAIRMAN: The Honourable Member for Rhineland.

MR. FROESE: Mr. Chairman, in reply to what has just been said, these other cities only have one administration. We have two administrations. We are not just paying the mayor of the city but we are also paying Metro Council and the chairman and vice-chairman who are getting additional indemnities, so that if other cities give an increase to the mayors, certainly it is not the cost of administration, is not nearly what it adds up to in Winnipeg when you add both the City of Winnipeg and the Metro Council together, so that in fact the people of Winnipeg are paying much more in administration to their officers than other cities.

MR. CHAIRMAN put the question on the proposed motion of the Honourable Member for Rhineland and after a voice vote declared the motion lost.

MR. CHAIRMAN: (Sections 5 to 7 were read and passed.) Section 8 33(1)(a) -- passed. The Honourable Member for Rhineland.

MR. FROESE: Mr. Chairman, I move that Section 8 be amended by deleting clause (c) of subsection 33(1).

MR. CHAIRMAN: Again I would remind the member that he should simply express his views and vote against Section 8 when it is called.

MR. FROESE: Well Mr. Chairman, I challenge your ruling. I put a properly worded motion up to you and I see no reason why it should not be accepted. I want to speak on the motion, and therefore

MR. CHAIRMAN: There is nothing to prevent the honourable member from speaking. He should be putting motions that either amend or else, if he wishes to speak against and vote against a section, he should do so. It is not necessary to move a negative motion. In fact, I

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(MR. CHAIRMAN, cont'd.) think it is out of order. I'll quote Beauchesne in a moment for you.

MR. GREEN: Mr. Chairman, would the honourable member not consider that there is -- you know, this has been a moot point. Several times motions for deletion have been put and accepted. The Chairman has now indicated that he prefers to deal with it in an orderly manner; that if one is not in favour of the section, he votes against; for or against, which gives the honourable member the chance of voting and it also gives the honourable member the chance of speaking, so why should we be arguing about something which is a moot point, whether the Chairman is or is not correct? Is there any loss that the member suffers by not being able to move deletion rather than speaking against the motion as it's put?

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

MR. GORDON JOHNSTON (Portage La Prairie): Well, Mr. Chairman, if I may speak to that point of order, I would expect that if your ruling is to be accepted and upheld that it would be retroactive, and I'm talking now about in Law Amendments Committee on Bill 10, where sections of the bill, deletions were moved and voted on and accepted, and that bill and other bills are coming back to this House having been amended in that manner, and I would expect that the Speaker should make a ruling now on every motion that has been made in this manner in this session to see as to whether or not the motions where a deletion was moved are valid or not.

MR. CHAIRMAN: The Honourable First Minister.

MR. SCHREYER: Mr. Chairman, I really fail to see what earthly difference it could make to anyone on either side of the House whether a motion is spoken against and voted against by an honourable member or whether he is allowed to move a motion to delete a particular reference. The net effect is the same. It's not even of a tactical advantage, I shouldn't think. The only circumstance in which I can see that there is a difference between voting against a motion or moving a motion to delete, is in the case where an honourable member wishes to vote against only part of a particular motion, in which case it's in order; it's really necessary then to move a motion to delete part of a particular provision. Here we are getting ourselves worked up into a frenzy as to whether or not the Member for Rhineland should be allowed to move a motion of deletion when he could accomplish the same purpose by voting against. If he is only against part of the particular section that is before us, then of course I can see the necessity of a motion to delete part of a provision in the bill.

MR. PAULLEY: Each section is called separately.

MR. FROESE: Mr. Chairman, if I may speak to the same order. When the Chairman goes through the bills section by section, he calls out "pass; pass." He doesn't call for a vote. No he doesn't; he just calls out "pass" and that's it. In this way you are putting it forward in a positive way and you then have it on record as members voting for or against it, and for this reason I feel that this should be adhered to.

MR. SCHREYER: I would just like to make the point, Mr. Chairman, that when Mr. Chairman puts the question "pass?" in the interrogative tone, that is really the putting of the question, and if the Honourable Member for Rhineland does not wish that section to pass, he would merely indicate nay, and if he wishes he can ask for a recorded vote. The use of the word "pass" really is a question; shall the section pass? The honourable member can indicate nay and ask that a vote be taken if he wishes to.

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

MR. G. JOHNSTON: On the point of order that is under discussion, Mr. Chairman. If this is the case then, a member or a Minister does not have the opportunity to explain or try to persuade people as to why he thinks the question should pass or not. -- (Interjection) -- Well, it didn't happen in all the committees that I attended this session. Members and Ministers moved deletions of sections of a bill and they spoke at great length, and if we are going to accept the procedure that has been suggested by the First Minister and the Chairman, there will be an eye and nay and that's it. There will be no chance to speak to the question.

SOME MEMBERS: No! No!

MR. GREEN: Mr. Chairman, surely the honourable member knows what is going on, and I thought the First Minister put it in a way in which everybody could grasp immediately. The Chairman could say, instead of pass, which is the word that I have heard in these four years, "question on 1; question on 2; question on 3"; and every time he says "question" anybody can take the floor the same way as when Mr. Speaker puts any other question, so there is

(MR. GREEN cont'd.) no doubt at all about honourable members being able to speak. Every time he asks for the question, which is when he uses the word "pass", any member can take the microphone and that has been happening, and nobody has ever been prevented from speaking.

The Honourable Member for Portage says that this should be retroactive. Mr. Chairman, there is no difficulty about what is happening. The Chairman has asked honourable members to co-operate on a procedure which he thinks is right, which does no harm to anybody, and which he feels is the correct procedure. That doesn't mean that we have to go back through four years of legislation to see what has been passed in that way and what has not been passed in that way, or even go back in this session. He is merely indicating that from this moment he wishes to adopt this procedure. Now Mr. Chairman, I couldn't care one way or the other, but the Chairman is running the meeting; he has asked for that; and certainly it doesn't do the harm that has been suggested by the Member for Portage la Prairie or the Member for Rhineland.

MR. G. JOHNSTON: Mr. Chairman, on the same point of order. I thought I understood you to say that if a member wished to record a difference with a section or a clause of a bill, he was to say aye or nay . . . -- (Interjection) -- Well, I understood the Chairman to say this, and if a nay is called by one of the members, well then the Chairman has no alternative but to call the other side of the question.

MR. GREEN: There is a misunderstanding. I don't think that there is any doubt that when he says "pass?" he says, "Are you ready for the question?" That is his shorthand for "Are you ready for the question?" And then if somebody wishes to speak they can speak - there is absolutely no doubt about that.

MR. CHAIRMAN: I would try to sum up what I have said in the following manner. There is a section in Beauchesne which I have been using as guidance, and I'm afraid we are unable to locate it for the moment, that no motion should be put, should be negated in the manner in which the member has done. I might try to explain it under this section. A member is free, when the section is under consideration as in Section 8, to speak in any manner he wishes. He may speak entirely in the negative tone, and then when the section itself is called it is simply called, "Will Section 8 pass?" and the manner is, "Section 8 -- pass," the chairman says, and normally it passes. But if members wish to challenge it in the negative, they are free to do so. So all I'm saying is that it is redundant and unnecessary and, as indicated by Beauchesne, I think it is out of order to actually move a negative motion; that the member wishing to negative a section should simply indicate nay when the section is called, and I have pointed that out to the Member for Rhineland in the last session and several times in this session.

I would like to read from Beauchesne so that . . . Under Section 191 (1) on Page 163, for those members who have a copy; 191(1) in the first part, the first section. I will just read the last sentence: "No motion shall be made in the negative form for the very good reason that the House cannot decide not to do what it is not doing."

I repeat the key words; "No motion shall be made in the negative form." In other words, no motion to delete.

MR. GRAHAM: On a point of order, Mr. Chairman, on the same point of order, Mr. Chairman. With respect to a motion to delete, you have quoted from Beauchesne and this House also has its own rules, but there is one thing I want to impress on your mind, the fact that we are sitting in committee, and in committee basically you are making recommendations on bills. Now a recommendation to delete is in essence a positive recommendation, because you are in effect trying to improve or change a bill, and it's only a recommendation from committee to the Legislative Assembly, and in that respect I submit, Mr. Chairman, that a motion to delete would in that sense be in order.

MR. CHAIRMAN: (Section 8, 33(1) (a) and (b) of Bill No. 129 were read and passed.) Section 8 33(1)(c) --

The Honourable Member for Rhineland.

MR. FROESE: Mr. Chairman, Section 8 deals with "Investment of surplus funds" and here we have section (c) where they will be permitted to invest in the Government of the United States of America investments. I feel that today we have such a shortage of funds in Canada and Manitoba especially that we should not permit the funds to be invested outside of this province. We can well use all the money that we have in our own province and therefore I was moving that particular section be deleted. I feel that there is plenty of ways and means to invest

(MR. FROESE cont'd.) funds in Manitoba without going outside of this country to invest.

HON. SAUL CHERNIACK, Q.C. (Minister of Finance) (St. John's): Mr. Chairman, there has been some support given to the statement made by the Honourable Member for Rhineland. I don't know if that support was facetious or not, so I think I should answer as briefly as I can on this question. Certainly all this is permissive; it's up to Metro to lend its money where it feels it can make the best deal. And it's not at this time when there is a shortage, this is an act we're dealing with.

The Province of Manitoba has the right to invest its monies in various securities which include those of the Government of the United States and those that are provided under The Trustee Act. The Trustee Act enables the investment in securities of various governments including the Government of the United States and in securities guaranteed by various governments including the United States. It occurs to me that if Metro has borrowed in the United States and is in the need to repay, let's say in six months, or eight months or ten months, that it might be to its financial advantage to be able to invest money in securities of U.S. dollars in preparation for a payment in U.S. dollars. -- (Interjection) -- Yes, of course, the credit union of Winkler could probably do the same thing under The Trustee Act. I don't think that we ought to hamper the financial abilities of Metro or any other municipal corporation from being able to operate in such a manner which it in its wisdom thinks to its best advantage.

MR. CHAIRMAN: The Honourable Member for Rhineland.

MR. FROESE: Well Mr. Chairman, I'd like to ask the Minister of Finance when we're dealing with trust funds, and if this is under The Trustee Act, is the information readily available whether these corporations have had seven years success where they've shown profits? I think this is one of the conditions is it not for trustee funds, to meet the requirements under The Trustee Act?

MR. CHERNIACK: I'm sure the United States of America has not shown a profit for quite a while; nevertheless I'm under the impression that it's paid its debentures. And under The Trustee Act I think there's no question that one does not check on the statement of the United States Government of America to see whether it has made a profit in the last seven years. Under the section it's clearly acceptable to lend money to a corporation which is guaranteed by the Government of the United States of America.

MR. CHAIRMAN: (The remainder of Section 8 was read and passed.) Section 9 . . . The Honourable Member for Charleswood.

MR. ARTHUR MOUG (Charleswood): Section 9 would increase the penalty from one-half percent to three-quarters of one percent per month against municipalities that are late of payment. I wanted to make mention that taxes are collectable at par October 1st of the year and Metro makes their demands June 1st for 50 percent of the tax levied against the municipality. Take in the City of Winnipeg, for 1969 their levy was close to \$10 million. Some municipalities - I don't know what the City of Winnipeg's doing - I know it's permissive to charge three quarters of one percent, and even if they are doing it, they're still paying that money out at the 1st of June and they're collecting it at par on October 1st, and at any rate they would have four months' interest to pay at three quarters because if they do collect it in June, they are also giving the same discount previous at the rate of either one-half or three quarters of one percent per month previous to October 1st. Therefore, I would move or vote against Section 9, or move the deletion of it, whichever is right.

MR. CHAIRMAN: Section 9 -- passed. Is the Honourable Member calling for a division?

MR. MOUG: Yes.

MR. CHAIRMAN: Call in the members. We're dealing with Section 9 of Bill No. 129.

A COUNTED VOTE was taken, the result being as follows: Yeas 26; Nays 21.

MR. CHAIRMAN: I declare the section carried - passed. (Section 10 of Bill No. 129 was read and passed) Section 11 -- pass?

The Honourable Member for Charleswood.

MR. MOUG: I also object to Section 10 in the same principle.

MR. CHAIRMAN put the question on Section 10 passing and after a voice vote declared the motion carried.

MR. CHAIRMAN: Section 11 45(1)(a) and (b) of Bill No. 129 were read and passed) . . . by page? (Pages 4, 5 and 6 of Bill No. 129 were read and passed) Page 7 --

The Honourable Member for Charleswood.

MR. MOUG: Mr. Chairman, when you read Section 14(4F)(b): "sell, mortgage, lease, or otherwise dispose of land acquired by the corporation to any person for the purpose of development on such terms and conditions as the council may deem advisable;" and then you go to 4(41) with the expropriation powers that we have ridiculously just given them. When you get to Section 26 175B I really don't see any need for it, but it seems they just forgot something and put it in.

I don't think that the Metropolitan Corporation should be allowed to go into the business of establishing, regulate automobile trailer parks, tent campsites, etc. I don't see any reason why any city or municipality should be using the people's money to go into the business of the trailer park business. We've got a private company at the present time that is developing a beautiful trailer park out by Blumberg Golf Course on private monies and here we have another government in the Province of Manitoba that's going into business in opposition of private people, and they're doing it with the people's money. So Mr. Chairman, I recommend it, I'll vote against it, and ask for the yeas and nays on that 26 be deleted.

MR. CHAIRMAN: The Honourable Member for Fort Garry.

MR. SHERMAN: Mr. Chairman, I rise to support the position taken by the Member for Sturgeon Creek and to say, I think regrettably, that the committee is going through a very important piece of legislation here very quickly and perhaps without giving certain aspects of it the consideration they deserve. I think if you take this bill in total, it appears to be one that works very heavy hardships against the municipalities and I think that it will work very heavy hardships in the form of increased taxes against the individual taxpayers in the Metropolitan Winnipeg area. I know we have moved on Mr. Chairman, passed Page 3, but just in retrospect as Page 3 sinks slowly in the west behind me, I must say that the two sections that my colleague from Charleswood objected to I think deserve very profound consideration, as does the one we're addressing ourselves to at the moment; because there's no possible escape from increased taxation. When you take this bill in its total content and when you inspect in particular the four or five sections that have attracted individual criticism and individual opposition during the debate this evening, the argument that my colleague from Sturgeon Creek just raised about the corporation being permitted to go into business is equally important, but I, along with my concern for that, I am concerned with the fact that, as I say, I see no way that the taxpayers in the Metropolitan Winnipeg area are going to escape a more onerous taxation burden as a consequence of the provisions in this legislation and one is tempted to describe the Act in its total form as a piece of legislation aimed at putting the blocks to the individual municipalities in this Metropolitan area; that's precisely what it seems designed to do, to drive the individual municipalities ultimately out of existence.

Now it may be, as I said a few moments ago, that some of them should in a rational and logical sense move towards amalgamation with others, but this kind of subtle pressure that's going to be put on them, that's going to be exerted on them as a consequence of this kind of legislation I think is unfair and inconsiderate and irrational, Mr. Chairman; if not questionable as far as morality and ethics are concerned. I think it's somewhat unethical to box the municipalities into corners, to force them into positions such as they're going to be forced if this legislation goes through, to achieve an end that is undesirable for many of them; an end that may be desirable for this government, but an end that is undesirable for many of the municipalities who are involved.

As to the point that my colleague just raised, this also arouses my anxiety because I feel that the government by taking the position that it takes in Section 26 175B is discriminating against - or giving the Metro corporation the right to discriminate against individual entrepreneurs. The right to construct, operate and maintain facilities in these automobile trailer parks and tent campsites mentioned in that section means that the Metro Corporation in reality has the right to go into the tourist industry, to go into the motel industry, the restaurant industry, the hotel industry in competition with private risk takers, private operators, who are at a distinct disadvantage when attempting to obtain the land, the site, the facilities and the licence to operate competitively in industry. So on both those counts I think that this is unfortunate legislation for the people of Manitoba, and my main concern is that it's going through this committee rather swiftly it seems to me and is not being given the kind of scrutiny and the kind of examination by conscientious members of this Chamber that it deserves.

MR. CHAIRMAN: The Honourable Minister of Labour.

MR. PAULLEY: I was just going to say to my honourable friend I wonder if he's actually read the section that is before us and whether he realizes or not that at the present time within

(MR. PAULLEY cont'd.) the Metropolitan area the Metropolitan Corporation have a number of areas which are conducive to the establishment of trailer parks and the purport of this particular section - if my honourable friend would stop pontificating and read the section he would see that this would give the authority to Metro to make regulations etc. insofar as the facilities available in trailer parks under the control of Metro -- (Interjection) -- and - Pardon? These private operators are under the Health Act of the Province of Manitoba at the present time, and it's a co-operative effort all the way through. So I say to my honourable friend, or make the suggestion to him in all deference, I appreciate the fact that he is a reasonably intelligent individual, that he should read the section and then I'm sure Mr. Chairman, his approach would be vastly different than that that he indicated a moment or two ago.

