

THE LEGISLATIVE ASSEMBLY OF MANITOBA

2:30 o'clock, Friday, April 3, 1970

PRIVATE BILLS

MR. PAULLEY: Mr. Speaker, I wonder if by leave it might be possible to have Bill No. 4 introduced for a second reading ahead of resolutions.

MR. SPEAKER: Does the Honourable Minister have leave?

MR. PAULLEY: Standing in the name of the Honourable Member for Elmwood.

MR. SPEAKER: (Agreed.) The Honourable Member for Elmwood.

MR. DOERN presented Bill No. 4, an Act to amend The Chartered Accountants Act, for second reading.

MR. SPEAKER presented the motion.

MR. SPEAKER: The Honourable Member for Elmwood.

MR. DOERN: Mr. Speaker, I would like to say a few words in explanation of this Bill. There are three basic changes contained in the proposed amendments to The Chartered Accountants Act and all of them I believe are of interest primarily to the profession itself. For example, it is now a requirement of the Act that for a chartered accountant to be named a Fellow he must have five years of continuity in practice as a chartered accountant. There are people in the profession who take their articling, graduate as C.A.'s, and then in effect do not go into private practice but may for example go into industry or work in some other capacity, and so these people up until the present have not been allowed to be named as Fellows.

The designation F.C.A. is a designation similar to perhaps Q.C. in the legal profession. F.C.A. is given to people for meritorious service, people who are recognized as being outstanding leaders in the profession. For example, out of some 1,300 chartered accountants who are associated with the Manitoba Institute, some 850 C.A.'s practice in Manitoba, some 475 are affiliated but practice in other parts of Canada or the United States. Of that number of 1,300, only some 38 to 40 carry this distinguished designation. So in the proposed change, Subsection (1) in the Bill, Subsection (1) (6) (2), this would allow people who are in good standing with the Institute and over the age of 30 to be granted this designation.

The other two changes, Subsection (2) for example, talks about striking out the word "fourteen" and replacing it with "Twenty". At present, if a person is to be nominated as a candidate for the Council of the Institute, it requires a fourteen day notice. This amendment would extend that notice to twenty days.

In the third and final amendment, Subsection (3) of the proposed Bill, honorary membership into the Institute at present can only be given if there is a unanimous vote of members at a meeting, and this provision in the judgment of the Institute of the Chartered Accountants is too restrictive and they are now proposing an amendment that would allow an affirmative vote of three-quarters to have someone become an honorary member.

So, Mr. Speaker, those are the three changes. They are what might be described as internal changes and changes primarily of interest to members of the profession.

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

MR. DESJARDINS: Mr. Speaker, I think that it's quite important now to decide how this Bill will be handled and how we will proceed. I think that the members are all aware that for the past few years there has been a committee -- every session there is a Special Committee on the Professional Associations that has been named to look into such matters. Now it is true that this committee does not exist at this time, but we received a report of this committee and one of the recommendations would be that this committee would be reconvened, and from what I understand all the parties are in agreement that this should be done and I understand that the government is preparing now, discussing with all the parties in the House a bill that would reconvene this committee.

Now I think that we've been mixed up in the past. At times a Bill like this was automatically sent to this committee. I feel that that could be dangerous because we wouldn't want to do anything that would stall the services that we render the general public. So it might be -- this is a suggestion that I have -- that on a case such as this one, and there are others, for instance I see that there's a bill on optometrists, that maybe we should follow -- first of all, the first step could be that we would follow the general procedure, that is send this to the committee that should look into this -- with the understanding that we agree with the principle of course -- and this committee would look to see if there is anything in this bill that should be

(MR. DESJARDINS cont'd.). . . . decided immediately, something that would as I said curtail or hurt the service, restrain the service that we were giving to the public. But as far as other things in this Act, especially in Bill No. 4, I think that most of it is something dealing with internal matters or administration of the association or the -- anything that has to do with the policing or anything that has to do with the members themselves or the general protection to the general public, that probably should be sent over, should be referred back to the committee when it's reconvened.

So I would suggest that - or I could speak for myself anyway - that I don't mind voting for this in second reading with the principle, with the idea, the understanding that it will be sent to the committee, in this case probably Law Amendments, and if the committee decides, then I would suggest that the committee should see if something should be done immediately to keep on the continuity of the services, but the rest of the - or maybe the whole bill in this case - if it's only dealing with the protection as I said of the general public or to the members and the policing or privileges and so on, should be referred back to this Special Committee on Professional Associations.

MR. SPEAKER: The Honourable Member for Riel.

MR. CRAIK: Perhaps I could speak at this point, Mr. Speaker. Essentially I agree with the recommendations of the Member for St. Boniface. I'm not sure about the rules and regulations, at what stage it should be sent to the committee for the purpose he has suggested, but if he knows the appropriate stage and would like to make a motion to that effect I'd be quite happy to support him.

MR. DESJARDINS: Mr. Speaker, if I may. This was a question and maybe the House Leader or the Premier or somebody could correct me, but I think that it can be sent to the committee and the committee - in Committee - at the committee stage that it can be referred or part of it can be referred back to another committee.

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

MR. JAMES H. BILTON (Swan River): Mr. Speaker, I too agree with the opinion -- as a member of that committee, I too agree with the opinion of the Honourable Member for St. Boniface. The only thing that concerns me, Sir, is that having given it second reading, if the committee at that stage does not choose to refer it to the Professional Committee as my honourable friend has suggested, I wonder where that leaves us. Should we now give it the approval through second reading, to which I have no objection, but I feel that it should be referred to that committee for further consideration because we have not made up our mind as to how we're going to deal with this particular subject in the days that lie ahead. I don't know where to go from there.

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

MR. JACOB M. FROESE (Rhineland): In view of the indecisiveness of what will happen, I move, seconded by the Honourable Member for LaVerendrye, that debate be adjourned.

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

STATEMENTS

MR. SPEAKER: The Honourable the First Minister.

MR. SCHREYER: Mr. Speaker, I rise at this time to make a brief statement which I am advised is in order to make in the House in a matter of this kind. I refer to the passing away this morning of Alistair Stewart, who as honourable members know served for quite a number of years in the Federal House of Commons as a Member of Parliament for Winnipeg North. I thought it would be appropriate to make this statement, not only because of the fact that he was a member of the Commons but also because since last autumn he has been serving on a public agency board for the Province of Manitoba, the Manitoba Economic Development Advisory Board, serving in the capacity of Vice Chairman of that Board. Those in this Assembly who may have known Mr. Stewart will remember him as a man who was of a particular kind of temperament, one who threw himself into his work with zest and feeling and oftentimes was the centre of controversy. He passed away this morning at the International Airport in New York City just as he was about to return to Manitoba from some public business that he was engaged on in the New York area. He was accompanied by Mr. McFee who I understand has remained behind for just a bit longer to help in making arrangements.