MR. SHERMAN: Mr. Chairman, I must say that the Minister of Labour takes a typical position, one that we've become accustomed to, of glossing over the difficulties that private operators are going to have under the -- (Interjection) -- No, the difficulties they're going to have under a kind of a bureaucratic administration that permits governments to opt a free wheel in competition - to free wheel in industry and in competition with those same private operators. Now you can gloss it over all you want by telling me that the private operators are liable to performance under the Health Act and I'm fully familiar with that condition. The fact remains that the argument raised by the Minister of Labour is the classic, typical, traditional argument raised by him and his colleagues when trying to justify opening up wider areas for government participation which in the long run can only have the effect of discouraging the private risk taker who up to this point has been willing to take his chances and willing to take his risks; but I suggest may lose the desire to do that as more and more of these avenues for enterprise are opened up to government agents.

MR. JOHANNSON: Mr. Chairman, would the honourable member submit to a question?

MR. SHERMAN: Certainly.

MR. JOHANNSON: In view of the fact that the G.W.E.C. has a majority on Metro Council and this is the council that you are so worried about right now, is the honourable member worried about dangerous bolshevik tendencies in that particular political organization?

MR. SHERMAN: Mr. Chairman, I said that I would submit to a question. So far I haven't heard a sensible question.

MR. SPIVAK: Mr. Chairman, the Honourable Minister of Government Services proved once again that he should really not enter into debate after 10:00 o'clock in the evening because usually his thinking is quite fuzzy. You know, he's now telling us what the particular section says and he gives us his interpretation of the law and he and the Minister of Industry and Commerce I think should be taken by the Legislative Counsel outside and told what this contains and what the other sections we were dealing with further contain.

As much as the Honourable Minister of Government Services would like to indicate that what he is saying is correct, it's not what is contained in the section. I think the valid question that has to be asked of the government, and I believe it is a valid question, it was asked by the Member from Sturgeon Creek, is why it was necessary for this section to be brought in when it appears to be contained fully within Article 4 or Clause 4(4G)(c) and it would seem to me on that basis that there really is no justification for this specifically being detailed unless there is a particular situation that has arisen or a particular situation that is known, in which case if that situation does exist it should be identified so the members on this side will understand. Otherwise there's no justification for that particular clause.

MR. CHAIRMAN: The Honourable Member for Sturgeon Creek.

MR. F. JOHNSTON: What I wanted to say has been said but when we hear the discussion about who controls the Metro council I could expect a question like that because he's not absolutely thinking, I can start naming off names myself if you'd like me to, but anyway reading this, "The Corporation may establish, regulate . . ." this is what the Honourable Minister of Labour wanted me to do, he said have you read it - "regulate automobile, trailer park and tent campsites within the Metropolitan area and the additional zone - that's out -"and may construct, operate and maintain facilities and works thereon for the purpose of affording accommodation to the public" - and again you're going just about into the hotel business and they shouldn't be allowed to do it. And I might say that the question was brought up by the Minister of Municipal Affairs as to why the . . .

MR. GREEN: Mr. Chairman, I just don't want the honourable members to be misled and I don't want to have misled the Honourable Member for Lakeside. I didn't realize that the words "additional zone" are in this section.

MR. F. JOHNSTON: Well I understood it was taken out of all sections of this bill.

MR. GREEN: Well I didn't realize they were in this section. If they are they haven't been taken out of this section but I don't see them in this section although he's just used them. They have not been taken out of this section, so I . . . Well I just got up because I did say that the words "additional zone" were taken out. They had to do with the previous section on expropriation. They haven't been taken out of this section.

MR. CHAIRMAN: May I just point out that the words "within the Metropolitan area and the additional zone" are in this Section.

MR. F. JOHNSTON: Well that's even worse because here you've got the additional zone without representation and they're going to have trailer parks built and what have you, this type of thing. That's another question but I was just finishing up to say that the Honourable Minister of Municipal Affairs had stated that they - I did some checking since he said that - stating that the City of St. James-Assiniboia had not made representation. Mayor Yanofsky represented the Manitoba Urban Association when he made his submittal and they felt that his submittal took in and certainly does take in the City of St. James-Assiniboia, and after they found that it had passed Municipal Affairs this letter was to be written. So again I say that I am opposing 26. I believe that we've opened up a whole new subject on "additional zone" through this bill; if it's out of one area it should be out of all of them.

MR. CHAIRMAN: The Honourable Member for Osborne.

MR. IAN TURNBULL (Osborne): Mr. Chairman, on this section I must offer my support. There is in my constituency some 300 voters who have the fortune or misfortune of living in a trailer park; and since this trailer park changed hands about a little over a year ago, the owner has seen fit, for purposes unknown to most, has seen fit to double the rent and at the same time reduce the services provided, so that at one time where there used to be a full-time maintenance man at the campsite there is now someone there periodically during the day for about oh, two hours.

Now I don't know what recourse the residents in this particular trailer park have. It would seem that as the owner wants to act in the way that he has acted that they don't have very much recourse if they wish to continue living in a trailer park in that area of town. I would think that this Metropolitan area could be made more suitable to people coming into the city from outside of the Province and from outside of Canada by the provision of pleasant trailer parks and mobile home parks, and I think that some of the criticism that has been extended in relationship to this section indicates a lack of contact with the people that live in some of these homes and indicates an indifference to their sometime plight.

MR. F. JOHNSTON: Mr. Chairman, this gets worse as we go along, really, if the honourable member is now suggesting - and of course when you read this section they could do it - if they're going into trailer parks where they're going to have permanent residence as he is suggesting. I was hoping sincerely that the Metro Corporation would be going into trailer parks if they're allowed to for transient people coming in and out of this city, but if you're suggesting that the Metro Corporation go into permanent trailer parks we've had lots of experience with in the area I come from too, and the reason that they are not paying as much towards school taxes as they should be is because in the Municipal Act they are controlled. We just raised it if you'd have followed the new Municipal Act and the cities will not collect more money. But I certainly hope that the Metro Corporation doesn't start going into "permanent" trailer parks.

MR. CHAIRMAN: The Honourable Member for Rhineland.

MR. FROESE: Mr. Chairman, I'm interested in the discussion that has been going on. I know when I made the amendment before to delete Section 1, that under Section 1 Metro was going to do certain things, acquire land for development, for housing and for commercial business, right-of-way and a number of things. Now we find that they're not satisfied just with that, now they're going to go into the camping business and set up campsites. I'm just wondering how long it will be until they'll be in the auto insurance business because already they're going to regulate automobile parks and probably within a year or two they'll be in competition with the government in the auto insurance business.

I'm surprised that we don't find that they're going to build cabins along airstrips along the landing fields because this would be a natural too, to have cabins built or lodging places for people who come in. Why restrict it to campsites only if the Metro is going to go into this type of business at the people's expense and without giving the people the right to vote, and this . . .

MR. CHAIRMAN: . . . having difficulty hearing the honourable member.

MR. FROESE: This is what this means, that Metro can do all of these things without ever going to the people and letting them decide on it. It's a matter of course with them. All they do is levy the funds and the municipalities have to fork up the money. This is something I cannot subscribe to and never will, unless I change my mind, but this I don't think will happen because when the Metro bill was brought in way back in 1960, I opposed it along with the Member for St. Boniface who was a very strict man in opposing the Metro bill. He was one of the five or six of us that opposed it in all the force that he could muster and apparently now he's changed, now he's going for campsites, he's going for housing and he's going for everything, even for auto insurance. So I'm just wondering, I would like to hear from him whether he's changed his mind and he is now in favour of Metro going into the camping business?

MR. DESJARDINS: I'm all for total amalgamation, Jake.

MR. CHAIRMAN: The Honourable Member for Churchill.

MR. GORDON W. BEARD (Churchill): The Honourable Member for St. Boniface advises me - through me to the Member for Rhineland that he's going for total amalgamation so I think that'll answer some of his questions. I wonder about campsites. First of all, government have been in the business for many years and I think that roadside campsites have provided a very necessary service throughout the whole of the province and I really couldn't see why Metro couldn't offer the same type of service to tourists coming into the City of Winnipeg. So I suppose that would be all right.

I can recall back years ago in Neepawa where I was brought up the town there had their own tourist camp and I think many towns at one time or other had their own tourist campsites so really this is nothing new. If this is what they intend to do well then I certainly would go along with a government of Winnipeg in offering that type of facility for the travelling public. Certainly we all know that trailers are very popular today, travelling trailers. We are not in the same position as many of the States to the south of us are where it's a year round business. It's only a part-time business, it's a few months of the year, Metro operates parks and I'm sure that they don't make any money out of any park that they operate in the City of Winnipeg.

I think I'd go along with saying that it is only right that the City of Winnipeg or Metro Winnipeg or the consolidated area, whatever you may call it, should if they're going to encourage tourists and the type of trailers that I'm thinking of anyway, the overnight camping tourists, then it seems that it just goes along that municipalities should be offering that type of service to the travelling public just as the province offers it to the travelling public as they pass along the highways. But I would be against Metro going into business any further than that, into permanent buildings on a year-round basis, operating campsites on the year-round basis, because it's -- Lord knows, Metro have had a hard enough time over the twelve years, I guess, that they've operated without getting into a business, but if it's just to provide a modern facility for a camper trailer during the summertime so that they can provide that additional tourist accommodation for tourists to linger a little longer in Manitoba and spend a few more dollars, then perhaps that is a government service that Metro should look into; or the different cities within the Metro area, if they want to service that tourist, because the people that live in Winnipeg are going to profit through the dollars that these people spend while they are staying in Winnipeg and eventually the Province of Manitoba will profit from it. But I would certainly hope that this does not extend to what some members have said, that they are going to build hotels and get into permanent-type, year-round accommodation to compete with other types of business. I would be against that, but certainly I think it is complementary to a park type system that we know of in Manitoba today.

MR. F. JOHNSTON: Mr. Chairman, and again I'm going to be brief, but this is not what the bill said. They could go into permanent trailer parks. I agree the cities and towns should be able to take a look at trailer parks but not Metro. They do not collect any money that they spend. Metro should be the servant of the cities and municipalities as far as planning and certain roads and what have you are concerned, but they should not be the master, and this is what this bill does and this particular clause lets them even go into the grocery business if they want to.

MR. CHAIRMAN: Section 26, 175B--pass? Section 26 passed. In my opinion the yeas have it.

MR. F. JOHNSTON: Ayes and Nays, Mr. Chairman.

MR. CHAIRMAN: Call in the members. Section 26, 175B.

A COUNTED VOTE was taken, the result being as follows:

YEAS, 24; NAYS, 20.

MR. CHAIRMAN: I declare the motion carried.

The Honourable Member for Birtle-Russell.

MR. GRAHAM: Mr. Chairman on a point of order, a member came in after the bell had stopped and the doors were closed.

MR. GREEN: Mr. Chairman, let's settle down. My information is that the member was in the House. If he was not in the House let us discount one affirmative vote and let's not argue about it all night.

MR. CHAIRMAN: Question on 26 -- pass?

MR. FROESE: Mr. Chairman, I move that Section 26, subsection 175B, be amended by deleting the words "and the additional zone" in the second line thereof.

MR. GREEN: Mr. Chairman, the fact is that the previous reference to "additional zone", I just want to explain what I understand to be the . . . or the Minister can.

MR. PAWLEY: Mr. Chairman, the previous reference to additional zone was deleted in respect to the expropriation of land within the additional zone by the Metropolitan Corporation authority. In this particular clause here, there is no reference to expropriation of land for the purposes enunciated in Section 26. Certainly, I would see no reason that the honourable members, now that the principle of 26 has been approved, why there should be any objection to the acquiring of property on a mutually consented basis between an owner in the additional zone and the Metropolitan Corporation to establish the trailer park. We should not confuse this with the earlier section dealing with expropriation of property within the additional zone.

MR. CHAIRMAN: The Honourable Member for Charleswood. The Honourable Minister of Mines and Natural Resources.

MR. GREEN: On a point of order, again, if I . . . saving time -- is it my impression that we passed that item? Because if we passed the item, then we shouldn't be -- then it can't be amended.

MR. CHAIRMAN: No, I called for the question on 26.

MR. GREEN: Well it was passed. So then I submit, Mr. Chairman, that the motion is out of order.

MR. FROESE: The Chairman already accepted the motion.

MR. GREEN: Perhaps it went by without objection but if the item is passed it can't be amended.

MR. FROESE: I take it then, Mr. Chairman that the Honourable Minister is challenging the Chair. The Honourable Minister then challenges the Chair.

MR. GREEN: Mr. Chairman, I'm not challenging the Chair, I'm bringing to your attention that a motion was made on an amendment which has been accepted. If you accepted it, you accepted it inadvertently.

MR. CHAIRMAN: Section 27 190 (1A). The Honourable Member for Birtle-Russell.

MR. GRAHAM: Dealing with section 190A sub (1A) and (1B) dealing with the control over plant diseases, it seems rather odd to me that in this province of ours the responsibility for the health of people, animals, etc., are the responsibility of the various municipal corporations, but here we find that we are placing plants in the jurisdiction of control of the Metro Corporation where the control of disease by tradition has always been the responsibility of the various municipal corporations. We find that we have just passed an Act dealing with animal health throughout the province and giving municipal corporations the responsibility of establishing Veterinary Clinics, and at the same time we are taking away the control of plant disease from the municipality.

MR. PAULLEY: That's not so.

MR. GRAHAM: Well this is quite specific in the Act, "that the responsibility for plant control shall no longer remain with the area municipality, but shall be the responsibility of the Metro Corporation."

Mr. Chairman when the Metro Corporation was founded, the basic premise was planning but we have found that like the octopus it has grown, it has reached out in its all encompassing grasp for more and more power and now we find that this is being applied to the field of plant diseases which I don't think is consistent with the philosophy of the health of this province. So, Mr. Chairman . . .

MR. CHAIRMAN: I would ask the members to please refrain from making comments

(MR. CHAIRMAN cont'd.) while the honourable member has the floor, please.

MR. GRAHAM: Thank you very much, Mr. Chairman. I appreciate that. But I am concerned that why we should single out one particular facet in the control of disease and hand it over to the Metro Corporation when all other diseases and health in the province remain under the area municipality.

MR. CHAIRMAN: The Member for Arthur.

MR. J. DOUGLAS WATT (Arthur): I would just like to make a comment on section (1A). I see no objection to section (1A), I believe that in the area of Dutch Elm disease - I believe that an over-all authority should have the responsibility of attempting to control this disease, but I would like some explanation from the Member from St. Matthews why he has included section (1B) which gives the Metropolitan authority the full authority that is now the responsibility of the municipalities, particularly the suburban municipalities, which to quite an extent are rural areas where agriculture is involved. I'm wondering what his reasoning is behind the inclusion of section (1B)? -- (Interjection) -- Pardon? It covers Metropolitan Winnipeg and Metropolitan Winnipeg does cover municipalities -- (Interjection) -- It doesn't say Metropolitan streets it says the Metropolitan authority.

MR. JOHANNSON: Mr. Chairman, I'll attempt to give the member the best explanation I can. The note I have indicates the following on section 27. By this amendment the corporation will be vested with the duties placed upon municipalities under regulations enacted pursuant to The Plant Pests and Diseases Act and the area municipalities will no longer have this responsibility. It will give Metro sole power to control and eradicate Dutch Elm disease, and this apparently was one of the major objectives of section 27 because of the danger of it threatening the elm population of the city.

Now with respect to section (1B) I can't really give you a very detailed explanation; there was no objection to this by area municipalities as far as I am aware. This is about all I can tell the honourable member.

MR. CHAIRMAN: 27 190A (1A) - pass? The Honourable Member for Charleswood.

MR. MOUG: I would be concerned about (1B) as well as the Member for Arthur, in regard to The Plant Pests and Diseases Act, because if they look after this and part of Charleswood is agricultural, about 50 percent of it, if something moves into a crop area affecting specialized crops or grain and the Metropolitan Corporation treats it as they do noxious weeds, I think that the farmer will be back planting his next crop before they got around to finding out what was wrong with the first one. Because with the noxious weeds they come out and inspect it and inform our weed inspector to go out and cut those weeds and this takes two or three weeks; and they go through a program of collecting the money in the same manner. We pay them and they pay us back. If the person doesn't pay for it, it goes on their taxes, back and forth like that, and if this is going to take place with the diseases in agricultural crops, I think we will have a problem. -- (Interjection) -- No, I'm not in favor of it.

MR. CHAIRMAN: 190 (1A) . . . The Honourable Member for Riel.

MR. DONALD W. CRAIK (Riel): Mr. Chairman, in reading this section, unless there is something in the original act that covers other than Dutch Elm disease, then you're in a problem, that the municipality has ruled out that area, whether it is leafy spurge or whatever it might happen to be, and they can't do anything - the area municipality cannot do anything under the act under which it operated before, but Metro's obliged to do only something about Dutch Elm disease.

MR. PAULLEY: . . . on Metro streets.

MR. CHAIRMAN: The Honourable First Minister.

MR. SCHREYER: Mr. Chairman, I didn't think that I would be saying anything this evening with respect to The Plant Pests and Diseases Act. However, it would appear, Mr. Chairman, that the point made by the Honourable Member for St. Vital is a valid one; it would appear so. Because depending on how the Metropolitan Corporation Act is phrased, or worded, it would seem to me that unless authority is vested in the corporation now to exercise authority with respect to the application or enforcement of The Plant Pest and Diseases Act, if that is not the case then this section here in the bill is poorly worded. But while that is being checked out, and I presume that the Legislative Counsel is checking that now, I would make this additional point partly in response to the Honourable Member for Charleswood: This section if passed would not prohibit an area or municipality from exercising authority under the Plant Pests and Diseases Act for that portion of the municipality that doesn't lie within the

(MR. SCHREYER cont'd.) Metropolitan Corporation boundaries. So that in a case of a municipality like Charleswood, East, St. Paul - correction, East St. Paul is not a good example - in the case of Charleswood or any municipality that is half in Metro and half outside of the Metropolitan area, for that area that is not in the Metropolitan boundary, the municipality may be able to exercise its authority under The Plant Pests and Diseases Act just as it has before and would be able to take action with respect to noxious weeds. For that part of the municipality within Metro, the area municipality would have to through its weed inspector contact the Metropolitan Corporation office and tell them, bring it to their attention; and one has to assume that they will be just as diligent - the Metropolitan Corporation will be just as diligent in applying the provisions of that Act as would be an area municipality, and I would hope we wouldn't get into a wrangle as to whether area municipalities or Metro are more concerned with the public interest.

MR. PAULLEY: As long as the job is done.

MR. CHAIRMAN: Section 27 -- The Honourable House Leader.

MR. GREEN: With regard to 27, we are awaiting some information, so could we pass on to 28, 29 . . .

MR. CHAIRMAN: (Sections 28, 29 and 30 of Bill No. 129 were read and passed.)

MR. GREEN: Can we move on, Mr. Chairman, for the moment to the next bill. We'll come back if necessary - I mean as necessary to deal with that one . . . The next bill would be the Optometry Act.

MR. CHAIRMAN: Bill 10 -- I can't read this bill.

MR. FROESE: . . . have to leave the bill open then.

MR. CHAIRMAN: Section 1--pass? The Honourable Member for Brandon West.

MR. EDWARD McGill (Brandon West): Mr. Chairman, I beg to move, seconded by the Honourable Member for Charleswood, that Bill 10 be amended by adding thereto immediately after Section 1 thereof the following section: "1(a) Section 17 of the Act is amended by repealing clause (a) thereof."

MR. CHAIRMAN presented the motion.

MR. CHAIRMAN: The Honourable Member for Brandon West.

MR. MCGILL: Mr. Chairman, by way of explanation and comment briefly, firstly I think most members would agree that Bill No. 10 had a rather unusual passage in committee. I think the first decision was that the bill be not reported. This decision, however, proving unacceptable to the Assembly, they were directed to reconsider and give us their recommendations. The committee then, rather than submitting a recommendation, took action and chose to delete two of the clauses which would have the effect of deleting that part of the bill which was intended to permit the use of the title "Doctor" by optometrists in Manitoba under certain conditions. So in effect the committee took action when it was asked for a recommendation.

Now in submitting an amendment at this time the intent would be to amend the Optometry Act so that clause (a), and I read from the Act - clause (a) reads: "He has received the degree of Doctor from a School of Optometry approved or recognized by the Senate of the University of Manitoba." Now the effect would be to then reinstate the ability in Manitoba under certain conditions for optometrists to use the prefix "Doctor" provided they use after their name the suffix "Optometrist". I don't propose to review all of the arguments that have been submitted in committee or in debate in the House, but I think it would be important because this is an important measure, and the amendment has rather serious implications. I think it's worthwhile at this time to note that no other province in Canada expressly prohibits the use of the title "Doctor" by optometrists in its Optometry Act; and it's also true that in all provinces of Canada, a percentage of optometrists do use the title "Doctor".

I think the problem in Manitoba is that we are exclusively in a position of preventing the use of the title. We are therefore having a problem in attracting optometrists to our province. We are sending young Manitobans to University of Waterloo for qualification and graduation and they are reluctant to return to the province of their birth for this reason perhaps and others. The average age of optometrists in the province at the moment I'm told is 51 years. There is a diminishing service being provided, and the principle argument against the use of the title in Manitoba is that there will be confusion produced in the minds of the public between the qualifications of an Ophthalmologist and an optometrist, but I think it's correct to say, Mr. Chairman, that no one has given evidence that such confusion does exist in other provinces of Canada. I think it's also true to say that no confusion exists in the minds of the public between the qualifications of chiropractors and physicians and surgeons. So I think that that argument is hardly

(MR. MCGILL cont'd.) a valid one. I would suggest that as the title "Doctor" is now used, that it is a somewhat obsolete position to take to prevent by means of the Optometry Act the use of the title in Manitoba. I think this is something that should be very seriously considered at this time by the members of this Assembly. Manitoba is in a unique position in this respect. These professional people are performing a very important service in the care of the eyes and the measurements of its defects and acuity.

I think that everyone here now should ask themselves whether to accept this bill in its emasculated form is in effect the proper action to take in a profession that offers a service that is most important. I believe that we would be doing the proper thing, that the proper action would be taken if we would support an amendment which would permit the use of the title under certain conditions in Manitoba. The prefix "Doctor", the suffix following the name "Optometrist". I see no reason to question or to believe that confusion will result. It hasn't in the profession of . chiropractor as opposed to physician and medical doctor.

Let's take a very good look at this amendment and I ask your support at this time.

MR. CHAIRMAN: The Honourable Member for Souris-Killarney.

MR. EARL MCKELLAR (Souris-Killarney): Mr. Chairman, I'd just like to say a few words on the amendment proposed by the Honourable Member for Brandon West. As mentioned by the member, this bill has really been kicked around this session, gone to two committees, and now we find when this bill came back this section has been deleted, and the Honourable Member for Brandon has tried to reinstate it in a little different way.

I'd like to say to the members here the importance of instituting this section. I realize the position of many of the members here. There are lots of optometrists in the City of Winnipeg. In the rural areas they're becoming very scarce and if what they tell me is true they'll be a lot scarcer in a very short time if this bill is not passed in the proper manner. This is the reason why I'm rising here to speak tonight in support of the optometrists in the rural parts of Manitoba. I would hope that each member here would give some thought to this when they speak. After all the name "docotor" is used by people in this building in the Department of Agriculture, it's used by clergymen, it's used by colleges that I know of - some you can go down and take a short course and get a doctor's name; in some universities in the United States; and for that very reason I cannot see why this amendment cannot be passed at this time in order to permit these people who are professional people in their own right the right to use the name "doctor". Now if there was an ample supply of optometrists in the Province of Manitoba I wouldn't be quite concerned, but due to the fact of the shortage of these men and the service they provide in the many communities, I would ask that each member pay special attention to this amendment when they vote.

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

MR. G. JOHNSTON: Mr. Chairman, I'm rather surprised at some of the actions taken by the government in recent days. They have saw fit to amend a bill where a Cabinet Minister stood in his place - I'm talking now on Bill 109, a bill that is intended to legalize the operations of a certain group of people who heretofore had been illegal in operating in contravention to the laws of this province for many years. So when the government brought in the bill, Bill 109, I thought in very good faith, a Cabinet Minister stood and spoke in favour of the bill. He said it was a compromise but it was a compromise arrived at by exhaustive study of a committee that has met off and on over the years since about 1966, and in the later stages of the bill, I believe in committee they introduced an amendment to quite radically change the principles of the bill that had been introduced by a member on the government side. Now I say no more about that because that will be discussed later on.

But I would like now to refer to the bill before us, Bill 10, where in effect the optometrists are asking for a recognition that they received in other jurisdictions. The optometrists who presently operate in the Province of Manitoba have taken recognized courses, one, two and three years I understand. They've always operated within the laws of the province; they have earned a respected place in our society. It is true as the Member for Souris-Killarney says, that they are more important in certain rural areas - I would say all areas outside of Greater Winnipeg; they have a great deal of importance in those areas. We have a recognized university in Canada giving a course that gives the degree of doctorate of optometry, and all they are really asking is to be recognized here in the same manner, and I find it rather difficult to understand certain friends opposite who have spoken and moved amendments to this bill in committee where what they are asking is being refused. It may be couched in very polite

(MR. G. JOHNSTON cont'd.) language but it's being refused. And as the Member for Souris-Killarney has said, this is going to have a very serious effect on the rural population of Manitoba -- when I say rural I'm talking about outside of Greater Winnipeg -- I would ask members opposite, the Member for The Pas who is not in his seat temporarily, although he's a good attender, the Minister who represents Thompson, the member who represents the Interlake, the Member for St. George, and other members who represent areas where the loss of one or two or three optometrists in our province will be a backward step in this area of the health for eye care in this province.

I know that certain members on the government side are going to get up and say, well we're going to refer this to the Professional Services Committee; it'll be studied and in due course a certain action may or may not be taken; but I don't think this is the way to examine this question. After all the Legislature here in past years has conferred a similar title upon other professions when the universities hesitated to act. Chiropractic is one example. Chiropractic, the doctors of chiropractic are now included in Medicare, but at one time they had a very difficult and prolonged program to be recognized in this province, but through their efforts they earned their way with the people of the province. I'm suggesting to the members in this House that the people in the optometric profession have earned their way in this province and what they're asking for here is not unusual, it is not going against any of our laws; they clearly state that they wish to be referred to as Doctor of Optometry, and that is all. I think that they are not being unreasonable and I think that members who have it in their mind to vote against this are doing a serious disservice to the people outside of Greater Winnipeg.

MR. CHAIRMAN: The Honourable Member for Churchill.

MR. BEARD: Thank you, Mr. Chairman. I have taken a stand on this and I'm wondering as I look at the amendment just what my reaction really is. I differ a great deal to what the Leader of the Liberal Party has said. I really don't feel that his plea has changed my opinion very much because I really can't see, and I have heard the same story, I can't see the optometrists leaving the Province of Manitoba because they can't be called doctors. The Member for Souris Killarney says it is so. Well you show me one, show me one, because there's got to be dollars involved or else a better place to live in the minds of those people; it's not because they can't be called doctors. I don't think that is a good argument and that is not going to sway me on my vote. I don't believe it's good policy to revert back to past mistakes and say that they set a precedent, because I don't believe it's necessarily right that we should go on making this type of mistake because it was made a few years ago. I think the man that is out as an optometrist is going to make just as much money today as an optometrist without the prefix of "doctor" as he is with the name of doctor. And if he's going to make more money because he's called a doctor then, Mr. Chairman, it must be because he's going to charge more money; I think those are things that maybe rural members should think about.

I think we were told that the optometrists in the community of Manitoba were servicing all of the province adequately now and that they were doing so at a profit. I think it's a fact that they want to do something to raise their status within their profession, and this is right; this is something that we all would do regardless of what profession we're in, and it seems that the title of doctor is what they want. And certainly there isn't one member in this Assembly that is so naive as to think that the Doctor Smith is going to say I am Dr. Smith, Optometrist, every time he says it. I don't think you're so naive that you're going to think that his friends are going to say Dr. Smith, Optometrist. He's going to be called doctor or doc and that's it. So really using that argument is one that would bother me.

I don't think that we necessarily need to say that just because one university is granting diplomas is the reason why we should give the doctor's title to optometrists; because if the members haven't heard the other side of that story then I would say that they seek out what at least I have heard in respect to the other side of that story. And there is. But I would commend them on the fact that they are trying to reach out and make sure that there is an optometrist in their area, and this is the important thing. I think this is the very important thing and I am very concerned about it. I acknowledge the fact that if it were not for the optometrists many of the people in our areas would not have glasses today simply for the reason that there are not enough qualified members of the healing profession to go in and take prescriptions, and if it wasn't for the optometrists then they wouldn't have glasses. But on the other hand, it does bother me that perhaps you might say that if this is the case then how many of them have got glasses but also have diseases of the eye that have not been treated. How do you get around

(MR. BEARD cont'd.) this? This is what bothers me. Because it wasn't till we got into this mess that I suddenly realized that when you go to an optometrist you're not guaranteed that you have had a full diagnosis of your eye problem and I think this is something that you could well study if you're going to give doctors degrees by legislation rather than through the university. I think this is something that you could well consider, because you're only fooling yourself if you feel that you've had a thorough examination.

I would hope that there may be some way that we can deal with this. I'd always been one that had said that it should have gone to the Professional Associations Committee. I had said that, and I will say it to the Member for Brandon, because I felt at that time that the Professional Associations Committee during the summer can call in both sides of the profession and talk to them, talk to them longer; instead of the pressure of 254; instead of the pressure of the people sitting up in the gallery listening to how you're going to vote,; instead of the political pressure put on people of a community by a professional man, looking for something for himself. And if the Professional Associations Committee turned it down during the summer then it can come forward in the winter time and there would be no reason, no excuse why the people within this House could not then take it upon themselves to make their decision because they would have the material and the background material that the Professional Associations Committee had gathered together. And if the Professional Associations Committee Chairman had not gathered together that material, then the blame would lie on his shoulders and not on ours.

I would say that perhaps there is a fair amount of consideration to be given to the optometrist and I would like to see something done, but I wouldn't like to see it done necessarily in a hurry, and they've gone this long.

I don't see why they can't take the open door method and go through the Professional Associations Committee where members from all parties are sitting and can have a decent review; because I'm not going to be pushed into it on a last minute vote at 11:30 at night. I think that most of us would be ready to give it a better review if we had some background material. There's not an optometrist in here to give us advice. There's not a doctor to speak on it. So where do we go for advice? -- to somebody who is lobbying for it. I say if we're going to give it, then let's hear the better part of both sides and find out whether or not it's really important that they have, first of all, not because they're going to move out of the province because they've lived with it for years without being called a doctor and they've progressed. Because all we have to do is walk down the City of Winnipeg and we find that they have progressed and they've done good by themselves without the name of doctor. But I don't know anything about being a doctor; I'm not a doctor. But I do know, when I go to somebody that calls himself a doctor and I have an examination then I expect that when I leave that I have had an examination which leaves me fully satisfied that I either have a problem or I don't have a problem. This is really the one thing that - the Hangup that I have is why does an optometrist have to be a doctor? It's just something - maybe they want to, as I say, change their position in the profession and upgrade themselves, and I can't quarrel with that. But I think that they should be quarrelling, not with us, but with the University of Manitoba and the people out at the University of Manitoba and get some recognition through that authority. And if they are getting recognition from the University of Manitoba, then I would say that we should be behind them 100 percent and maybe the Chairman of the Professional Associations Committee can have a university representative in to talk to him about it. But I heard members saying one, two, three-year training, and I've heard on the other hand that ophthalmologists have seven, eight years of training before they're qualified. So what do you want? Doctor number one and doctor number two? It still isn't giving you the answer. It's the doctor that's going to be able to tell you exactly what the problems of your eye - eye specialist are, and we're still talking about that in the dentistry. How are you going to fit the two of them together? And how are you going to fit these two?

We've sat so late this summer; it's only a few months; the bill can again be brought back in January, February and there would be no excuse at that time for me standing up and speaking against bringing back this resolution unless there was something that came up during a Professional Associations Committee that made me feel in my mind that they shouldn't be given the name of doctor. But I will guarantee you that if chiropractors can be doctors then they should be doctors. But on the other hand, two wrongs don't make a right. So what are you going to do about that? Are you going to take it away from one? Maybe that's one of the things the Professional Associations Committee is going to have to deal with.

HON. RENE E. TOUPIN (Minister of Health and Social Development) (Springfield): . . . permit a question?

MR. BEARD: Certainly. We're going to two anyway . . .

MR. TOUPIN: Mr. Chairman, is the honourable member aware that the University of Manitoba does not confer the title of doctor to optometry because they haven't got the course of optometry, but that the University of Waterloo confers a title of optometry because they do have the course.

MR. BEARD: I do not think the member was listening to me in the first place. He has only heard one side of Waterloo. He has only been listening to one side of the lobby. I would suggest that the Minister listen to the other side of the lobby, and I am not going to go into that part here because the Minister of Government Services wants to go home tonight.

MR. PAULLEY: Tell them they're going to meet their Waterloo if they keep this up.

MR. BEARD: This is why I suggested that the University of Manitoba or one of the universities in this province should be looking into it. -- (Interjection) -- Doesn't matter whether they've got the course or not, they should be looking into it and suggesting to us ways and means of giving these people the title of doctor - and they can do it by settling on a set of exams they can make the decision, they're the ones with the ability to make the decision as to who should be called doctor and who shouldn't be, not us, not us. I think if the Minister of Education could get the university, we'll put it on his shoulder, could get the university to come up with some type of a decision on this we'd be able to then say pass legislation that would be able to confer it on, but this is something that I think that specialists should be dealing with not politicians and laymen such as we are now. But I would suggest that if it goes to Professional Services it would have a better chance of being heard thoroughly and the whole thing gone into in a better way than what we've done up till now in this session.

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

MR. DESJARDINS: Mr. Chairman, I don't intend to take too much of the time of the committee. I think there has been quite a few words said about this bill during the last few months, but nevertheless I think that I should say a few words.

First of all I think that the accusations of the House Leader of the Liberal Party are uncalled for, when he made his attack, if I might say attack, directed his attack to the members of the government, because the member belonging to the same party as the Honourable Member from Brandon who just made a motion, in fact, his very desk mate, is the one that suggested, that moved that the section should be deleted.