MR. JORGENSON: Mr. Speaker, it's with deep regret that we learned of the sudden

(MR. JORGENSEN cont'd.)... passing of Mr. Stewart this morning. I was a colleague of Alistair Stewart's in the House of Commons between the years 1957 and 1958, and most certainly anyone who knew of this gentleman could testify to his outstanding ability and his contribution to his country. His sudden passing, I'm sure I express the opinions of all members of this side of the House, is met with a deep amount of regret and I know that members of the government will feel the same way in that he has recently been in the service of that government in various capacities and it's unfortunate that a man of his ability would be lost to them before having completed the very important task that was assigned to him. I'd like to extend, on behalf of this party, our sincere condolences to the government members and to Mr. Stewart's family.

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

MR. G. JOHNSTON: Mr. Speaker, we in the Liberal Party would like to associate ourselves with the expression of regret to the family of Alistair Stewart on his untimely passing. While I only knew Mr. Stewart slightly, I think I can speak for many Manitobans who know him by reputation in his dedication to working for the people of Manitoba and we would sincerely like to be associated with the regrets expressed by the First Minister of this House. Perhaps this may not be the time to say it, Mr. Speaker, but I think it should be mentioned that through certain public discussions at times political people are run down, shall we say, or their efforts are not given the recognition or consideration that they should be given at times, but because this man had spent his last hours and his last weeks working on behalf of this province, I would think that the government should give serious consideration to some sort of remuneration to his family by way of pension as he was in the public employ when he passed away.

MR. SPEAKER: The Honourable Member for Rhineland.

MR. FROESE: Mr. Speaker, I too would like to associate myself with the remarks already made by the Premier and other members who have spoken. I have watched the now late Mr. Stewart's activities and his political career through the press and what have you, and certainly he has been active, he has been a man who was devoted to the cause, and as of late he now took on duties on behalf of the Provincial Government and I feel that I too would like to extend heartfelt sympathies to the bereaved.

MR. PAULLEY: Mr. Speaker, may I as the acting House Leader express appreciation for the comments that have been made on this occasion, the passing of a very dear friend of mine. I appreciate the remarks of the Premier and the representatives of the various groups in the Assembly, and I am sure that the remarks will be appreciated by Mrs. Stewart fully. It is of course impossible, or it's not practice for us in this Assembly to formally pass a motion of condolence to one who has not served in the House and there will of course be no formal message of condolence transmitted to Mr. Stewart's widow, but I'm sure that we will be informing her of the tribute paid to Alistair in this House.

And now, Mr. Speaker, I appreciate the fact that the House has given consent to the second reading of the bill, or the forwarding of the bill. Possibly now we could go back to the Order Paper dealing with the adjourned debate of the Honourable Member for Morris, and you have that debate, Mr. Speaker.

PRIVATE MEMBERS' RESOLUTIONS

MR. SPEAKER: The adjourned debate on the proposed motion of the Honourable Member for Morris, which I am presently holding.

On Tuesday, March 31st, a point of order was raised concerning a proposed amendment of the Honourable Member for St. Boniface to a motion of the Honourable Member for Morris. The point of order arose from the fact that the motion was an Order for Return. I wish to thank the honourable members for their assistance in speaking to the point of order. I must say that there is merit to the position taken by those in support of the admissibility of the amendment and those opposed. I also appreciate that in the interpretation of a rule that its intent cannot be ignored. Is the intent of our Rule 100 simply to expedite the disposition of motions for Orders for Return to the exclusion of whatever other purposes any member other than the mover may hope to achieve by such a motion, or is the intent to provide for orderly disposition of the motion without undue delay but not in any way limiting the accepted concept of the purpose of debate?

Upon perusal of our rules and those of the House of Commons, I can find no evidence to indicate that any restrictions greater than those applied to debatable motions in general ought

(MR. SPEAKER cont'd.) . . . to be imposed on a motion for Order for Return, except for the provision in the House of Commons rules which restricts the right to initiate debate to the member proposing the motion and a Minister.

May I refer the honourable member to the House of Commons Standing Order 48(1) which reads as follows: "Notices of motions for the production of papers shall be placed on the Order Paper under the heading 'Notices of Motions for the Production of Papers'. All such notices when called shall be forthwith disposed of, but if on any such motion a debate be desired by the member proposing it or by a Minister of the Crown, the motion will be transferred by the Clerk to the order of 'Notices of Motions - Papers'."

An attempt was made to draw an analogy between motions for Orders for Return and questions to Ministers. May I humbly suggest that the two differ somewhat. The latter, as long as it complies with the rules, essentially concerns two people, the member posing the question and the Minister to whom the question is directed. The former is the property of the House. To become effective, the motion must receive the approval of the House. It is up to the House to decide whether the motion for Order for Return ought to be accepted as presented by a member, accepted in amended form or rejected. This motion standing on the Orders of the Day is debatable.

May I refer honourable members to our Rule 31 -- I'm sorry, 34(1)(a). "Being a debatable motion implies it being open to amendment."

May I refer honourable members to a ruling made in our House and reported at Pages 122 to 125 inclusive of our Journals of the First Session of this Legislature. Also, there are precedents for amendments of motions for Orders for Return. The most recent one occurred on the same day as the point of order arose with which we are presently dealing. May I refer honourable members to the motion from the Honourable Member for Pembina, an amendment thereto by the Honourable House Leader of the Liberal Party as recorded on Page 7 of the Votes and Proceedings for March 31, 1970. Therefore, I rule the amendment of the Honourable Member of St. Boniface in order.

Are you ready for the question?

MR. JORGENSEN: With the greatest respect, Mr. Speaker, may I appeal your ruling. With the greatest respect, Mr. Speaker, I want to challenge your ruling.

MR. SPEAKER: Has the honourable member support?

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

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

MR. SPEAKER: Call in the members. Shall the ruling of the Chair be sustained.