I think that you have had a committee that was not guided by party lines, I think that you have had a committee - the motion to delete this section was not unanimous, but it was a motion that carried a good majority. I find it quite strange that there seemed to be so much interest all of a sudden on a certain bill and so much, shall I say, lack of confidence on a committee that this House set up, because four or five years ago I guess there was a committee set up and it was reappointed every year and this committee was set up to look at the protection of people belonging to professional associations and also the protection of the public to deal with policing of such members, the different by-laws of these different associations and different other privileges and so on and certainly also the title of doctor.

Now I have refrained, so far, from choosing sides; I have only tried to do one thing. I suggested that this committee try to deal with these things with a little bit of intelligence, that is to look and to try to arrive with proper, or suggest proper legislation that would deal with the problem, the whole problem. I don't want to be in a position where because there's some lobbyists, and I don't deny them the right to lobby although there are certain things that I don't like, some of the rumours that they have spread around, or some of the things that were spread around, but I say this - I am not ready at this time, because there has been an awful lot of pressure, to say we are going to deal with one aspect of this alone. I think it would be unwise; and I think that it would be unwise to say in the meantime well go ahead call yourselves doctors if you wish. Look at the position that we would be in just for a question of a few months if we would allow this and then we might have to come back in a few months and say to them we are sorry, we never should have given you the right to call yourself doctors.

We have heard an awful lot about Waterloo; I don't know of anybody that took the trouble to check with the University of Waterloo. I, Mr. Chairman, I certainly cannot, the chairman of any committee doesn't control a committee, but I can say this that I will do everything I can as a member of this committee and as Chairman, to try to - and I don't think that this will be

(MR. DESJARDINS cont'd.) too difficult - to try to have recommendation before the next session. I would like to see, as I said before, I've never said that I was against this, I know that it's been reported because I took the attitude that I did that I was against this and it is simply not true. But I want to be in a position where we just because they might be better lobbyists than the optometrists, that they can be called doctor, and maybe not the chiropractors because they don't bother to lobby; I would like to see once and for all - I think it was a mistake when the government of Manitoba quite a few years ago decided to go into the business of granting degrees. Politicians have come from everywhere in life, you've got all kinds of different businesses and all of a sudden they are all experts in telling the people where they're going to have, who's going to be called a doctor and who is entitled to a degree. I know that you might say well this is exactly what the amendment means, get it out of politics, but this is doing this for one group only.

I would hope that the committee on business association will have some recommendations to the government, to the House, and that the recommendation could be in the nature maybe of an act that will take care of all these things, the optometrists, the chiropodists, all these people and treat everyone the same, not be swayed by any lobbying and just go on the merits, not because they are doing good work or not because they are going to leave the province, but if they deserve and if they're entitled to this degree, to this name, whatever they want to call themselves, well all right, allow this. I would like to see an act that will deal with this once and for all and that will put it back in the hands of the people that are in the business of conferring degrees. I certainly will buy this. But this would be wrong and this is a lack of confidence from the people of this house, especially when on this committee, and it wasn't government against opposition, far from it. You've had so many people and if you have any confidence in the people that you select and if you're not joking and if you're sincere when you select committees, you name committees, well damn it let them do the work and let them do the work right. I would say that it's not by waiting a couple of months if we can do it the right way and if we can settle this once and for all for all those members of the different professions, different healing arts, I think it will be a few months well spent.

MR. CHAIRMAN: The Honourable Member for Swan River.

MR. JAMES H. BILTON (Swan River): Mr. Chairman it's not my purpose to thrash old straw but as a member of that committee I would like to voice my opinion. Sitting on that committee I think the committee members know how I stand.

For 100 years Mr. Chairman, we have had no regulations or directions in matters of this kind and it seems to me that the unfortunate part of this bill is that it happened to come before the House at the time this committee had been appointed to develop regulations to handle a situation such as this. In my opinion, the memory I have of the early part of our meeting and the setting up of the committee, it seemed to me that it was said at that time that should we be confronted with a bill such as this, not particularly this but such as this, that we would give it the consideration that it deserved and not hold it back until such time as the committee had done its work. The remarks made by the Honourable Member for Churchill, many of the remarks he made I agree with, but there are others that I don't agree with. That is the fact that because an Optometrist is working in Manitoba that he shouldn't receive the same consideration that an Optometrist in Saskatchewan receives or other provinces across Canada. This is the basis on which I made my decision and voted to retain that part of the Act which was eliminated and we're now attempting to bring back. This is the stand I take in spite of all the arguments that are being made. Talking of lobbying - the optometry people came before the committee and I think they gave an honest version. They gave a working opinion as to why they were asking for this and I see no harm in accepting this amendment and being done with it. I don't think there's any harm going to be done at all. and I think that the Committee itself, it has a big job and I appreciate what the Honourable Member for St. Boniface, the Chairman, has attempted to do since we were brought together. But I think he'll agree with me that it's going to take some considerable time before that committee comes before this House with some semblance of regulations which will fit situations such as this. He knows as well as I do that the moment those regulations are set up that there will be professional organizations which will be approaching the House with the view to having titles possibly brought upon them by conforming whatever regulations are set up by the committee and adopted by the House.

The thing that bothers me in this connection is that I think, regardless of many of the words that have been said tonight, that these people are making an honest effort to have something applied to themselves which is available elsewhere in Canada. Because they are in

(MR. BILTON cont'd.) Manitoba, why should they be considered second-rate citizens and not be given the privilege of having the name Doctor attached to their name much as optometrists in other provinces throughout Canada? We talk about freedoms; this is one move we can make and show good faith to a profession which has done good work and will do good work in the future.

MR. CHAIRMAN: The Honourable Member for River Heights.

MR. SPIVAK: Mr. Chairman, after the presentation by the Honourable Member from Brandon West I really did not believe that it was necessary for me to enter into the debate, but I must enter the debate having listened to the very amusing performance by the Honourable Member from St. Boniface.

Now Mr. Speaker, it's 12:00 o'clock, a half an hour later than the time that the Honourable Member from Churchill said we should not be dealing with the bill because it was so late, and I am one who believes that this is correct. I've said this before in the House and I can repeat, that at midnight, at 1:00 o'clock or 2:00 o'clock in the morning whatever the matters that are before you it makes it extremely difficult having worked all day on a variety of different matters to deal properly and effectively in debate, but I recognize that we're at the end of the Session and I recognize that there's no way in which we're going to stop the government from dealing with it at this time so we'll have to deal with it. I recognize as well that this isn't necessarily a priority item for many people; this has been expressed already outside of this House and therefore because it is not a priority item it could be dismissed very easily. But there is a history in connection with this particular bill that I think is extremely important to relate for the record because it has some bearing on the judgment that has to be arrived at by everyone in determining whether they're prepared to support it or not.

The bill was introduced by the Member from Winnipeg Centre - and I may say, Mr. Chairman, that if the Member from Winnipeg Centre was present here, I would suspect that the Chamber would be wide awake at the present time; I would suspect that unlike the person who happens to be sitting in his chair right now and resting quietly, and I don't blame him at all, unlike him, the Member from Winnipeg Centre would be alert and would in fact be talking every moment, because he had a particular passion in connection with this on the basis that he introduced this bill in the belief that there would be a fair hearing given to it and that there would be a reasonable expectation of support. Now the truth of the matter is Mr. Chairman, that that support was forthcoming, because when the bill went to Law Amendments and when Law Amendments dealt with it and which contained almost every representative from this Legislature, the bill received support. The bill was among a number of bills passed in Law Amendments that came into the House but the Honourable Member from St. Boniface for the reasons that he's expressed already, saw to it that it was referred or moved that it be referred back to the Professional Committee for consideration.

MR. DESJARDINS: On a point of privilege, Mr. Chairman, I think it takes more than one member to carry a resolution here. -- (Interjection) -- government be damned.

MR. SPIVAK: Mr. Chairman, it really makes no difference, it was moved by the Honourable Member from St. Boniface and I think it would be wrong for him not to admit that in terms of getting it back to the Professional Committee, in terms of trying to see to it that it would be dealt with in the way that he's expressed in the House, that he has been a prime mover - everyone accepts this. No one is objecting to it, we're just simply acknowledging the fact that he was concerned in seeing of it that it went back to Professional Committee for consideration. You've acknowledged that, you've acknowledged your reasons for it and accept . . . (Interjection) -- Well in any case, in any case, we've had a strange procedure, not a strange procedure but an unusual one that's been followed in the House in that we've had to refer from one committee back to another committee and the committee did not deal with it, ordered the bill not to be reported; when that report came back it was referred back again for recommendations and we now have it before us. Now if the Honourable Member for Winnipeg Centre was here I think we would have some very definite ideas in connection with this bill, because he's expressed them to me privately and he felt that there would be reason to believe that there would be support in this.

Now Mr. Chairman, let me now deal with the substance of the proposal. In spite of the representations of pressure on the part of the members in the Legislature, the pressure that was exerted or has been exerted by the Professional Association concerned is no different than the pressure of any group that's been concerned with any particular legislation and all they

(MR. SPIVAK cont'd.) have attempted to do is to follow the well-known practice of lobbying, which is not unusual, and are trying to present their point of view to the caucuses, to the many individuals who sit as independent members. There's nothing unusual about this, and there's nothing strange about this, nor should there be any concern that there's anything strange about it.

MR. GREEN: Did anybody say that there was something

MR. SPIVAK: Yes, there was reference made by the previous speaker that, you know, that the pressure groups was very difficult

MR. GREEN: He said there was nothing wrong with it.

MR. SPIVAK: No, I agree he says there's nothing wrong with it, but I'm saying there's nothing wrong with it. But there's something more important Mr. Chairman, and that is a fact that the evidence brought before the Committee becomes extremely important in understanding whether we should or should not deal with it, because what is the evidence that was actually presented? There was no evidence presented, although there were suggestions that there could be, but there was no evidence presented that in fact there is confusion caused by the words "doctor of optometry" and a doctor who is an ophthalmologist. There were suggestions that this could happen but when asked whether there had been any civil or criminal case in those jurisdictions where it is allowed, where what is being requested by this Legislation is allowed, when it was asked whether there was any confusion caused in any civil or criminal case one could refer to, to indicate where this confusion had caused a particular situation which involved a civil action or some criminal proceedings, there was no evidence that was submitted to indicate that. -- (Interjection) -- I beg your pardon?

MR. GREEN: It's 12:00 o'clock, I said.

MR. SPIVAK: It's 12:00 o'clock? Well I suspect that we'll be going for some time - till morning, till next day. Mr. Chairman, this is one point and a very valid point. Secondly, there is no question that at one time the Professional Association, whether it be constituted with the members who are presently on it and whether the Honourable Member for St. Boniface is Chairman of it or not, the Professional Association at one time will deal with this, and they may deal with this a year from now, or two years from now -- (Interjection) -- the First Minister says, Oh no, no, no, no, but the truth of the matter is that we don't know when this will be dealt with and it would seem to me that there's no reason for this -- (Interjection) -- Yes I know, but I was a member of the committee, I was a member of the former committee and I know what took place, you know, in the former committee hearings and I -- (Interjection) --.

MR. DONALD MALINOWSKI (Point Douglas): When you were on it that committee did nothing.

MR. SPIVAK: And I would suggest

MR. DESJARDINS: Right.

MR. SPIVAK: You see, the Honourable Member for St. Boniface and maybe the First Minister take this as some kind of slight in connection with their running of the committees and that's not intended. What I'm suggesting is simply that this may not be dealt with for a longer period of time than suggested because we do not know how the deliberations are going to go and no one here can be sure of the kind of conclusions or how they're going to arrive and the investigation is going to take place, and all I'm suggesting Mr. Chairman, is that on that basis I do not think that this proposal should be left until the matter is considered by the committee, because I'm not sure when that committee will meet, and I'm not even sure whether the present members of the Legislature will be in fact the members of the Legislature on that committee in a period of time when the committee next meets. Well Mr. Chairman, this is a judgment and my judgment could be wrong, it's been wrong before on this but it could possibly happen that the situation may not be exactly as what people think it will be at the present time. But having said that, we now have the situation before us. First of all, is there any damage that is going to be caused as a result of our passing the amendment. The Honourable Member for St. Boniface says there is and I frankly do not see where there is at all.

MR. SCHREYER: Ask the Member for Riel.

MR. SPIVAK: The First Minister says ask the Member for Riel and he's quite capable of speaking for himself. I know he has some views and his views are contrary to mine, and he'll express them and he'll show them by way of vote, but I suggest, and I suggest very strongly, that there is no evidence to suggest that by allowing this proposal to go through that any damage will be done; nor does it prevent the Professional Association from dealing with the matter again and from changing and altering it, because it's pretty obvious that the

(MR. SPIVAK cont'd.) Professional Association -- (Interjection) -- well let me say this, in that case the Professional Association better not deal with the other areas in which doctor is allowed and the other areas in which there are some rights given by way of legislation which give them certain rights to operate in a certain way. Because if the Professional Association is not going to be in a position to deal with the substantive matters affecting the Association as to control of the particular association, the various regulations under which it operates, the discipline aspects of it, and if there's not going to be any changes forthcoming then there's no point in a Professional Association meeting and trying to formalize a consistent procedure for the various Acts.

So therefore Mr. Chairman, I suggest this. There's no evidence that indicates the confusion that could possibly cause problems will in fact exist. There's no evidence of that. The Member from St. Boniface shakes his head saying I'm wrong. Well I was present at the hearings and as far as I know there was no evidence suggested. It was alleged that it could happen, but no one presented any evidence. And that I think becomes pretty important.

Secondly, I do not believe that there's any danger that can be caused. I'm not sure when the committee will meet, I'm not sure how long the deliberations will take, and it seems to me there's no justification for not allowing this to be passed and a simple request, and one which I do not think has to be a priority item and one which does not have to therefore warrant the length of discussion that it had, the lengthy discussion and the length of discussion in this Chamber and the committee. --(Interjection) -- Yes.

MR. GORDON W. BEARD (Churchill): I don't want to get too far into the legal part but as I understand it if somebody isn't licenced to find diseases of the eye then how can legal action be brought against them if in fact they haven't discovered it? I think . . .

MR. CHAIRMAN: Before the member answers, I'd like to pause for technical reasons and allow our operator to make a change in his tape recording. So if you'd wait for a station break.

MR. BEARD: Station to station.

MR. CHAIRMAN: I don't think we have a sponsor at this point. The Honourable Member for River Heights.

MR. SPIVAK: Mr. Chairman, the Honourable Member from Churchill asked a specific question. Notwithstanding the fact that he asked the question may I say that there still will be civil liability on the part of a person who practices optometry if in fact he - in my opinion, this is a legal opinion that's being asked - there would be civil liability on his part if in fact in practicing his profession he did something which was not within his capability in handling a particular situation.

MR. CHAIRMAN: The Honourable Member for Riel.

MR. CRAIK: Mr. Chairman, I'd like to speak briefly to this. First of all I want to say that the Member for Brandon has presented the case very well in asking for the changes in this bill. I want to congratulate him for it but, secondly I want to say that the remarks made by the House Leader of the Liberal Party I think were most unfair and I want to state the reasons why.

The committee that has been set up is a representative committee and has had meetings and was functioning, I think, very objectively. The implication left by the member's remarks would indicate that the committee wasn't in fact playing very fair ball and this is not true. The committee in fact was trying to lay its ground rules fairly carefully to come up with a blueprint where all the professions and all the other groups that come to the Professionals Committee could somehow fall into a category where you could measure them correctly one with the other and to assess them in a fairly objective manner; and the request of the committee to keep this particular bill back was only a recognition that we hope to reach a point some time during the coming year where we could to our own satisfaction come to a logical decision with regards to the use of the doctor's title, in particular with respect to the optometrists.

Now the reason for holding up, let me reiterate, is not a lack of recognition for the contribution of optometrists in Manitoba, quite the contrary. I think we all recognize and none of us disagree with the contribution they make, particularly in the rural parts of Manitoba where they are very much in demand and perform an excellent service. But what we did want to do and we're asking the Legislature to give us the power to do, was to look at them altogether and look at them objectively so that we could come up with a plan that would satisfy the committee and would satisfy the Legislature on some rational grounds when we came back to it. And I again say to this point I think the committee has been operating in an objective manner, not attempting

(MR. CRAIK cont'd.) to put forth any particular political points of view because I don't think there are any in this business. It's made up of all people with all sorts of formal educations, all sorts of backgrounds and is a fairly representative committee. But there are several questions that come up when you look at this and I think the committee has to satisfy itself with regards to the use of the doctor title. There is one important area that has to be satisfied by any legislative body and that is protection of the public interest and it's one of the questions that would have to be asked in establishing the doctor category. Is it in the public interest, not the interests of a few, but in the public interest for the term doctor to be used in the medical area across a range of formal achievement in the way of formal education? Can we as a legislative body turn a blind eye to the use of the doctor title, particularly in the medical field?

Now I think we all recognize that universities grant honorary degrees and I think we probably all highly endorsed Tom Lamb getting a doctors honorary Ph. D., from the university for his many years of service to this province. We recognize the use, the role of the honorary Ph. D. We can't, I don't think logically use the argument that a Doctor of Divinity might be confused with a medical doctor which many might try and mount an argument on. But in this medical area, I think a great deal of care has to be taken, particularly in protecting the public from expecting something from someone with a doctors degree that that person hasn't gained formally. It may well be that the optometrist fulfill that requirement. I think what the committee is trying to tell the Legislature is that we wanted enough time to be able to prove to ourselves that in relation to the others that in fact this requirement was met.

We know that chiropractors are using the term doctor, doctor of chiropractor, and this is one of the very strong arguments for granting it to the optometrist. I grant you it's a strong argument but it isn't the only argument that can be used. They have to all fit in together and again protection of the public interest I think is the overriding qualification here.

So really to make my remarks short Mr. Chairman, I say that I can't support this at the moment and the reason for it is that I think that the Professions Committee was given a responsibility to fulfill, the Legislature in its haste, and it may be right but in its haste, is depriving that committee of fulfilling the role it was asked to perform.

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

MR. G. JOHNSTON: Mr. Speaker, I'm sorry if I aroused the ire of the Member for St. Boniface, although it's now 12:10. I realize that nerves are fraying and well the Member for River Heights has said this bill certainly doesn't rate high in the priorities of the province. But still I think it is incumbent upon members of the Legislature not only to try to do justice but to give the appearance of having done it and this is why certain members have taken the stand they have on Bill 10.

Reference was made by the Member for St. Boniface that there has been some lobbying done. Well certainly there has been a great deal of lobbying done. I can recall being lobbied on matters of education; I can recall being lobbied on matters of bilingualism, the nurses profession has talked to us and asked for certain matters in years past; dentists have lobbied and asked for certain matters to be dealt with. Television mechanics have asked for certain measure and have lobbied the members of this House. Denturists, dental mechanics, I see nothing wrong with this. I see nothing wrong with a member or a person who lives in Manitoba and makes his living here approaching members of the Legislature and saying here's what we think we hope you will do or vote a certain way. I see nothing wrong with that. -- (Interjection) -- Well the imputation I gathered was that there was something wrong with a strong lobby.

MR. GREEN: Mr. Chairman, may I ask the honourable member a question because I believe I have listened as carefully as he has and possibly I'm wrong, but I certainly have not felt that anybody thought that there was anything wrong with people pushing their position; I think it's perfectly all right and I think that was said.

MR. G. JOHNSTON: I'm glad the Minister of Mines agrees with me but I had the feeling from another member speaking that there was something wrong with this. Now the member, I don't know if it's the Member for Churchill or not, but another member said well, University of Manitoba if they don't supply certain courses well then we should check with them to see whether or not this is something that should be offered in Manitoba or a degree should be recognized in the province. Now maybe I take him out of context but I understood him to say that we should check with the University of Manitoba and if it's all right with them well then perhaps we should consider it. Now I have no way of knowing, but I would think the University of Manitoba is one of possibly 10,000 universities or more in the world and they all have their specialties

(MR. G. JOHNSTON, cont'd.) and they all have their scope within the tax base with which they operate, and there are very few universities even in the United States where there are universities with 30 and 40 thousand students and they offer many many courses; and I don't accept the argument that University of Manitoba is the arbiter or the end-all of what should happen in Manitoba.

Now for the edification of the Chairman of the Professional Committee, and I know I won't change his mind, I know I won't change his mind, but I'd like to read to him and to others of the Assembly some of the requirements which are called upon at the University of Waterloo to take the course which ends up with the degree of Doctor of Optometry. -- (Interjection) -- Yes, the Minister of Education says they have yet to graduate a person. I agree. If we took his stand on all matters, all armies would still be equipped with a bow and arrow, they would never have - never thought of a wheel, they would never have used gun powder because no one had graduated in the use of gun powder. Perhaps it would have led to a pastoral existence in the Province of Manitoba but I don't think that we could send our graduates out into the world on the premise that the Minister of Education is using, that no one has graduated in this field so therefore we should close our minds for some time. -- (Interjection) -- I know it's unfair but I've heard it three times now - the Minister of Education says no one has graduated.

MR. DESJARDINS: Well certainly. You want to give them the title of doctor, they haven't earned it yet and you're so worried you don't want to wait three months.

MR. G. JOHNSTON: I would like to remind the impartial Chairman, as I understand Chairmen of Committees they should be impartial, they should consider all sides of the question and make the odd ruling but they should lead the committee along the road. I can hardly recognize my friend the Member for St. Boniface as taking this position because he's usually very firm in his convictions. However, I expect that when he gets back into the committee he will -- (Interjection) -- No, I don't say that, I say that he will become an impartial chairman. I know he's impartial but he has strong views and I don't blame him for expressing them, but I ask him and other members of that committee, the Member for Riel, if when they consider, if when they consider the bill, Bill 10 that came before them which asks for a grandfather clause saying in effect that people who are in the profession should have certain privileges because of their training and should be allowed to carry on and others who are coming in and obtain the degree of Doctor of Optometry from the University of Waterloo should be allowed to, I ask him and his committee if they had enquired deeply, although he had said that they had, if they had got the prospectus before them and examined it, I ask him that question; had they got the prospectus of the University of Waterloo on the School of Optometry, the Faculty of Science, before them and examined it and then decided, with the admonition of the Minister of Education that no one had graduated yet, whether or not they should accept this, and if the Member for Riel or the Member for St. Boniface wishes to interrupt me and say, yes they had done that, I'll accept the interruption and allow them to explain.

MR. DESJARDINS: Mr. Chairman, no we hadn't done that and this is why we want to take our time in studying and looking at all these . . . - that's exactly - you've given the answer. We weren't ready to make a decision.

MR. G. JOHNSTON: Well then I ask my honourable friend if he has the right, if he has the right to deny what has been given by this Assembly to other groups. For example, the program of optometry at the University of Waterloo and I quote from their prospectus: "Optometry is a five-year program leading to a degree of Doctor of Optometry. First, there's a pre-optometrical year preparatory to the four years of professional optometrical program. The immediate purpose of the program is to qualify men and women for the practice of optometry. However, the program is designed to provide the student with sufficient general and specialized knowledge in science so that he may follow a career in research and teaching if he so wishes. Students will have the flexibility to transfer to a general science program and graduate with a B.Sc. degree. Upon completing their training in optometry graduates will be eligible to apply for registration as Optometrists in the province of their choice." And there's an asterisk. The asterisk says: "As in the case of other professions, graduates in optometry must hold a certificate of licensing body of the province in which they elect to engage in practice."

Well Mr. Chairman, I could read on, but is this not what it's all about? A recognized university has in their wisdom set up a program and granted a degree. Now people in this Assembly, in Manitoba, are going to say, well we don't recognize that, we don't know enough about it, we don't recognize it and you must wait for the study at one of our committees to decide. Now while we're waiting, and while we're deciding there are graduates coming out of

(MR. G. JOHNSTON, cont'd.) this school, some from Manitoba, some from Manitoba, and they would like to know whether they can come back and practice as a Doctor of Optometry or not, and this is really the question before the House, really the question; and I'm suggesting to honourable members that there are certain people taking this course that if they can't have the title that their degree entitles them to, they will go elsewhere.

The Member for Churchill has said Well, we're not losing anyone, no one has said they're leaving. I don't think anyone has stated in committee or in the House that whoever is here now is going to leave, but for the ones coming out of the school, a recognized university in Canada, this is going to be a problem and this is what the question is all about. I say no more, other than that I hope that the question will be decided on that and not on arguments about what is going on at the present time in the province.

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

MR. DESJARDINS: Mr. Chairman, I do not intend to prolong this too long but the last spokesman said a few things that I object to.

First of all I think that he is pre-judging the actions of the committee. Either he doesn't understand my explanation, the explanation of the Honourable Member from Riel, or he doesn't want to understand, because we have never - and by the way he's talked about the - - made some kind of a - I thought he was sarcastic, talking about the impartiality of the chairman - maybe he wasn't. I think that first of all the only thing that matters, the important thing that matters as a chairman is that you are impartial when you're running the meeting, and I can say that I've always tried to be this on any committee that I've chaired. That doesn't mean that I haven't the right to my own views. But, in this instance nobody knows my views, and I challenge him to say at any time where I said that I was against this. This is why I say that he's pre-judging, or doesn't understand or doesn't want to understand, because we haven't gone that far. He asked a question, did you study all these things, and I said no, neither did the committee; and we want to do this.

He mentioned the question of lobbying, and I, in fact I stated that I commended these people for their lobbying, but I said I will not be in a position - I want to look at all these things, the whole question, that because it might be that the optometrists have better lobbyists than the chiropractors or chiropodists that we could decide on them, rush this thing. And when my honourable friend the Minister of Education is saying that nobody has graduated yet, he's not living in the past, he's not against progress; he's saying why the rush, why can't we wait till March, somewhere around there where there's nobody that'll be affected - why the rush? This is the only thing that we're saying.

Now, if he wants to argue, it's his privilege to be for or against the title "doctor" but please don't use me when he starts talking about that because I haven't crossed that bridge yet, and not necessarily as a chairman - as chairman I'll try to be impartial when I chair a meeting, but as a member I don't want to pre-judge. I don't want to be placed in a box before I get all the facts - that's going to be said, that I'm for or I'm against these things, but I want all these things to come together so we could make one suggestion, bring in legislation, and it's not going to be the end of the world if we wait a few months, that we're going to bring legislation that could be used for everybody.

Going back to this question of lobbying. As I say, I thought that it was a good idea to lobby - maybe I should explain. I didn't want to say anything so I didn't try to run anybody down and I did hint that there's something that I didn't like, one of the suggestions that was made. I don't know who made it, I'm not even sure that it's an optometrist that made it, but I was told that I was in favour, that I was trying to stop this, which is not true, because the wife of Doctor Benoit, a medical doctor who came in to make a representation for the other side, because his wife had been a political organizer for me, and if this lady would walk in this hall today, I would know her, which is an absolutely - there's no truth whatsoever, there's nothing -- further than that, I don't even know the woman. That's right, I don't even know the woman and this is what I was told on the 15th that she was organizing and this is what I was against. I didn't want to bring this, but the fact that you brought back, that the member is suggesting that there's something wrong with lobbyists, no, when you do it right, when you do it honestly. And let me repeat again that I'm not accusing anybody, I don't know who started this rumor but it was an optometrist that told me - "oh, you're against it, we know why." I said, Well first of all when did I say that I was against it? and secondly, why am I against it, and this is when I got this story. So I'm not suggesting that you shouldn't lobby. I know my friend well enough that he wanted, you know, to hit me a bit, that he'd been lobbied on bilingualism and so on, and it's

(MR. DESJARDINS cont'd.) a wonder he didn't say to Oh, I get the message, Gordon, I get the message. That's fine, if you want to play like this, this is fine, but don't use me if you want to pretend that I'm against this. I'm not, but I think - I repeat again, we want to do it for everybody. We want to pass a law so the government, as far as I'm concerned anyway, that the government and members of this House will get out of that business of . . .

MR. G. JOHNSTON: Mr. Chairman, would the member permit a question?

MR. DESJARDINS: Yes, certainly.

MR. G. JOHNSTON: He said that if the committee of which he's the chairman could be allowed to study this that they would bring in a recommendation very shortly. Would he care to hazard a guess as to when the recommendation would be brought in?

MR. DESJARDINS: I think that I would be very safe in saying that this committee will recommend, will have a recommendation to the members of this House, or to the government, in plenty of time to let the government, if they wish, or the members of this House, if they wish, adopt and have legislation ready that will not deal only with optometrists but with all of them for next session.

MR. G. JOHNSTON: Would the member permit another question? Would the member for St. Boniface recall the recommendations of the Dental Committee and how they were treated by this government?

MR. DESJARDINS: By which government? The Dental . . . No, I don't know if you mean the Dental Committee that went on . . .

MR. G. JOHNSTON: I'm talking about the recommendations of the committee and how they were treated by this government.

MR. DESJARDINS: I don't know

MR. G. JOHNSTON: In other words, the recommendations don't mean a damn.

MR. DESJARDINS: Well Mr. Chairman, if the recommendation doesn't mean a damn, why are you keeping us so long making recommendations tonight? You're asking me, do you want me to guarantee that it's going to pass? Then you'll call me a dictator. You're asking me when the Committee on Professional Associations will have their work finished, isn't that what you want to know? Now don't hold me responsible if the members of this House do not accept it, do not want to act. I can't control that.

MR. CHAIRMAN: The Honourable Member for Rhineland.

MR. FROESE: Mr. Chairman, I don't think we're just making recommendations tonight. We have a proposition before us that means action. If we pass it there is action being made and certainly as a result these optometrists will be entitled Doctors of Optometrists.

I'm in full support of the member's amendment from Brandon West. I feel that here is something we can do for these people without any financial cost to us and yet at the same time we will be able to get some of the optometrists to locate in Manitoba. We certainly can use more of them and when they finish their training in Waterloo, I hope that we will be able to welcome them here in Manitoba as doctors.

MR. CHAIRMAN: The Honourable First Minister.

MR. SCHREYER: Mr. Chairman, this matter before us now, like one other that was before us this evening was something on which I did not intend to speak, but the Member for Portage la Prairie - I know it's not a deliberate effort on his part, but he has an ability it seems from time to time to act like a rasp, and something he said just a few minutes ago had that effect.

He refers to the committee that did some work inter-sessionally on dental mechanics and allied matters, and this committee brought in a report with a series of recommendations and this government took action on the committee report, whether or not the action was completely in accord with all of the recommendations surely is not the question, but really the important point to emphasize is that once the report of the Legislative Committee was received, action was not delayed, there was no further procrastination.

Now, the crux of the problem before us with respect to the bill on optometry is that there is an anomaly in the law, and I believe I must side with the Honourable Member for Portage and others who have spoken - there does seem to be an anomaly in the law in that this province allows optometrists to follow their occupation and practice their profession here in this province if they are graduates of schools in other jurisdictions, but while we allow them to do so by Manitoba law, we do not allow them to bring with them whatever title is also bestowed by that same institution of learning that gives them the skill that we are prepared to recognize. I

(MR. SCHREYER cont'd.) believe that's putting

MR. GREEN: Mr. Chairman, I don't think they've graduated anybody. . . . earlier this evening

MR. SCHREYER: But this is nevertheless the effect of the present law on the books, and I agree it must be changed, but the counter argument is that while there is recognition that there must be some change it is felt by those, particularly those who serve on the Professional Committee of this House, that it should be changed in such a way that the rules governing our general application to, generally to all professional groups, and if this government was not prepared to undertake, to take definitive action upon receipt of the recommendations of this committee, then I would say that the arguments put forward by the Honourable Member for Portage and the Honourable Member for River Heights would be well-founded, and the criticism implied we would deserve; but since we do have a pretty clear indication from those who have spoken, who are on the Professional Committee of this House, and also from this government, that this is a matter which will be dealt with within a matter of months, between now and the next regular session of this House, then I really think it is not asking too much to ask that matter be held in abeyance for such period of time as will enable the committee to consider it in depth and to come forward with recommendations of general application to professional groups and their right to the use of titles.

Is there a matter of urgency? I agree that there is an anomaly in the law, but is it urgent that it be changed right now, immediately; I cannot agree that it is that urgent, particularly since the time required, the lapse of time between now and the next time we will be in a position here to change the law and correct the anomaly is only a matter of six or seven months, or eight at the most; and inasmuch as optometrists have practiced in this province for many many years, decades, without formal right to the use of the title "doctor", even though they may have pretty sound arguments for their request to the use of that title, I really believe that having it held over for less than one more year is not acting in a way that is prejudicial to the public interest.

MR. CHAIRMAN: The Honourable Member for River Heights.

MR. G. JOHNSTON: Before the honourable member speaks would the First Minister submit to a question? Does the First Minister consider that his government would be bound to the committee recommendations?

MR. SCHREYER: Certainly Mr. Chairman, government should be closely guided by recommendations of a committee, but I really don't see how it would be possible for any government to say that it is, you know, absolutely bound or that the Legislature - it is impossible really for the Legislature to be bound by the recommendations of its committee; it certainly should be guided by them, but it is sort of inverting things to say that, you know, the Assembly of the whole shall be in a sense dictated to by a committee which is only a part.

MR. SPIVAK: Mr. Chairman, the First Minister, I think, has convinced this side there will be nothing prejudicial to the public interest if we pass the bill, so let's pass the bill.

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

MR. MCGILL: Yeas and Nays, Mr. Speaker.

MR. CHAIRMAN: Call in the members. On the proposed motion of the Honourable Member for Brandon West.

A COUNTED VOTE was taken, the result being as follows: Yeas - 18; Nays - 26.

MR. CHAIRMAN: I declare the amendment lost.

MR. CHAIRMAN: (The remainder of Bill No. 10 was read and passed.)

MR. GREEN: Mr. Chairman, can we go back to Bill No. 129, please.

MR. CHAIRMAN: Bill No. 129. The Honourable Member for St. Matthews.

MR. JOHANNSON: Mr. Chairman, the Member for Riel had a question about Section 27 of the Bill 129, and Legislative Counsel gave me an explanation which I'll attempt to transmit to the members. Apparently under The Plant Pests and Diseases Act, the municipalities only have power to deal with Dutch Elm disease; all other plant pests and diseases were under the authority of the provincial government, so the area municipalities only had power to deal with Dutch Elm disease under this Act.