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

YEAS: Messrs. Allard, Barkman, Barrow, Borowski, Boyce, Burtniak, Cherniack, Desjardins, Doern, Fox, Froese, Gonick, Gottfried, Jenkins, Johansson, Johnston (Portage la Prairie), McBryde, Mackling, Malinowski, Miller, Molgat, Patrick, Pauley, Petrusson, Schreyer, Shafransky, Toupin, Turnbull, Uskiw, Uruski.

NAYS: Messrs. Bilton, Claydon, Craik, Einarson, Enns, Ferguson, Girard, Graham, Hardy, Henderson, Johnston (Sturgeon Creek), Jorgenson, McGill, McKenzie, Moug, Sherman, Weir, and Mrs. Trueman.

MR. CLERK: Yeas, 30; Nays, 18.

MR. SPEAKER: I declare the ruling of the Speaker sustained. Are you ready for the question on the amendment?

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

MR. SPEAKER: Are you ready for the question and the motion as amended? The Honourable Member for Morris.

MR. JORGENSEN: Mr. Speaker, I just want to make it clear that if I speak now I close the debate. Well, I hadn't originally intended to say anything on this subject, Sir, but now I believe I shall. But I think first of all I should offer some explanation to the government as to perhaps the reasons why this question is on the Order Paper in the first place, and I want to make it clear, Sir, that according to our rules I have no right to comment on the decision that has been taken and I make no comment on that. The decision has been made and I accept it; I want that made perfectly clear.

But I find it rather amusing to watch the attitude with which this, what I thought was a perfectly simple question, has been entertained by honourable gentlemen opposite. For years, Sir, I have felt that a Cabinet Minister's job is one that requires a great deal of attention and

(MR. JORGENSEN cont'd.) a great deal of work. I felt also that ministerial assistants are a very proper and a very necessary adjunct to a Minister's office. Having had some experience as a Parliamentary Secretary in Ottawa, I happen to know of the volume of work that can be thrown on a Minister because I had to take some of that overload off the back of Mr. Hamilton when I was his Parliamentary Secretary. And I also know that the two Executive Assistants that he employed in his office were worked to the extent that I felt the amount of pay that they were receiving for the tremendous responsibilities that they were carrying deserved something better than what they were getting.

Now I placed the question on the Order Paper because as soon as the new government met there was -- I'd had several problems that I had to deal with. Government Ministers were obviously very busy because I had some difficult time getting in touch with them, a difficult time attempting to get the kind of co-operation from the office - and I am not blaming the Cabinet Minister for a lack of co-operation, their responsibilities precluded them from dealing with every one of these details. I particularly want to refer to one or two. The Minister of Education is one who very shortly after he assumed his portfolio was approached by me for a problem that existed in the Midland School Division, and I don't want to go into any great detail on that other than to say to the Minister that in the handling of this particular situation I felt that I could have got something more in the way of co-operation. -- (Interjection) -- Well, if the Honourable Premier will just allow me to finish, then he can ask questions if he chooses. But I felt that because of the difficulty of that particular situation and the way it turned out, that it would have been helpful if perhaps a closer co-operation could have existed between myself and the Minister's office if not the Minister, because quite frequently the Ministers are out or they are busy, and particularly this Government, Sir, have been doing a considerable amount of travelling and it has been difficult to get through their offices, and in the carrying out of the responsibilities of a member.

MR. PAULLEY: And serving the province as well.

MR. JORGENSEN: Well, you know, we have our responsibilities as members as well, and those responsibilities are to people who bring complaints to our attention. And they have to be dealt with. When you can't get hold of a Minister, what are you going to do if the Minister happens to be away? In many cases the best solution, and I have found and worked with many executive assistants, and found that with executive assistants it's quite possible to get the kind of co-operation and the kind of action you require in order to deal with the problem. -- (Interjection) -- Yes, I'll permit a question for a minute.

MR. SCHREYER: Mr. Speaker, in the context of the remarks of the Honourable Member for Morris. I think it is very germane to ask him, particularly since he mentioned that he was Parliamentary Secretary to the Minister of Agriculture a few years back in Ottawa, whether the honourable member would care to advise us as to the usefulness of such a role, given the fact that Ministers are very busy as he says himself.

MR. JORGENSEN: Well, one of the difficulties, of course, in a Legislature as small as this, if you have your Ministers in the front row and then a whole array of Parliamentary Secretaries behind them, there are no Indians left, they're all Chiefs. In the House of Commons it is somewhat different because of the larger membership in the House.

MR. PAULLEY: What's the matter with Indians?

MR. JORGENSEN: I think that the small membership in this Chamber precludes that from happening. I don't think it is really necessary in the Chamber as long as there are Ministerial Assistants. The purpose for me putting the question on the Order Paper, is because at the time I put it on there which was last September, I felt that when the House was adjourned, the Ministers would be all going their way. I knew that the Minister of Agriculture was going to Rome instead of to Pilot Mound; I knew that there were Ministers going in all directions and that it would be necessary and it would be important and it would be desirable for me to have some contact with the Minister's office. Well, September 11th that question appeared on the Order Paper. Six months later I still haven't had the answer to it.

MR. PAULLEY: Because the House wasn't in session.

MR. JORGENSEN: You see Mr. Speaker, he says because the House wasn't open, and this is precisely the reason I put it on when I did because I wanted it before the House adjourned. Now, Mr. Speaker, that is a pretty weak excuse. I don't know when the House adjourned - it was some time later that month. It would have taken 20 minutes; 20 minutes to get the information that I requested. All I really wanted was the names of the executive assistants, but I

(MR. JORGENSEN cont'd.) . . . thought, well, while I'm at it, I might as well get a little more information - what kind of qualifications have they got, and I was curious to know just what kind of pay they were getting because I've always felt they were underpaid.

MR. PAULLEY: Now you've got it.

MR. JORGENSEN: But I know the gentlemen opposite have read some sinister motive into the phrasing of that question on the Order Paper and they got their stooge from St. Boniface to amend it - their stooge from St. Boniface.

MR. DESJARDINS: That's the nicest thing you ever said to me.

MR. JORGENSEN: . . . because they must have felt that there was something so sinister about it that it was going to result in the downfall of the government or something like that. And so by putting this amendment on, now the answer's going to be delayed another year or year and a half. Well, it really doesn't matter now any more, Mr. Speaker, because the telephone directories are coming out and I've become acquainted with a lot of the executive assistants on my own initiative, which is something I didn't have the opportunity to do in the initial stages.