In 1966 the Metro Act was amended to give Metro power to take action under this Act. This didn't exclude area municipalities from also dealing with Dutch Elm disease; so the purpose of this Section 27 is to eliminate this dual control that has existed since 1966, and as far as I'm aware the area municipalities have expressed no opposition to this.

MR. CHAIRMAN: (Sections 27 190A to title of Bill No. 129 were read and passed.) Bill to be reported

The Honourable Member for Fort Garry.

MR. SHERMAN: Mr. Chairman, I was intending to move an amendment to the title of Bill No. 129. I'm not going to do that because I fear there'd be no way that I could do it that would not be construed as facetious, and I don't want to end deliberation of the bill on either a facetious note or a note that could be construed as such.

In the few seconds remaining before Bill 129 passes, I would like to register my final objections to the kinds of possibilities in terms of control that will pass the consequence of this legislation from the aegis of responsibility of individual municipalities to the vested powers of the Metropolitan Corporation. I would like to say that I think the title of the bill is very innocent and innocuous looking and in reality is a very misleading term, a very misleading title. I don't think it tells the true story of the effects and ramifications of the bill whatever. I think that the bill actually ushers in the beginning of the phase-out for area municipalities and as a consequence the legislation itself is really kind of mailed fist in the proverbial velvet glove. I think the title hides a multitude of sins from the municipalities' point of view. It's a move towards one big city and one big tax and in my estimation signals the beginning of the end for many area municipalities. As I've said, in some cases this may be a good thing; in general, I think it's probably a step and a measure that requires a good deal more consideration, conscientious consideration, than has been given the legislation in this Chamber, particularly at this stage of the debate.

So in the dying seconds of the debate I wish to place that final objection on record, Mr. Chairman. As I say, if there were any way that I could move an amendment to the title that wouldn't be construed as cynical and facetious, I would do so. I wouldn't want the move to be interpreted that way because I seriously believe the title is a misnomer, that the bill itself actually marks the beginning of the phase-out period for area municipalities, and anybody in any position of administrative responsibility in the area municipalities who doesn't recognize that is living in an illusory state of mind, and I wish to point out the dangers to the role and status and identity of the area municipality for such persons before this bill becomes law.

MR. PAULLEY: Mr. Chairman, I wonder if my honourable friend would permit a question?

MR. CHAIRMAN: The Honourable Minister of Labour.

MR. PAULLEY: He's been talking about the beginning of the end insofar as the municipalities in what we now call Greater Winnipeg are concerned. Would he not agree that the beginning of the end was when the Roblin administration passed The Metropolitan Corporation Act in 1960?

A MEMBER: You don't have to compound it though.

MR. SHERMAN: As the First Minister might himself say with respect to a question of this sort

MR. PAULLEY: I'm asking you, not the First Minister.

MR. SHERMAN: No, but I think there are one or two philosophical approaches that the First Minister and I might take in concert on certain questions, and as he himself might say, I think that there are graduations of this kind of administration, there are graduations of this kind of participation. I think it's possible to have a metropolitan form of government without having the total elimination of individual municipal identity.

I think a fair answer to the Minister's question might be "yes" in certain hands -- (Interjection) -- Yes, in certain hands that could represent the beginning of the end; in other hands it wouldn't necessarily. I regret the fact that in the hands of the present administration it obviously is being interpreted as a ticket to continue the process, to extend the process to total elimination of the area municipalities insofar as their separate identity is concerned.

MR. PAULLEY: You answered my question.

MR. CHAIRMAN: The Honourable Member for Rhineland.

MR. FROESE: Mr. Chairman, just before we leave this bill, I take strong exception to the bill that is now attempted to be reported back for third reading. I, too, feel, that we've given far too much power to the Metro Council under the provisions of this Act -- (Interjection) -- I wish the Minister of Education would make clear just what he means when he says what he did say by interrupting me. Metro Council from here on will be speculating and the people of Winnipeg and surrounding municipalities will have to pay the bill, will have to pay the shot. I think this is probably a little different than horseracing; maybe we should start taxing the Metro Council

A MEMBER: You don't know anything about horseracing.

MR. FROESE: when they do make any gains; I don't know what would happen about the loss. Certainly we couldn't tax them for the losses. But anyway I want to register my opposition in connection with Bill 129, and I therefore move that Bill 129 be not now reported but reported six months' hence.

MR. CHAIRMAN: The Honourable House Leader.

MR. GREEN: Mr. Chairman, I know that the Honourable Member for Rhineland is seeking desperately for a way in which he can negative a motion, but I do not believe that a - and I submit that a six months' hoist is not an appropriate motion on a bill being reported to the House. Well, Mr. Speaker, I submit to you, I submit to you that Committee of the Whole House has no right to make a motion saying that a bill be reported six months' hence. The duty of the Committee of the Whole House, as is the committee, any other committee of the House, is to send the report to the Legislative Chamber, that it be not reported

MR. FROESE: Mr. Chairman, on a point of order. Certainly this type of motion is being made on third reading, there's no reason why it can't be made in Committee of the Whole House when it means reporting a report back. It's not completely negative; certainly there is a ray of hope when it says "report back in six months' time," so it's not just a negative motion.

MR. CHAIRMAN: The member can speak against a bill being reported but a motion for a six months' hoist is in order on second reading and on third reading but not in committee.

MR. CHAIRMAN: Bill be reported. Bill 17.

MR. WATT: Mr. Speaker, on a point of order, I

MR. CHAIRMAN: The Honourable Member for Arthur.

MR. WATT: I think it's quite in order that he move the bill be not reported.

MR. CHAIRMAN: Yes it is in order but not "six months later." Bill 17, The Manitoba Natural Development Resources Act.

MR. FROESE: Mr. Chairman, in this case then I will move that the bill be not reported. He doesn't accept the negative motion

MR. CHAIRMAN put the question

MR. GREEN: Mr. Chairman, I want this clarified. If the motion is that the bill be not reported, then you have put the question all in favour of the bill being reported. Can that just be clarified so we can have them both

A MEMBER: He could vote against the bill being reported.

MR. CHAIRMAN: That's right. The motion is that the bill is to be reported. The Member for Rhineland is voting against that. So on the motion that the bill should be reported, all those in favour, please say yea, all those opposed please say "nay". I believe the yeas have it and I declare the bill shall be reported.

MR. FROESE: Yeas and nays, Mr. Chairman.

MR. CHAIRMAN: Does the member have support?

MR. FROESE: Sure.

MR. CHAIRMAN: We are voting on the question of Bill 129 being reported.

A COUNTED VOTE was taken the results being as follows: Yeas - 34; Nays - 10.

MR. CHAIRMAN: I declare the motion carried, Bill 129 be reported.

Bill 17, The Manitoba and Natural Resources Development Act. (Section 1 of Bill 17 was read and passed). By page. . . ? Page 1 -- pass? Page 2 --as amended. . .

The Honourable House Leader of the Liberal Party.

MR. G. JOHNSTON: Mr. Chairman, in the second reading of Bill 17, I indicated that our party was in agreement with the intent of the bill but that we had certain amendments to propose whereby the -- (Interjection) -- Bill 17 whereby the responsibilities of the Minister would be reported more directly to the House. So I'd like to propose the following amendment:

That Bill 17 be amended by adding thereafter, immediately after Section 7 thereof the following sections; Responsibility of the Minister, Section 7(1), subsection (1):- Before the Minister of Finance proceeds under Section 3 of Section 7, the Minister shall (a) conduct studies to examine the benefits and costs to the people of Manitoba that can be estimated to result from any action by the Minister of Finance proceeding under Section 3 or Section 7; (b) establish terms of reference for studies conducted under (a) above which shall require the examination of the benefits and the costs that can be expected if the Minister of Finance was to proceed under each of the alternatives stated in Section 3.

(MR. G. JOHNSTON cont'd.) Report of benefit cost studies and proceedings under Section 3, Section 7(1) subsection (2). The Minister shall after any proceedings under Section 3 or Section 7 report to the Legislature at the earliest possible time. The Minister when reporting to the Legislature shall (a) describe the action taken by the Minister of Finance under Section 3 or Section 7; (b) table all studies conducted under Section 1 above.

Then the annual report, 7(2) subsection (1). The Board of Directors of a company which has received financial assistance under Section 3(a) shall annually, within four months after the end of the fiscal year of the company, make a report to the Minister upon all transactions of the company during its last preceding fiscal year and the report shall include an audited statement of its operating revenues and expenditures together with such other information as the Lieutenant Governor in Council may require.

7(2) subsection (2). A company shall not be required to make a report as stated in subsection (1) if the government has disposed of all of its shares in the company.

7(2) subsection (3). The Minister shall lay a copy of the report of the company acting under subsection (1) before the Legislative Assembly forthwith if it is in session and, if not, then within 15 days of the commencement of the next ensuing session thereof.

7(2) subsection (4): Upon being laid before the Legislative Assembly the report of a company acting under subsection (1) stands pertinently referred to the Standing Committee on Economic Development of the Legislative Assembly.

MR. CHAIRMAN presented the motion.

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

MR. G. JOHNSTON: Mr. Chairman, I expect that the amendment moved is such that the government would care to examine it in detail and I would respond to the House Leader if that is so, or not.

MR. GREEN: Mr. Chairman, I did indicate to the Honourable Member earlier, privately, and I indicated openly in the House on the record that we are prepared to accept an amendment that would deal with the question of disclosure. However, this is the first that I've seen of the amendment that has been presented, that is that the honourable member didn't give it to me for pre-study, therefore I would like to have a look at it and I would therefore accordingly suggest, Mr. Speaker, that we lay this bill over and move on to Bill 65.

MR. CHAIRMAN: (Bill No. 65 was read page by page and passed) . Page 1 of Bill No. 123

MR. GREEN: Mr. Chairman, just before you proceed to go page by page, would you advise honourable members the page number and the section number of the provision relating to ministerial discussion regarding Sunday hunting. I don't have it handy in the Attorney-General's -- (Interjection) -- Section 15, page 7.

MR. CHAIRMAN: Page 7, Section 15 relates to the word "Sunday". (Pages 1 to 6 of Bill No. 123 were read and passed.)

MR. GREEN: Mr. Chairman, a request has been made section by section on Page 7.

MR. CHAIRMAN: Well, it's a little slow in coming.

MR. GREEN: Well you just didn't hear it.

MR. CHAIRMAN: Page 1, section (1) passed -- (Interjection) --

MR. GREEN: When you get to Page 7.

MR. CHAIRMAN: Well I've passed Page 7. Page 7. (Sections 11 to 14 of Bill 123 were read and passed.) Section 15

MR. CHAIRMAN: The Honourable the Attorney-General.

MR. MACKLING: Mr. Chairman, I like some of the other members in the House during second reading indicated my concern about the provision in this Act which would have the effect of permitting Sunday hunting in parts of Manitoba in accordance with regulations.

I think the intention is to introduce Sunday hunting in remote areas initially but I for one feel that such a development would lend itself to the pressure of persons who would want to see Sunday hunting move farther south or farther into the civilized areas of the province and in -- (Interjection) -- pardon me that's a bad word. I mean the more heavily populated areas of the province. I was talking about other than the Churchill constituency, and the result of which would be a continuing pressure, not only on the wildlife but a continuing pressure against the quiet environment of the countryside on at least one day of the week. During the hunting season there's no question in my mind, as a hunter, that the residents of the countryside are subjected to people encroaching on their rights, whether they be sitting in the Legislative Assembly or sitting in a barley field without permission. So the result is that increasingly the

(MR. MACKLING cont'd.) farming community have had to resort to posting of their land, and I think that if this section is accepted and passed, there will be an even greater impetus to the posting of land restricting hunting on land and I for one think this would be a regrettable step. I think that there's ample opportunity in this province, we're not that heavily populated that people don't have opportunity to hunt. As a matter of fact we have a very very light population in comparison to the ample land area there is with which to hunt and there really isn't that great a need for this enlargement of hunting rights. As a matter of fact as I pointed out in discussion on second reading, even those who you would think would advocate by decision at conventions an expansion in this area, have consistently turned down this pressure for Sunday hunting - and I refer to the decisions of the Game and Fish Associations throughout the province. Even game and fish associations in the northern area of the province have by majority vote refused a request to ask the government for this change in legislation.

So Mr. Chairman, there is no great desire for this on the part of the majority of sportsmen in the province in accordance with the votes of organized sportsmen in the province conducted either in northern parts of the province or southern parts. I think that the logic of the argument against Sunday hunting is all too powerful and we should not accede to this request on the basis that it wouldn't really affect the rest of Manitoba because it would be applied in areas where settlement is extremely light and the populated area would not be adversely affected, because that is the thin edge of the wedge and I can assure you that this would have a very serious effect on our countryside in due course. So I urge that this section be not passed.

MR. CHAIRMAN: The Honourable Member for Brandon West.

MR. MCGILL: Mr. Chairman, having made a similar motion in committee, I had prepared a speech this evening on this section. The Honourable the Attorney-General has just given it. I support completely his position in this matter and would hope that this Section 15 would be deleted.

MR. CHAIRMAN put the question on the motion that Section 15 be passed and after a voice vote declared the . . .

MR. WEIR: Yeas and Nays, Mr. Speaker. -- (Interjection) -- I still ask for Yeas and Nays. I heard the Minister vote No, and I think it should be recorded.

MR. CHAIRMAN: Call in the Members.

MR. GREEN: I voted Yea, Mr. Speaker, for the record, but I certainly agree that we should have the yeas and nays taken.

MR. WEIR: I heard you say Nay.

MR. GREEN: You said Nay, I said Aye.

MR. WEIR: Aye I mean.

MR. GREEN: If you think I'm scared of this, you're badly mistaken.

MR. WEIR: I'm not worrying about that. I just think it should be recorded. If we want the benediction, I'll ask Father Malinowski; you don't have to put your hand up like that to me.

MR. CHAIRMAN: We're voting on Section 15. The motion is that it be passed.

A COUNTED VOTE was taken, the results being as follows: Yeas - 11; Nays - 30.

MR. CHAIRMAN: I declare it defeated. Section 15 is deleted.

MR. WEIR: Mr. Chairman, on a matter of order

MR. CHAIRMAN: The Honourable Leader of the Opposition.

MR. WEIR: I think the Member for Radisson sat in his seat during the vote and I don't believe he voted.

A MEMBER: Who?

MR. WEIR: The Member for Radisson -- (Interjection) -- I noticed him having trouble but my understanding of the rules was that if you were in your chair you voted and I was observing very closely and I don't think the Member voted.

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

MR. TOUPIN: I hate to say it but I happened to be out of the House and I didn't know what section we were voting on and I didn't vote.

MR. CHAIRMAN: Section 16 (a) -- passed; (b)

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MR. WEIR: Mr. Chairman, I just don't know what action we take under the circumstances. I think that we should know what the circumstances are for the future for the rest of us.

MR. CHAIRMAN: The Honourable Minister, please.

MR. PAULLEY: My honourable friend the Leader of the Opposition is referring to the Member for Radisson who did not vote? He should have voted.

MR. WEIR: That's my view.

MR. CHAIRMAN: It is true that if a member is in his seat he must vote but I think we are now faced with either not having the member vote, asking him to vote or having a new vote.

MR. MACKLING: On a point of order . . . have the vote again, Mr. Chairman.

MR. WEIR: Mr. Chairman, I would be satisfied in having the vote again or have the member declare himself. Under the circumstances . . . my own concern is establishing it as a precedent could get to be a kind of a difficult situation in the House if a lot of us did it.

MR. CHAIRMAN: The Honourable Member for Rhineland.

MR. FROESE: On a point of order, if we are going to allow a member to declare . . .

MR. CHAIRMAN: Order please.

MR. FROESE: On a point of order, if we are going to allow a member to declare himself, I want to declare myself after the vote as well, even though I vote .

MR. PAULLEY: No. No. It isn't a question of declaring, it's as to whether or not . . .

MR. CHAIRMAN: The Honourable Member for Swan River.

MR. BILTON: Mr. Chairman, I believe your duty now is to call for a vote to keep the records straight. Recall the vote.

MR. CHAIRMAN: All right, let's take the vote again, that Section 15 be passed . . .

A COUNTED VOTE was taken, the result being as follows: Yeas 14; Nays 29.

MR. CHAIRMAN: I declare the section defeated. Order please. Section 16(a)--passed, (b)--passed, (c)--passed. -- (Interjection) -- By page? (Pages 8 to 22 were read and passed.) Preamble--passed. Title--passed. Bill be reported. . .

MR. CHAIRMAN: The Honourable Leader of the Official Opposition.

MR. WEIR: Before this Bill is reported I would just like to say a word or two about its process because I'm not the oldest member in the House but I'm getting on to be one of the oldest in terms of seniority around here and I think this is the first occasion on which a Wildlife Bill has gone to Law Amendments Committee or a Committee of the House, in which there has not been representation from the Association at a given time, be it called the Game and Fish or be it called the Wildlife Federation or what have you.

Mr. Chairman, I believe there is a reason for it and I want to register my objection now and let it go at that, - and that is related to the manner in which our committees have been operating.