Now then -- (Interjection) -- no, I'm going to leave it on there because I'm curious to know what new replacements -- and incidentally, when I did get the information, it was all outdated because most of the members had changed, but there was one curious thing about it and I couldn't understand why the executive assistant to the Minister of Transportation's name was not included on that, and his qualifications, because he was certainly here at that time.

MR. PAULLEY: Well Mr. Speaker, the reason for that is because there wasn't such a person.

MR. JORGENSEN: Well now, I think the Minister, before he commits himself too deeply to that statement, had better check with the Minister of Transportation.

MR. PAULLEY: I would suggest to my honourable friend that he check the Orders-in-Council, which are public documents.

MR. BOROWSKI: Mr. Chairman, on the point of privilege, I'd like to inform the member that I still don't have an executive assistant; I never did have one; still don't have one. I have a technical assistant.

MR. JORGENSEN: Well, Mr. Chairman. . . .

MR. SPEAKER: Order please. May I remind the Honourable Minister that I do not believe that he has a point of privilege under the definition of the term.

A MEMBER: He meant a point of information.

MR. JORGENSEN: That's true, Mr. Speaker. He doesn't have a but I'm glad that the honourable gentleman rose in his seat and mentioned that because it brings me now to my next point.

MR. PAULLEY: Mr. Speaker, though, may I on a point of order, and I think that this is a proper point of order, my honourable friend in essence accused me, who was responsible for the tabling of that Order, of giving improper information, and that I rose to suggest to my honourable friend, who accused the lack of the Order indicating an executive assistant to the Department

MR. WEIR: Is it a point of order?

MR. PAULLEY: You sit down until I'm finished. In essence. . . .

MR. BILTON: Mr. Speaker, my Leader asked on the point of order to take the floor and he doesn't have the to sit down.

MR. PAULLEY: Will you please sit down.

MR. WEIR: No. I don't have to.

MR. PAULLEY: Yes you do. -- (Interjections) --

MR. SPEAKER: Order please. I do not believe there was either a point of order or a point of privilege at this point but this could have been a point that could have validly been made for clarification purposes and I believe that is what the Honourable Minister was attempting to do, and if there is some error in fact, that the Honourable Minister can assist the House in providing the facts as they really are, well I'm sure the House would appreciate it; on the other hand, the Honourable Member for Morris may continue.

MR. JORGENSEN: Thank you, Mr. Speaker.

MR. WEIR: Mr. Speaker, on the point of order, if I may, before we got lodged on this, that we had in fact an interruption in the debate by the Member for Morris by an honourable member on a point of order. In my view it wasn't there; it may have been a clarification but, in my view, the only right he has is to ask the Member for Morris if he would permit a question.

(MR. WEIR cont'd.). . . . He doesn't have the right to stand up during a debate and correct the Member for Morris. He has a right on another occasion, he has a right on another occasion to correct him, if he likes, when he has the floor, but I'm very interested in finding out what the rules of this House are, Mr. Speaker, and in fact whether our friend the Minister of Labour had a point of order or whether he didn't.

MR. PAULLEY: I doubt if he'll be around here long enough to know what the rules are.

MR. SPEAKER: The Chair. . . .

MR. WEIR: Mr. Speaker, if I may, just on a point of order, say that while I maybe haven't been around as long, there's a better opportunity for me to learn; if I can't learn more than our friend has since he's been in this House, there will be something wrong with me.

MR. SPEAKER: The Chair wishes to apologize. I well appreciate that there may have been a misinterpretation of the manner in which points of order could be raised or points of privilege or matters of clarification, which I fully agree with the Honourable Leader of the Official Opposition, should be raised in a manner suggested by him. However, the Chair was of the impression that the Honourable Minister did have leave to raise that particular matter despite the fact that it fell neither as point of order nor point of privilege. However, the point I believe was made. I agree that it was neither point of order nor point of privilege, and I'm sure that the Honourable Member for Morris can now proceed.

MR. BILTON: Mr. Speaker, on a point of order, I think that the crux of the whole matter is that the sooner the Minister of Labour learns that he must get the permission of either yourself or the man that has the floor, the better it'll be for us all.

MR. SPEAKER: Order. The Honourable Member for Morris.

MR. JORGENSEN: Mr. Speaker, I hope that the Clerk is taking due note of the time that has elapsed from the time the first interruption came until now, because I hope that my time is not going to be limited because of this interruption.

MR. PAULLEY: Mr. Speaker, may I rise on a point of privilege, and a point of privilege must be taken under consideration according to the rules of the House, immediately.

MR. BILTON: It better be good.

MR. PAULLEY: It is good, and the point of privilege was and is that my honourable friend the Member for Morris by imputation. . . .

MR. WEIR: On a point of order, it wasn't raised on a point of privilege; it was raised on a point of order. . . .

MR. PAULLEY: I'm now raising a point of privilege.

MR. WEIR: . . . which neither one was correct.

MR. SPEAKER: Order please.

MR. PAULLEY: Oh, sit down, my cocky friend.

MR. SPEAKER: Order please. The Chair has recognized the fact that the Honourable Minister did remind the Honourable Member for Morris of the fact as per the Order for Return. . . .

MR. WEIR: The Minister was out of order.

MR. SPEAKER: . . . and it is the Chair's impression that the Honourable Member for Morris accepts the explanation offered by the Honourable Minister. The Honourable Member for Morris may proceed.

MR. JORGENSEN: Mr. Speaker, the Minister won't give me a chance. I hadn't been on my feet and said anything before he was on his feet objecting again. Now he shouldn't anticipate. Now, what he has said, the Minister accused me of accusing him, which I didn't. I just simply said -- all my statement was to the effect that I hope the Minister will check his statement very carefully. That's all. And if he's that sure of it, I accept it.

MR. DESJARDINS: You're not a crook after all, Russ.

MR. JORGENSEN: Then why all the fuss? Why all the fuss? -- (Interjection) -- No, I rather think that the reason why the Minister is so vocal this afternoon is because he has the roost to himself today and he wants to crow while the opportunity presents itself, and honestly, Mr. Speaker, I think he should be given that opportunity. I'll give him full opportunity to exercise that prerogative.

MR. DESJARDINS: That's kind of him, eh?

MR. JORGENSEN: Here again is the political tomcat from St. Boniface.

MR. DESJARDINS: You better watch your head. You'd better watch your head.

MR. JORGENSEN: A political tomcat, Sir, being one who's hit on the fence and yowls,

(MR. JORGENSEN cont'd.)... never knowing whether he's going to jump to the right or to the left, and having no particular allegiance to anything or anybody. That describes my honourable friend, and every time the government gets into difficulty they call on the goon squad in the back row to support the awkward squad in the front row, led by the political tomcat from St. Boniface.

MR. DESJARDINS: What's your squad? The barnyard squad? Watch out chicken Red or you'll lay an egg again.

MR. JORGENSEN: And what a performance he puts on, Sir. Now, all this, Sir, began because of the interruption of the Minister of Transportation, and I was about to come to him, I was about to deal with him, when I was intercepted by the House Leader - or by the Acting House Leader. But the Minister of Transportation says that he has no executive assistant. I rather think that that's unfortunate because I always felt, I always felt that an executive assistant, as I said earlier, is a very important adjunct to a Minister's office, because not only do they help him in the day to day routine of the work, but they can also have a very important bolstering effect when you have an inept Minister. As a matter of fact, I would say that the more inept the Minister is, the more executive assistants he should be provided with, and I'll leave it to my honourable friends opposite to determine how many each one of them should have.

MR. DESJARDINS: Hamilton must have been pretty good because he had none.

MR. JORGENSEN: Mr. Speaker, we've heard a great deal, we've heard a great deal from honourable gentlemen opposite about open government, but I've come to the conclusion, Sir, that the only things that they want to reveal are the activities of previous governments. Oh, they're right in there like dirty shirts every time that they can dredge up something about a previous administration, but try to get some information out of them. Try to get answers to questions. They'll pull every tactic in the book to try to prevent us from getting answers to those questions, and they've carried this on time after time. It seems to me, it seems to me, Sir, we have a government not for -- and I would like to remind honourable gentlemen opposite, when they were elected to run the affairs of this province, they became the government of all the province, not just those card-carrying members of the NDP Party, and I suggest, Sir, that some of us should have an opportunity to have access to some of those Ministers and those offices and some co-operation from some of those Ministers and some answers to some of the questions that we're asking in this place. Is government only for card-carrying NDP members? Are they the only ones that are going to be admitted to their offices, to the hallowed precincts? What does one have to do in order to get appointments.....

MR. MACKLING: Mr. Speaker, will the honourable member yield to a question?

MR. JORGENSEN: Well, if the calibre of the Attorney-General's question is about as bad as all of the questions he's asked this far, I would say no because, as I've said, he's a new man in this House and I don't want him to make such an absolute fool of himself.

Mr. Speaker, they talk about open government. Well, then, let's see some openness. Let's see some frankness. Let's see some answers to questions that are being posed on this side of the House. Every day you get the same thing. The Minister of Industry and Commerce, every time that he's asked what his plans are, asked to reveal his program for industrial development in this province, he keeps giving out the same thing: "We're going to have a five-year plan; we're going to have a seven-year plan." It reminds me of what the Russians do, Sir. They start out with a five-year plan and when that bogs down after a year or so, then they announce a seven-year plan; when that bogs down after a year or so, then they announce a three-year plan; and they're continually announcing five, three, seven-year plans as the conditions permit, and they continue to do this, Sir, -- (Interjections) -- and all that the Minister of Industry and Commerce has ever done, and indeed all honourable gentlemen opposite, is stand up in this House, while the people of this country are expectantly waiting for something to happen, expecting the government to come forth with its plan, there they sit like a dumb bridegroom on the edge of the bed, talking about how wonderful things are going to be.

MR. DESJARDINS: And they talk about Dief. They say "Promises, promises, promises!"

MR. JORGENSEN: I think, Sir, that it's time that we got some answers to questions and they stopped trying to delay questions from being answered, such as the Honourable Member for St. Boniface.

MR. DESJARDINS: Well, Mr. Speaker, I object to this on a point of privilege. How does he know I'm trying to delay anything. I think I have the right of finding out, just as much as he has, some of the information. I don't think that this is proper.

MR. JORGENSEN: Well, now we're getting lessons, Sir . . .

MR. WEIR: Does the Member for St. Boniface have a point of privilege.

MR. DESJARDINS: Yes, I certainly have. When somebody is suggesting that I am purposely delaying, I think that this has to be withdrawn or corrected.

MR. JORGENSEN: Well now, Sir, we're getting a lesson in propriety from the honourable gentleman from St. Boniface. This is the gentleman who, during the course of his remarks on the Speech from the Throne, rose in this House and said, oh, in such stirring tones, "I think that every member of the House should ask himself how he can best serve Manitoba" etc. etc. It was a very stirring speech. At least that portion of it was.

MR. DESJARDINS: Glad you liked it.

MR. JORGENSEN: Then he went on to attack a member in a most vicious way, a member who was not sitting in his seat . . .

MR. DESJARDINS: Well, that's not my fault.

MR. JORGENSEN: . . . a member who was absent, and what great courage that took, Sir. Now that is the kind of courage that I admire in a member in this House when he'll personally attack somebody who is not in his seat.

MR. DESJARDINS: You always run out. You always run out every time I get up.

MR. JORGENSEN: You know, Mr. Speaker, it's very common courtesy to advise, if you're going to launch your attack on anybody, to advise that member that you're going to attack him so he can be in his seat.

MR. DESJARDINS: Oh, I can't be chasing him all over the press room and everywhere.

MR. JORGENSEN: It was easier the way you did it. Now, Mr. Chairman, I don't want to delay the passage of this very important motion any longer. I want the government to get ahead with the job. I want them to make sure that they have an adequate supply of executive assistants in order that I can get access to their offices as well, not only in spite of the fact that I'm not a card-carrying member of the NDP Party, and I hope that in the future they will be a government to all of the people of this province; that their offices will be accessible to all of the people in the province instead of just a select few.

MR. MACKLING: The Honourable Member from Morris indicated that he would answer my question I assume. Would you, sir, indicate to the Speaker and to the House the nature of any question that any member of your honourable party or any member of the opposition has asked of the Attorney-General or his department when the information has been refused? Now you've alleged that you've had a lack of co-operation, I want to know. Give me the specifics please. -- (Interjection) -- The Honourable Member from Morris is quite capable of speaking for himself I'm sure.

MR. JORGENSEN: Well, Mr. Chairman, fortunately the people of Morris constituency are such law-abiding people that I've never had occasion to get to him yet. But I'm hopeful -- I can tell you this, Sir, I've cultivated his Executive Assistant and he and I are on very good terms so I know now that I'm going to have access to his office.