I recall one day last week inquiring about the committee system and the House Leader indicating to me that there'd been a misunderstanding between he and I, and certainly there had been, but nevertheless at that time he indicated to the members of the House the procedure that would be taken in relation to all of the committees except Public Utilities and that ample notice would be given for Public Utilities Committee. I'm sure at that time, to give the House Leader his due, that he hadn't recognized that this and maybe the other bill that we've just set aside, Bill No. 17, were in Public Utilities Committee. Because I happened to bump into him the other day in Committee when he figured he had lost the Wildlife Bill and he was checking to find out where the Wildlife Bill was. I think that he really, at one stage of the game, believed that it was in Law Amendments Committee and not Public Utilities Committee. But the only notification that was given at Public Utilities Committee to anybody outside in making a representation was that the bells rang one afternoon, and it was the second time the bells rang that afternoon, and I've come to wonder what the bells are for around here, Mr. Chairman. But nevertheless, the bells rang to signify what I thought was the sitting of the House and I came in to find that it was the sitting of the Municipal Affairs Committee and they rang a little later in the day to indicate that it was the sitting of the Public Utilities Committee. And unless there was an extension of that bell in the Wildlife office, I don't think that there could have been any hope to have had representation from the Wildlife people. Now it may be that the amendment that we have passed in this bill is related to representation that has been made by people to the government later. I say that they haven't made representation to me and I'm happy that this change is made because I think certainly in terms of this bill that it's one had there been adequate notice that these people would have made representation for. But in my

(MR. WEIR cont'd.) view, and I think it's exceptionally bad in view of the fact that the House Leader is also the Minister in charge of the department in which the bill is represented, that there was certainly, Mr. Chairman, no opportunity given for the public to know, and in particular the people related to the bill that we are now considering and just passing at third reading.

I say the same thing in terms of Bill 17. I can think of lots of reasons why people should make representation on that one but I have no reason to believe that they would have. In terms of the bill that we are now considering, I would say that my experience in the House would indicate that there would have been representation from the Wildlife Confederation, whether they were in favour or whether they were opposed and it might just have been brief, but it's my view that the action of the committee outside the House and in particular this one has not served in the interests of good legislation and served in the interests of the people making representation before the committee and I regret it, I regret it very much. I'm happy with the change that has been made because I think that was probably one of the most severe changes that were made in relation to it.

MR. GREEN: Mr. Chairman, of late the Leader of the Opposition who has been devoid of anything else to say has found his great pleasure in trying to attack the proceedings of the House for which I am particularly responsible. I can understand that because the honourable member seems to feel quite chagrined at what happened to him last June and he has not found a way at getting back at anybody so he is using me for that purpose. That's fair enough, Mr. Chairman, I leave it to him; but I can tell him this, that he is not going to be able to win power for the Progressive Conservative Party on the type of demonstration that has gone on here in the last week.

Let us talk about the specific problem that he raised. We said that representations would be made to any committee to which bills were referred. On Thursday, Law Amendments Committee and on Friday the balance of committees, with the exception of Public Utilities Committee on the Automobile Insurance legislation.

Now Mr. Chairman, maybe it is the case, maybe it is the case that the Wildlife people or people who are interested in making representation on Bill 17 would thereby have been misled. If that is the case, and if he knew that to be the case, because I certainly don't know that to be the case, I have heard from nobody in this area that they wanted to make representations. I know that if they were interested, they would have phoned the Clerk, they would have phoned me or they would have phoned somebody else. But if the honourable member who was astute enough to see that somebody may have been misled and somebody may not have been coming to committee, if he knew that, first of all he owed two duties. One, he could have told me, in which case we could have told these people that there is a misunderstanding, that there will be a committee to hear representation and you could come. But maybe that would be doing me too much of a political advantage, that I would have recognized the mistake that he is talking about and I would have told the people. It would have been good for the people if he knew and told me to do this. But if he didn't want to give me that political advantage, but he wanted to do something for the people of Manitoba, then he himself who says that he recognized this misunderstanding and recognized this mistake would have told those people.

Now Mr. Chairman, I don't know whether they did or did not wish to make representation. I happen to think that if they wanted to that we would have known about it, that they would have inquired when are you calling representations for this committee. I really believe that all of those people and the Clerk would have been asked who knew that representations were being made could have made them on that Friday morning or could have made them subsequently. And not having done so, I don't assume it's because members of the Legislature had fooled them. If the Honourable Leader of the Opposition wants to make that his great campaign, his great crusade, go ahead, you're welcome to it; it will get you nowhere, but you go ahead and do it.

With regards to the bells. Mr. Speaker, all we're doing here is using common sense. We had three committees sitting one afternoon. When the members of Municipal Affairs Committee were sitting, the other members did other work around the building. I'm sure they were busy. And when we thought that now the next committee is coming we have a choice, we could have had honourable members scurrying around the building finding them, but we said let's use common sense, let's ring the bells. When the members come to the Chamber we will tell them that a new committee is sitting. And it worked; it worked; there was nothing wrong

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(MR. GREEN cont'd.) with it. It's an unorthodox use of the bells, so what; it works and that's what we're trying to do here.

I suggest, Mr. Chairman, because I've noticed in the past two weeks the only time the Leader of the Opposition has spoken he has spoken with reference to proceedings before the House, which I say have been carried on in a reasonably fair manner in an attempt, in attempt to gain the cooperation of all honourable members and to the extent that things have not happened exactly as everybody would have liked, I can assure the honourable member that in previous sessions it was the same. But if he indeed thinks that someone was misled, then Mr. Speaker, as a member of the Legislative Chamber he should have either told me or he should have told the people who say they were misled.

MR. WEIR: On the same point, I'm disappointed that the House Leader is so sensitive about the matter. I'm surprised with the difference of opinion that there exists on the other side about the fact that I have been completely devoid of taking part in the debate. I recall having said a few things periodically in terms of the debate and from time to time I attempt to be positive in the remarks that I make in the Legislature. I may say that it's not very often that they fall on fertile ground on the other side of the House and I was attempting to be constructive in this case.

Mr. Chairman, the House Leader is particularly sensitive and the committee had already been called by the time I was there and found out what the matter was all about. I'm one who believes that it is the right of the government to call committees and it's my right to question at the first opportunity that I have to do so. If I'd have been in the House I would have questioned it at the time the report of the Committee was being received. I wasn't. I raise the matter now and hope that the same sort of a situation won't arise on another occasion and really I don't think that I was worrying about members of the House as I was a reasonable opportunity, a reasonable opportunity for people who wished to make presentation. If they don't wish then that's quite satisfactory as well.

I think the House Leader will recognize that I've been asking questions about committees being called, and I think an examination of the record would indicate that the notice that was going to be given was going to be for Public Utilities Committee; it wasn't going to be for Public Utilities Committee for automobile insurance. I recognize the fact that my honourable friend may have forgotten - as a matter of fact I indicated that he might have forgotten, that he might have thought the bills were before Law Amendments Committee and that it was an afterthought, and I wasn't as critical and vindictive as he would attempt to make believe at the moment. If there's anybody trying to make politics out of this thing and trying to say that members on this side are devoid of ideas at the same time as members on the other side are accusing us of a filibuster -- (Interjection) -- of a filibuster . . . Mr. Chairman, the two things just don't jibe and I waited an opportunity where I hoped that I could make a positive contribution as we get to committees on another occasion, and I'll have more to say on the matter, I'm confining myself to this. We've a discussion on the rules coming up and I'm going to try and not trespass on to that area because I'll have another opportunity to express myself there. But I thought on the reporting of this bill - I haven't objected to the passing of the bill; as I say, I'm pleased with the amendment that has taken place because I think that that's the one critical area that there might have been some concern in terms of representation. I really believe that it's in the interest of everybody that the amendment was passed and I don't say it in the manner in which the House Leader has accepted it. He's got so edgy, he's got so edgy and the appearance that he has there sitting in that seat every day is obvious that he really doesn't want to listen to us, he really doesn't want to listen to anybody; what he really wants is out.

MR. GREEN: Mr. Chairman, the Honourable Member should know that I'm here all the time listening to everything. I can't say that for him. I am here all the time listening to everything.

MR. WEIR: Well that's fine. We've got one more indication of the edginess, we've got one more indication about the edginess. I didn't say you aren't here all the time. What do you mean, I'm not telling the truth? Well there are all kinds of times in here - sometimes I don't think that you take much in when you're talking all the time.

MR. GREEN: Well sometimes nothing's being said, too.

MR. WEIR: Well of course, this puts us in the position you know, and we could banter along like this for a long time, if I got a little help from the other side. If people would just encourage me a little bit I could carry on for quite awhile but it's really not my purpose in life.

MR. PAULLEY: I'm not going to encourage you to carry on.

MR. WEIR: I'm sure you won't.

MR. CHAIRMAN: . . . restricting our comments to Bill 123 and I would like honourable members to stay with it.

MR. WEIR: Well Mr. Chairman, I think my comments are directed to 123 and the manner in which it has been proceeded through the house. In spite of the attitude taken by the House Leader, I have attempted to be reasonable. He may not accept it as such but I have attempted to be reasonable and hopeful that as we consider the activities of the House in sessions that follow that maybe this won't occur again.

MR. MACKLING: I just wanted to add just a brief word. I am a member of the Winnipeg Game and Fish Association and had talked to the Executive Director of that organization. -- (Interjection) -- I'm getting lots of encouragement from the backfield here and he has indicated to me that the major concern he thought was in connection with the Sunday hunting suggestion and that is the subject matter that I spoke on in second reading and I'm glad in third reading that section was deleted.

I saw the Executive Director at Law Amendments Committee. I know that he knows me, I know that he knows the Minister of Mines and Resources, has talked to him before, and if there were any burning issues other than that one which I referred to I think there was ample opportunity for him to have made their wishes known to either myself or to the Minister or others of us if they had any burning desire. I don't think that was the case and I don't think anyone has been misled or sidetracked in any handling of the bill.

MR. WEIR: Mr. Chairman, just on that tone might I ask the Minister a question? Does he believe that the Wildlife Federation had adequate notice of when Public Utilities would be called to hear the bill?

MR. MACKLING: Well, I'm not certain of what notice they had but I know that they were aware of the bill and they had ample opportunity to make representation to me, and they know that I'm interested in whatever they have to say, and I know that they know the Minister is interested and if they had representation I'm sure that he would have received it.

MR. WEIR: Mr. Speaker, another question of the Minister. I gather that the Attorney-General tells me that there was some concern on the part of Sunday hunting? (Yes) Mr. Speaker, the Minister having said yes, we wouldn't know that from the representation that we had at committee.

A MEMBER: But the vote has been taken.

MR. MACKLING: The Executive-Director spoke to me about it and I indicated my views and I indicated the nature of my views that I would make in this House.

MR. WEIR: Mr. Chairman, may I add at this point that the Attorney-General has managed to convince enough other people in the meantime that the change was taken. I'm happy that this was the case. But I'm also one who believes that had adequate notice been available that we would have probably heard from the parties concerned and I think it would have been in everybody's best interest.

MR. CHAIRMAN: The Honourable Member for River Heights.

MR. SPIVAK: Mr. Chairman, common sense would have told the -- if common sense had been applied, the Honourable Minister of Mines and Natural Resources as House Leader would have curtailed this debate about an hour ago and allow us to go home to be in a position to deal with the bills for the . . . -- (Interjection) -- No, no, let's understand something, Mr. Chairman, the truth of the matter is this; earlier today I said the Honourable Minister of Mines and Natural Resources was schizophrenic - he's now becoming paranoiac, and he's now starting to blame us because we are starting to bring something forward which is a criticism. The criticism I think in this particular situation has some justification.

I also want to suggest, Mr. Chairman, that if we examine the past three weeks no one is going to say that there was common sense applied on the part of the government in a way in which we've had to deal with these bills after midnight and to expect a rational and proper debate for the length of time that we have had to deal in this House beyond what I would consider reasonable hours considering that we started at 9:30 in the morning. I would suggest to the Honourable Minister of Mines and Natural Resources that part of the problem within the debate tonight and part of the problem we've had in connection with the activities in the House is because we have not been reasonable in connection with this and I'm prepared to sit down. Let's pass it and let's adjourn.

MR. CHAIRMAN: Bill be reported. Bill 39. The Municipal Act. I have the Honourable Minister.

MR. PAWLEY: I would suggest that we deal with Bill 39 part by part rather than page by page.

MR. FROESE: . . . tonight. If we wait till tomorrow I'm quite agreeable.

MR. CHAIRMAN: The Honourable Member for Rhineland.

MR. GREEN: Can we deal then, Mr. Chairman - and I know that there are several people who have been waiting all night hoping that we will deal with a particular bill - that is Bill 109 - the Dental Mechanics Act.

MR. CHAIRMAN: The Honourable Member for River Heights.

MR. SPIVAK: Mr. Chairman, may I ask the House Leader again, does he think it is common sense in connection with this bill to deal with it now notwithstanding the fact that people have been waiting - at twenty to two?

MR. GREEN: Mr. Chairman, I agree that we have been working hard. I know that we have worked hard before. I know that the legislation that we have passed - you know I've looked at legislation - I know that the legislation that we have passed at 2:00 in the morning has been as good as or superior to other legislation that we have passed.

MR. CHAIRMAN: The Honourable Member for Roblin.

MR. McKENZIE: Mr. Chairman, could I appeal to the House Leader, on a point of order. The Sergeant-at-Arms of this House is an honourable man, he's an elderly man, he's tired - could I appeal to the House Leader to adjourn the House on his behalf?

MR. PAULLEY: Well as one of the older members of this House let's carry on till democracy is served in Manitoba.

MR. CHAIRMAN: The Honourable Member for Emerson.

MR. GIRARD: On the same point of order, Mr. Chairman, if the House Leader is aware that there were interested people wanting to hear the debate on this bill, I wonder why it wasn't called earlier?

MR. GREEN: Because, Mr. Chairman, I was sure that we were going to get to it earlier tonight.

MR. CHAIRMAN: Bill 109. The Dental Mechanics Act. The Honourable Member for Swan River.

MR. BILTON: I wonder if I might make one more appeal, to do with what my honourable colleague had to say. That if we are to run into evenings such as this, could arrangements be made that the old-timers be relieved and not held for the full time?

MR. CHAIRMAN: Section 1 -(a) as amended. Section 6 . . . The Honourable Member for Souris-Killarney.

MR. McKELLAR: Mr. Chairman, before we start discussion on this bill, I'd like to say just on the progress of this bill through the House and in Law Amendments, I was one of those on the committee dealing with dental mechanics and as I mentioned in Law Amendments we brought in a report which is satisfactory to all the members of that committee. Some of us were leaning to one side of the answer and some the other and we compromised. I think it was unanimous; I'm sure a unanimous decision at that time and the bill was brought in accordingly, and I say that the bill was brought in with the correct recommendations that we approved of.

Now we find in Law Amendments, and I was one of those that happened to be there at quarter to twelve at night - that was time it was dealt with - and lo and behold the Attorney-General brought in amendments which changed the principle of the bill which we had approved in second reading, the principle of the Bill, and it changed the principle entirely. I was sorry at that time that there were very few members there in Law Amendments to deal with that bill. I think there was only about 17 or 18 members, or maybe less than that. The Honourable Member for Portage la Prairie the House Leader of the Liberal Party was not there. The Member for Sturgeon Creek also a member of that committee was not there, and I don't know how many members from the government side were not there. I am very concerned about this, and I'm concerned to the point where in the final analysis if some changes aren't made I'm going to move that the bill be not reported.

I am concerned too to the point if the government in their right mind had thought that this was the proper approach to this, why didn't they bring changes before they brought the bill in? I wouldn't have been against that because government don't have to accept committee reports and we know that. But they waited after everyone voted for this bill in principle, and

(MR. McKELLAR cont'd.) I mean everybody in the House, and they waited till Law Amendments Committee before they changed their mind there - for some unknown reason. Now, I'm saying again if changes aren't made that I as a member for my constituency will have to vote against this bill.

MR. CHAIRMAN: The Honourable Minister of Finance.

MR. CHERNIACK: I have made many speeches on this question. The Honourable the House Leader of the Liberal Party and I were members of the Early committee which reported in 1966 and gave a very extensive report - reported on all of the presentations that had been made, reported on the law in other jurisdiction, reported on experience elsewhere and made very specific recommendations.

The government of the day chose to sit on that report for some three years. One of the undertakings of this government was that this matter would be dealt with. It was dealt with; the committee sat; the committee heard more representations and in the end the committee came to a report which was a consensus by way of compromise. Now I supported that. I, however, recognize as must the Member for Souris-Killarney, that a committee's report is not binding on the House. I recognize it and he agrees with me. Now this has been a contentious issue for many years. I think it's time we dealt with it in as sensible a way as possible in accordance with what each of us thinks is right. I think the fact that the committee made a report does not by any means mean that we are bound by it.

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

MR. G. JOHNSTON: Mr. Speaker, I find it difficult to believe what I just have heard from the Minister of Finance. I can hardly believe that this is the member that I've sat with on this committee for a number of years, after the very brief and rather quiet statement he has just made.