MR. MACKLING: You're not answering the question, you're not answering the question.

MR. G. JOHNSTON: Will the speaker submit to another question, Mr. Speaker?

MR. JORGENSEN: Yes.

MR. G. JOHNSTON: Does the Honourable Member for Morris realize that he's created a great deal of dissension amongst the executive assistants in exposing the salary scale from \$322.00 per week down to a little over \$100.00 per week.

MR. JORGENSEN: Well Sir, this perhaps was one of the good effects of putting that question on the Order Paper. Now perhaps this thing will be straightened out and these boys will be getting the type of remuneration that their job deserves.

MR. SPEAKER: Are you ready for the question?

MR. PAULLEY: I assure my honourable friend he'll get the truth no matter what the figures are.

MR. WALLY JOHANNSON (St. Matthews): Mr. Speaker, would the Honourable Member for Morris submit to one simple question? In view of his statement that the more inept the Minister the more executive assistants he should have, would the fact that Alvin Hamilton had two and the Honourable Minister of Transportation has none, be a valid comparison of their abilities?

MR. JORGENSEN: The honourable member said he was going to ask a simple question and that's about as simple as you can get. He knows as well as I do that the responsibility of a

(MR. JORGENSON cont'd.) Federal Minister are ten times the responsibility of those in a Provincial Cabinet.

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

MR. SPEAKER: Order for Return. The Honourable Member for Roblin.

MR. McKENZIE: Mr. Speaker, I move, seconded by the Honourable Member for Swan River

THAT an Order of the House do issue for a Return showing:

1. Trips made by each Member of the Crown or member of government caucus from July 15, 1969 to March 11, 1970 to places outside Manitoba at public expense, showing:

- A. Destination
- B. Duration of absence
- C. Purpose of each trip
- D. Cost of each trip
- E. When

2. List of personnel in Government employment who accompanied Minister or member of government caucus on each occasion showing:

- (1) Where
- (2) When
- (3) Cost

3. List of persons not in government employment who accompanied the Minister or member of government caucus on each trip at public expense showing:

- A. Destination
- B. Purpose of trip
- C. Duration of trip
- D. Cost of trip to treasury for each individual.

MR. SPEAKER: Moved by the Honourable Member for Roblin, seconded by the Honourable Member for -- May I have the -- I don't believe the Honourable Member for Swan River heard the motion.

MR. BILTON: Fort Garry.

MR. SPEAKER: . . . the Honourable Member for Fort Garry, that an Order of the House do issue for a Return showing: No. 1 -- Are you ready for the question. The Honourable Minister of Finance.

HON. SAUL CHERNIACK, Q.C. (Minister of Finance)(St. Johns): Mr. Speaker, I might indicate that. . . .

MR. DESJARDINS: Mr. Speaker, on a point of privilege, I think it was mentioned -- before the Minister makes any suggestion it might be that I might want to speak on this and maybe amend it. I don't want to be out of order.

MR. CHERNIACK: I just want to participate in debate, that doesn't close debate and then the honourable member has the right. I wanted to indicate the government's response to this Order for Return. I would like to state for the edification of members of the House that according to Rule 101 appearing on page 43, "a prorogation of the House shall not have the effect of nullifying an Order or Address of the House for Returns for Papers, but all papers and returns ordered at one session of the House if not complied with during the session shall be brought down during the following session without renewal of the Order." That to me is clear that in the event that when the House prorogues if an Order has not been complied with then it shall be filed during the following session. I believe that is the practice which is now adopted by the House and by the government and should be followed. It may well be that the reason that rule was brought in -- maybe the Honourable Member for Morris doesn't know that that's a fairly new rule -- is that prior to the rule being passed there were many occasions when Orders would be accepted, voted on by this House and would cease on prorogation and then there would not be a response. -- (Interjection) -- Well I'm not suggesting for a moment who was in government at the time but the Honourable Member for Morris certainly has the opportunity to find out when the rule was changed and who was in government at the time.

MR. McKENZIE: Point of order. Is he replying to me, my Return or. . . .

MR. CHERNIACK: May I also say, Mr. Speaker, that I don't understand what the honourable member who just got up to speak about on a point of order had to say about a point of order. Surely if I'm not speaking to the resolution you will call me to task. I am speaking

(MR. CHERNIACK cont'd.) . . . about a request for an Order for Return and I must indicate what can be the end of this in the event that the answer cannot be obtained during this session. And I make this with some sense of responsibility because indeed the request creates a certain amount of a problem and brings about a certain amount of work which will have to be attended to over some period of time. I hope that I would not provoke the Honourable Member for Roblin into the kind of exhibition that we've already had this afternoon by my pointing out the remarkable coincidence that this Order has in the wording of it which is so similar to an Order which was filed by the then Leader of the New Democratic Party on December 12th, 1966. There's a remarkably close resemblance, almost word for word and the . . .

MR. BILTON: It happens.

MR. CHERNIACK: The Honourable Member for Swan River in his naive way says it happens and of course it happens but I wouldn't fault the Honourable Member for Roblin for going back and looking up the kinds of Orders and resolutions that were presented by the New Democratic Party in the past and try to present them himself because no doubt they were worthwhile doing. So by all means I invite the Honourable Member for Roblin to look through the books in the past and get some good ideas from us and bring them up.

So I comment about the remarkable resemblance this order has to one which was presented on December 12th, 1966 and I would indicate that the then Premier is quoted on Page 117 of Hansard to indicate that -- well I needn't cite all that he says but he concludes -- (Interjection) -- Pardon? Oh, the Honourable Member for Swan River does want to hear what the then Premier said so I'll read it to him. It's not very long. He said, Mr. Speaker, "the question of cost of trip to treasury of each individual may not be possible to answer in all cases. I recall having dinner with one of the gentlemen that accompanied me and I can't tell who had the shrimp supreme, him or me, so it's going to be a little difficult to break that down into individual expenses but -- "and here is the part I was going to quote -- "we can certainly provide our honourable friends with the gross." I don't want to comment about the grammar of the then Premier but I want to indicate that this very similar order was accepted on December 12th, 1966, and to my knowledge to this day there has not been any filing of a Return on this Order. And I say that mainly -- (Interjection) -- Well I don't fault, I don't fault anybody. Mr. Speaker, the protestations -- I don't fault anybody for the fact that that wasn't responded to. I assumed that the rules had not been changed. . . .

MR. BILTON: A little bit.

MR. CHERNIACK: . . . prior to that time or there may be difficulties within the government or its -- (Interjection) -- No, there may still be difficulties in trying to extract this kind of information. But I can respond by saying that I can't give. . . .

MR. FROESE: Mr. Speaker, on a point of order here. Would the Honourable Minister not recall that we had an election this year and does Rule 101 apply even if elections take place?

MR. CHERNIACK: Mr. Speaker, the answer is yes there was an election in case the Honourable Member for Rhineland isn't sure of it, and I don't know that that has anything to do with the fact that the former government never did complete the response.

The Order was not brought to my attention, the one that was accepted in 1966 until it was recognized, I don't know whether it was by my honourable colleague or not, as being somewhat similar, therefore I had it checked and I did ascertain that there was not a response. Nevertheless we'll accept this Order and we'll -- (Interjection) -- The Honourable Member for Swan River who was a pretty good - pretty good, speaker for some time, has again learned something that he trained himself not to do, and that is to interrupt from his seat without standing and acting like so many of the friends that he has on his side of the House. I would have expected better from him than from the friends that he has. . . .

MR. BILTON: On point of order, Mr. Speaker. I am enjoying my liberty and I think this is just wonderful. I served and I tried to serve well and I'm getting a little sick, sore and tired of comments from the Opposition as to what I tried to do. I did it to the best of my ability and any enjoyment I get out of these proceedings I am going to continue to enjoy them.

MR. CHERNIACK: Mr. Speaker, I'm looking forward to the former Speaker's explanation of how that was a point of order; and I am looking forward to hearing from his Leader who sits in front of him who has been awfully careful lately -- (Interjection) -- . . . checking so carefully on what is order and what is privilege that no doubt he will be able to inform us in due course as to whether or not Oh! the Honourable Leader of the Opposition is now learning from the gentleman sitting behind him to call out from his seat as he sees fit. That's

(MR. CHERNIACK cont'd.) . . . all right, he's still doing it, Mr. Speaker, but at least I was interrupted, I think, at a time when I was about to indicate -- (Interjection) -- . . . I'm still being interrupted by the same Member from Swan River. I can't hear him. . . .

MR. BILTON: I say it's an old habit of yours, interrupting.

MR. CHERNIACK: We will attempt to comply with request of the Honourable Member for Roblin. I don't promise to do better than was done by the Premier on December 12, 1966, but I'll certainly make the effort.

MR. SPEAKER: Are you ready. . . . The Honourable Member for St. Boniface.

MR. DESJARDINS: First of all, Mr. Speaker, if I was to listen to the rule maker in this House, the Honourable Member from Morris, I'd sit down and wouldn't say anything because he is not in his seat, but I tried to tell him that I would - that's it go and get him, I would like to see him here - I think that after some of the things he said that while we are dealing with Orders of Return, that maybe we should explain a few things.

First of all, I think that the Minister of Finance has made it quite clear. People from this side of the Opposition, or the Conservative Government, I should say, all of sudden want to see things done in a real democratic way, they want all the answers and they want them right away. And they are the people that invented the words, with their definition anyway - "in due course" and "soon". How many times, Mr. Speaker, when I was sitting on that side of the House did we ask for information and one of the Ministers would get up and say, "in due course" and "soon". That meant never, most of the time. The time the rules were changed, because at the time as soon as there was an election or another session, you'd forget about it, and we were told repeatedly after asking for some information, you've got to put in the Order for Return again. That information should have been ready Sir, but it wasn't because again it wasn't and never came forward -- many times it did, I shouldn't say never, that would be exaggeration.

Now, I don't know why the Member for Morris had to defend himself or explain himself why he had to bring in an Order for Return. This is the privilege of all the members of this House. This is the privilege of all the members of this House, and when he brings in a resolution, like you so rightly said Sir, this belongs to this House and then the members could make any amendments that they wish. In this Democratic form of government, you need a strong opposition, and they must be on their toes and ask the questions because this is the way that the general public will be informed. But the opposition must be constructive, it must be ready if the government is failing to take over and have a program of its own; it should have an alternative way of doing things. And is it so wrong Sir, if you see an Order for Return that you feel is quite in order, that you feel is valid, that you suggest, you tie up a couple of words to say well let's look into this a little further, let's have a comparison, let's see what was done in the past to see if things are being equal. I don't think that there's anything wrong in this, Mr. Speaker. All of a sudden the Member for Morris repeatedly

MR. SPEAKER: Order please. I hope that the Honourable Member for St. Boniface is speaking to the Order for Return of the Honourable Member for Roblin.

MR. DESJARDINS: I am Sir, but if you haven't guessed by now, I'll be bringing in an amendment also, and this is why I'm talking the way I am now. Because the Member for Morris, all of a sudden feels that some of us have our own little motions or nobody should tamper with this, this is a sacred thing; whenever he does anything that's sacred, nobody should ask anything. And this is - well it's ridiculous Sir, it's ridiculous coming from a member who just less than two years ago was sitting in the back seat. I don't know what goon squad he belonged to, but he was sitting in the back seat and he said, and I'll find this in Hansard, if I'm challenged Sir, who when being questioned, when the backbenchers were being questioned by a member of the then opposition about having some information, knowing things, said something to this effect, well we're not here for that, we accept that in this democratic form of government, we must have confidence, we must leave things to the front bench. He was saying that he didn't know certain things, he was saying that he didn't care, because in his way of government the government was the front bench, and I can find this in Hansard, Sir, because he did mention these things, and all of a sudden he's attributing different motives to different people - "You're not fair". He says this with a smile on his face, mind you. He says, "All I wanted to know is the name of the assistant." That's all he wanted to know. Well, that is in the directory. You don't need an Order for Return for that, and it's in the boards around the building, for one thing, and it's easy to find out. He says, "While I was at it," he

(MR. DESJARDINS cont'd.). . . . says, "I thought well maybe we should find out a little more about their salaries," and things like this, and all I'm saying, Sir, this is a good Order for Return. You're entitled to this information and the general public is entitled to this information, but what better occasion to show the general public this is what this government was doing, this is what the former government was doing. Therefore, Mr. Speaker, I move, seconded by the Honourable Member from Gimli, that the motion be amended by substituting the figures 1969 with the figures 1966 in the second line. I'm told that this had been asked and never received. It should be ready, and if we're delayed it's their fault - they never prepared it.