As recently as two weeks ago he said and I would like to quote what he said when he spoke in support of the bill. The bill at that time was almost a direct copy of the recommendations made by the committee - the most recent committee of which he and the Attorney-General were members. And I quote, on Page 3454 - June 29th, 1970. He said, "I want to warn, warn this Legislature not to be misled by that, because I feel again that by giving a dental mechanic the right to work in a mouth which has live teeth that perforce he will have to adjust his denture to the existing live teeth and that it may well be that there are live teeth that have to be worked on in some way in order to make a better fit, in order to create a better, healthier mouth situation. So again I would plead that this bill go through in its present form in principle without any variation except that may occur to correct grammatical or legal aspects, but that the principle set out in the report of the committee which study this matter extensively will be such as will confirm the report of the committee; and I would say that after a year or so when we see how this works out, we will then be in a position to look at the next step; because I am certain, Mr. Speaker, that no one being satisfied with this, that there will be attempts made to make various changes in this Act after it has passed and after it has been put into practice."

Mr. Speaker, I hope I won't be accused of quoting the Minister out of context, but I would like to refer again members of the House to December 15th, 1969 - Minutes of the Special Committee of the Legislature on Dental Services - and I quote a paragraph, and while it's a condensation of what was said by various members of the committee, if the Minister feels that he has been misquoted or taken out of context, I'm sure he will be the first to rise and say so. But in the fourth paragraph of that report, I quote "Honourable Mr. Cherniack feels that he would not trust a dentist to work in the mouth. As a matter of principle, he stated that one should be allowed to do work only for which he is qualified. Mr. Cherniack favours team work where the dentist, the dental mechanic and the hygienist work together. The British Columbia and Alberta experience proves that there is no team work, it is a matter of competition. The oral health certificate is required and the British Columbia and Alberta legislation is not a solution to the problem," and further, I could quote what other members have stated but the point I'm making, Mr. Chairman, is that there were certain firm recommendations made by that committee and I'm sure that all members of the committee were not completely satisfied nor were they happy that they had arrived at a true solution to the vexing problem that has faced this committee over the years and has faced the people of Manitoba.

I support the Member for Souris-Killarney who is a member of this Committee when he says that he was surprised to find that a bill had been guided by a Cabinet Minister through

(MR. G. JOHNSTON cont'd.) second reading on principle, supported by the Minister of Finance on the same principle and then we find that late one night in committee the whole principle of the bill is changed, the whole principle of the bill is changed. I'm talking now about whether or not a so-called denturist or a dental mechanic would be restricted to working in a mouth with no live teeth, and this was the second recommendation of that committee, that denturists would be restricted to complete dentures where there is no live teeth in the mouth, and I didn't hear one member of that committee say No, that is not what I mean. As I understood what went on that day, every member was in agreement with that recommendation. Do I hear some members on the government side or any other side say, No, I'm wrong? I would like them to stand and tell me if they feel that I am now misrepresenting them.

Now my point, Mr. Chairman, is this; that a bill was brought in by the government, it followed closely the recommendations of the committee, we find that late at night in Law Amendments the government brought in a recommendation by way of an amendment that changed completely the content of the Act. I was criticized by certain members opposite for bringing in an amendment to the Liquor Act and I had to defend myself. I told them that because a back-bencher had brought in Bill 75, and many and deep changes were made in the Liquor Act in Manitoba, and while I didn't agree with certain aspects of this Act, I felt that because these changes had been made that I was entitled to bring in a change myself and it was brought in on third reading, and I apologized to the members for this. I admitted that it should have been brought in in committee, all sides should have heard what I had to say and what others would like to say in opposition, but because I took the course I did I was castigated and criticized by certain members of the House. Now we have a government bill brought in where they completely violate their own principle, where they completely ignore the work of the Committee, and in effect, in my opinion, and I have to say it and I have been called earlier on by the First Minister as a rasp, because I probably raised some hackles, but I have to say that I feel that members on the government side brought in this amendment only out of the most crassest of political considerations. They ignored committee work, hearings, studies that were carried on over the years; they completely ignored them. And we have had, about 15 minutes ago, the Minister of Finance so much as get up and admit that they had to ignore this because of certain considerations, although he didn't put it in those words; but he has had to make a complete about-face from his stand that he took on the committee, his stand he took upon second reading of this bill, and frankly, Mr. Chairman, I'm shocked at the operation of the government in this respect.

MR. CHAIRMAN: The Honourable Minister of Finance.

MR. CHERNIACK: Mr. Chairman, I too have been sha . . . shocked in my time. I have been shafted too. I suppose maybe that was what I was about to say. But certainly, Mr. Chairman, the quotations by the Honourable the Leader of the Liberal Party are correct and it is only proof of the fact that I am not as persuasive at all times as I would like to be. Nevertheless, I have been persuaded that the amendment that we have before us will give us an opportunity to continue, an effort to bring together the two parties, or the two contending groups. I believe that with this amendment we will have that opportunity, where we can negotiate openly and firmly in an effort to bring about that very teamwork about which I apparently spoke not long ago and which was quoted. The Honourable Member for River Heights is now returning to the usual habit that he has, of interrupting from his seat. He is doing it again, and has not done it for at least 30 seconds.

Mr. Chairman, I have been struggling with this matter for quite awhile. I do feel that the position that is now being taken does of course violate the principle which I previously enunciated, and that is that an untrained person dealing in the mouth would be permitted to deal with live teeth in the mouth.

The amendment that came before Law Amendments - and the honourable member likes to refer to it as late at night, and as far as I know all members that were present were as alert as they have been during the day . . .

A MEMBER: That isn't saying very much.

MR. CHERNIACK: . . . and that that amendment had within it an element which I deplored. The present amendment, I think, makes it possible to attempt to control the abuse which I fear, and I admit I fear; nevertheless I am hoping that with this kind of amendment we will be able to do some kind of positive work in that effort. And we may fail, and if we fail it won't be the first time that I have failed, but it won't be because I won't have tried, and that's

(MR. CHERNIACK cont'd.) . . . all I intend to do is to try to carry out the best type of legislation possible. I do reject the suggestion that this is a political consideration but that doesn't mean that I can persuade the honourable member that it is. He, of course, would not really be able to recognize what is truly a political approach. He has never used one and has always been the statesman he would like to appear to be. So I must say to him that I don't believe that this is a political approach; I believe it is one of belief of various parties and that we have to work within that.

MR. CHAIRMAN: The Honourable Member for Sturgeon Creek.

MR. F. JOHNSTON: Mr. Chairman, I also was on the committee and I was not there when the amendments were put forth, and I would say that the committee -- I was a newer member of the committee unlike the three members that have spoken so far. They have spent many years, many years on this problem. The committee report which basically we have said compromise -- I don't know that I would like to call it a compromise; I would like to say that the committee considered seriously the whole subject, and when we decided that the dental mechanic could work in a dentureless mouth it seemed to me to be the best solution, and in the words of -- when I say solution, pardon me, it was not a compromise, it was a solution; it was a good solution and we honestly felt that the dental mechanic could work in a dentureless mouth, and also that we would set up and have this man trained to work in the mouth. He would take time, instead of just going off on his own and becoming a dentist as they are called today, he would have had to have some training to do so.

The other very important part of this is what has been said by the Honourable Member from Churchill and the Honourable Member from St. Boniface earlier tonight about people who work very very hard to have the name of doctor, men who have spent eight to nine years getting this right that is given to them by doing this kind of study. I must say that I voted to have the optometrists called doctor, but on the basis that he spends at least three - I'm not sure - three to four years getting his course. So on that basis we said fine; the dental mechanic can work in a dentureless mouth, and there would be set up courses to make this man a perfectionist to identify diseases in the mouth, etc.

Now the amendment, the amendment says that he can work in the mouth on an upper or a lower, which is completely contrary to what we were working to, the reason being because of basically the live teeth, and also the other reason is that we would hopefully have men become trained to identify diseases in the mouth. Now if the amendment is put through on a proclamation basis, the Honourable Minister of Finance says -- and I say this, I say this, Mr. Chairman, I respect the Honourable Minister of Finance's opinions on this subject. He's had more experience than I have. But if it's on proclamation and you have the authority, then, to bring these two together, if you don't bring them together -- and we have not had success bringing them together -- the fact that if the amendment goes through you can approve the clauses and if you do approve the clauses that they can work on the upper or the lower, we are not doing what the report suggested. And the report, as far as I am concerned, if the dentist, as he is called now or as the bill calls the dental mechanic, is allowed to work in an upper or lower, it is wrong. If the bill goes to the government under proclamation and they even have the choice or the authority to give them the chance to work on a mouth, on an upper or a lower with live teeth, this is wrong. I cannot vote for the amendment on the basis that the dentist, as he is now called, or the dental mechanic will have the chance, the authority to work on a mouth with live teeth. I'm afraid I can't do that, because we are saying under proclamation that if you can't bring them together -- and I know that the government is sincerely going to try but it has failed to date, and if you can't bring them together, you can give them this authority, and I will not vote for the bill or the amendment on that basis.

MR. CHAIRMAN: The Honourable Member for Lakeside.

MR. ENNS: Mr. Chairman, I move, seconded by the Honourable Member for River Heights, that the committee now rise.

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

MR. CHAIRMAN: (Section 6(1) was read and passed.)

(There was a two-minute recording failure at this point.)

MR. McKELLAR: I move, seconded by the Honourable Member for River Heights, that Section 1 be amended by . . .

MR. CHAIRMAN: The Honourable House Leader.

MR. GREEN: Mr. Chairman, the Legislative Counsel says there is some question as to whether the amendment was moved at the time. I thought that I moved it, but there seems to be a question. Can the Chairman ascertain, or to be safe, do we have to move it again?

MR. MACKLING: I'll move the amendment.

MR. CHAIRMAN: The Honourable the Attorney-General. You're moving amendment 6 . . . ?

MR. MACKLING: Well I haven't got 6 (2) here . . .

MR. CHAIRMAN: Certificate of oral health.

MR. MACKLING: The amendment that I have, introduces a new subsection (3) and a subsection (4).

I move, seconded by the Honourable the Minister of Finance, that Section 6 of Bill 109 be amended by adding thereto the following subsections.

(3) Except as provided in subsection (4), no dental mechanic shall produce, reproduce, furnish or supply any prosthetic denture or dental plate for another person who has live teeth in his mouth, or for any of those purposes take impressions of the inside of the mouth of another person who has live teeth in his mouth, unless he does so in accordance with a prescription signed by a dentist or medical practitioner.

(4) Where permitted under the regulations and in accordance with the regulations, a dental mechanic may produce, reproduce, furnish or supply (a) an upper prosthetic denture or upper dental plate for another person who has no live teeth in his upper jaw; or (b) a lower prosthetic denture or lower dental plate for another person who has no live teeth in his lower jaw, or for any of those purposes take impressions of the inside of the mouth of another person, without a prescription signed by a dentist or medical practitioner.

Then there is a further amendment - do you want me to move that one later?

MR. G. JOHNSTON: Mr. Chairman . . .

MR. CHAIRMAN: Just before we deal with this, I have not yet passed Section 6(2) so I'd like to call that. 6(2) the amendment -- passed. The proposed amendment -- the Honourable House Leader of the Liberal Party.

MR. G. JOHNSTON: Mr. Chairman, for the sake of clarification I ask the Attorney-General. On this first amendment 6(3) second line, and I quote, "A dental mechanic shall" -- I have in my copy "make, produce or reproduce." May or make? Well the reason I asked for the clarification, does this mean that a dental mechanic has to hire other people to make a part and he can insert it in the mouth? In other words, he doesn't manufacture it himself but he may hire someone else to do it and then do the fitting. Is this the intent?

MR. MACKLING: . . . in the existing bill, there is provision where there can be apprentices employed and hired and so on, but . . . Oh pardon me, the Legislative Counsel indicates to me that the drafting should say "may make." I haven't got the amendment. My copy was taken away for a moment here, but the words are "may make, produce or reproduce."

MR. G. JOHNSTON: Mr. Chairman, did I understand the Attorney-General to say that there are further amendments, further sections coming along where a dental mechanic may employ apprentices?

MR. MACKLING: . . . provide for apprenticeship courses to be provided. It's in the bill, but there is a further amendment later on that the Minister of Mines and Resources did believe had been moved as well, to Section 14, which covers -- it's in the regulations section, which complies with what was just moved here.

MR. McKELLAR: Mr. Chairman, I have one amendment I overlooked in Section 1, and I was just wondering whether I could move it. Then I have another one in 6(4), subsection (4). Am I permitted to go ahead or . . . ?

MR. CHAIRMAN: . . .

MR. CHERNIACK: Mr. Chairman, I am sure that the committee will agree to go back to 1 afterwards. After the honourable member deals with the question before us, if you want to amend the amendment . . .

MR. CHAIRMAN: The Honourable Member for Rhineland.

MR. FROESE: Mr. Chairman, as I understand it now, that either the dentist or a medical practitioner can give a certificate of oral health and also both of them can give

(MR. FROESE cont'd.) prescriptions to make dentures. Is that correct? My question was, or I stated that under the amendments before us, which includes Section 6 subsection (2), any medical practitioner or dentist can make a prescription and also give a certificate of oral health. They can do both. And the denturist or the dental mechanic can then go ahead and, on the basis of the prescription, make a denture under this section. Correct?

MR. SPIVAK: Mr. Chairman, I wonder if the honourable member will allow the Honourable Member from Souris-Killarney to move his first amendment, which is in the definition section and relates to the amendment he's going to propose on the amendment that's now before us. -- (Interjection) -- Well, on the basis that if the Attorney-General will withdraw it now to reintroduce it, to allow us to be able, or allow an explanation as to what's being proposed to be given. Now I realize it's unusual but it's also, I think, usual to debate the bill at 2:00 o'clock in the morning.

MR. CHAIRMAN: . . . the Honourable Member for River Heights that we're now dealing with Section 6 and we have an amendment before us.

MR. CHERNIACK: Mr. Chairman, I have a feeling that if the proposed amendment by the Honourable Member for Souris-Killarney doesn't pass on 6, then there won't be any need for the definition in 1. Knowing that, I suggest that we deal with 6 and, if it passes, then we would go back to 1. If it falls, he himself may not want to go back to 1.

MR. CHAIRMAN: Are you ready for the question on the proposed amendment of the Attorney-General?

MR. MCKENZIE: What subsection is this?

MR. CHAIRMAN: 6(3). A new section 6(3) and 6(4).

MR. MCKENZIE: Mr. Chairman, I haven't -- would you read the amendment then?

MR. MCKELLAR: I have an amendment to the amendment. I move, seconded by the Honourable Member for -- where has he gone? -- that in subsection (4) of Section 6 the words "permitted under the regulations" in the first line thereof be deleted, and the following be substituted therefor: "a dental mechanic is working in a clinic".

MR. GREEN: . . . to be fair to the honourable member. I believe what he is saying is that the section that the Attorney-General proposes should apply only to a dental mechanic who is working in a clinic, and then he wants us to define clinic as a denture clinic. Now if that is explained to honourable members, I think it makes perfectly good sense as to what he's trying to do. He's suggesting that the new amendment that the Attorney-General is putting should apply only to a dental mechanic who is working in a clinic. Then he wants to make a change to the definition section which would indicate what a clinic was, so I think he had better tell us, without making the change, what the clinic is.

MR. CHAIRMAN: The Honourable Member for Souris-Killarney.

MR. MCKELLAR: With the permission of the House, I move, seconded by the Honourable Member for Lakeside -- (Interjections) -- Oh, Okay. Clinic means a government-operated denture education and treatment facility under the supervision of a fully-qualified dentist who will assume responsibility for the service provided in that clinic. Maybe we'll have the Chairman read it over. I'm half awake.

MR. SCHREYER: Mr. Chairman, in all seriousness, Sir, it would seem that decorum of the Assembly is such that I really wonder whether the public business can be properly despatched. I suggest we make one more try at it and if we can't improve the decorum that we consider adjournment.

MR. SPIVAK: Mr. Chairman, on the point, I know that we have . . .

MR. CHAIRMAN: The Honourable Member for River Heights.

MR. SPIVAK: I think there really is a desire on the part of everyone that we proceed with this matter in an intelligent way. I do not believe that this will continue if -- I would suggest that we adjourn now, or rise now, and allow us to deal with this first thing in the morning. We'll probably accomplish it with the amendment and the amendment to the amendment before us properly and we'll be able to deal with it in an effective manner. I don't think we can do it now.

MR. CHAIRMAN: What is the wish of the Assembly? The Honourable House Leader.

MR. GREEN: I move that committee rise.

MR. CHAIRMAN: Committee rise. Call in the Speaker.

IN SESSION

MR. RUSSELL DOERN (Elmwood): Mr. Speaker, I move, seconded by the Honourable Member for Crescentwood, that the report of the Committee be received.

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

MR. GREEN: Mr. Speaker, I move, seconded by the Honourable Minister of Finance, that the House do now adjourn.

MR. SPEAKER presented the motion.

MR. BILTON: Mr. Speaker, before you put the question, I wonder if the House Leader would indicate the business for tomorrow.

MR. GREEN: Mr. Speaker, it's the intention of the House to go into Committee of the Whole to consider of the bills still remaining on the Order Paper, then to proceed to -- there may be a few other things on the Order Paper; then to go to Law Amendments Committee to consider The Landlord and Tenant Act clause by clause, and to come back to the House, pass everything that we've got. -- (Interjection) -- That's right, the Dental Services Act in Law Amendments.

MR. SPEAKER put the question and after a voice vote declared the motion carried, and the House adjourned until 9:30 Tuesday morning.