MR. SPEAKER presented the motion on the amendment.

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

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

. . . . continued on next page

April 3, 1970.

MR. SPEAKER: Order for Return. The Honourable Member for Riel.

MR. CRAIK: I believe, Mr. Speaker, this was disposed of this morning. I didn't have any further remarks to make on it.

MR. MACKLING: . . . that the government was prepared to accept this order.

PRIVATE MEMBERS' RESOLUTIONS

MR. SPEAKER: Private Members' Resolutions. Proposed Resolution of the Honourable House Leader for the Liberal Party, which I'm holding. I have considered the subject matter of the proposed resolution standing in the name of the Honourable House Leader of the Liberal Party, and which was raised in this House on Friday, March 20, 1970. I've also taken under advisement the opinions stated by various honourable members on the propriety of this resolution. I wish to thank them for their assistance.

In dealing with this matter, I am particularly mindful of Beauchesne's Parliamentary Rules and Forms, Fourth Edition 1958, Citation 191 (1), which defines a motion in the following words, and I quote: "A motion is a proposal made by one member, in accordance with certain well-established rules, that the House do something or order something to be done, or express an opinion with regard to some matter or thing." That is to say, to be a proper motion the proposal must contain one of three properties: (a) Propose that the House do something; (b) Propose that the House order something to be done; or (c) Express an opinion with regard to some matter or thing.

In addition to the above, it must be in accordance with certain well-established rules. It must be borne in mind that the mover of a motion is offered a certain degree of latitude, as we note in Beauchesne Citation 191, subsection (2), and I quote: "A motion is not irregular on account of its vagueness." However, Citation 195 of the same text, in defining a substantive motion, which is before us now, reads in part as follows: "A substantive motion is a self-contained proposal, drafted in such a way as to be capable of expressing a decision of the House." The intent that there be limits on the degree of vagueness is quite apparent. The recognized British authority, Sir Erskine May, defined the substantive motion as follows: "A self-contained proposal submitted for the approval of the House and drafted in such a way as to be capable of expressing a decision of the House."

To deal with the motion presently before the House, I would suggest that the aforementioned citations could be consolidated into a single definition of a substantive motion as follows: "A substantive motion is a self-contained proposal made by one member in accordance with certain well-established rules, that the House do something or order something to be done, or express an opinion with regard to some matter or thing, and although some degree of vagueness would not make it irregular, nevertheless it must be drafted in such a way as to be capable of expressing a decision of the House."

Applying the above definition to the motion before us, the following questions arise:

(1) Is it self-contained? (2) Does it call upon the House to do something, or order something to be done, or express an opinion? (3) Is it in accordance with the rules? (4) Is it sufficiently clear to express a decision of the House?

To pass the test, an affirmative answer is necessary to each of the aforementioned questions. Is this motion self-contained? The answer must be that it is. Does it call upon the House to do something or order something to be done or express an opinion? Again the answer is in the affirmative. It orders the government to provide certain statements. Is it sufficiently clear to express a decision of the House? I find it difficult to answer this question as readily as the first two.

The motion asks for the issue of a statement of intention. Intention implies the future. When? Tomorrow? Fifty years hence? It asks for a statement of policy. Interpreting the word "policy" in its usual sense, the immediate reaction is that such a motion is out of order; but even attempting to give the mover the benefit of the degree of vagueness which the rules allow him, the phrase, and I quote: "This government's relationship with the private enterprise sector" makes it most difficult to determine, with any degree of certainty, just what it is that the House is asked to order to be done.

I am at a loss to know what is meant by "relationship." I have carefully perused the preamble to the motion in search of some indication as to its meaning. I regret to say that I could find none. Does relationship mean a spirit of co-operation and friendship, degree of supervision, degree of control, extensive capital investment, a shareholder, partner or

(MR. SPEAKER Cont'd . . . mortgagee, or any one or a number of other meanings that may be ascribed to the term "relationship"? Similar questions arise in my mind with respect to the term "government intervention" in the second paragraph of the operative part of the motion, and even if the meanings of the terms "relationship" and "intervention" were sufficiently clear, then I must rule the motion out of order because it calls upon the government to state its position on a matter of policy.

This type of motion is contrary to our rules. May I refer the honourable members to the most recent ruling in our House on this point as reported in the journals of the First Session of this Legislature on September 9, 1969, at which time a motion by the Honourable Member for Riel was ruled out of order. In addition, I wish to state that in my humble opinion the terms "relationship" and "intervention" are not sufficiently clear to express a decision of this House. Therefore on this count I must also rule the motion out of order.

With respect to the remaining question as to testing the propriety of the motion, is it in accordance with the rules, it may have satisfied some but it violated the rules governing policy matters and clarity of statement.

For the reasons aforementioned I must rule the motion of the Honourable House Leader of the Liberal Party out of order. In conclusion, may I repeat that a violation of any one of the four criteria mentioned would have invalidated the motion.

The adjourned debate on the proposed resolution of the Honourable Member for Assiniboia. The Honourable Member for Kildonan.

MR. PAULLEY: It's my understanding, Sir, on this resolution, that there were some changes made in the resolution that are not before us at the time, or it should have been in the resolution or changed from the original resolution - I believe the original resolution is printed on the Order Paper, but I've been informed that there was agreement of change in the resolution. Am I not right? I asked my honourable friend . . .

MR. SPEAKER: Is the Honourable Minister referring to the resolution of the Honourable House Leader of the Liberal Party or the . . .

MR. PAULLEY: No, the Member of Assiniboia. I thought, Sir, that you had ruled the first resolution out of order, your ruling was not challenged, and I am now referring to the resolution standing in the name of the Honourable Member for Assiniboia.

MR. SPEAKER: Yes. I'm sorry - the Honourable House Leader of the Liberal Party.

MR. G. JOHNSTON: Mr. Speaker, I accept your ruling and I'm sorry if I'm confused and unnecessarily taking the time of the House, but if it is possible to change Resolution No. 2, by leave of the House I would do so now, but if it's in your opinion that the resolution should be re-submitted in accordance with the principles that you have espoused, I will do so at a later time. I put myself in your hands at this time as to what course of action I should take.

MR. PAULLEY: If I may express an opinion, Mr. Speaker, I'd suggest to my honourable friend, in all due respect I would suggest to my friend that the resolution be re-submitted in order that it is clearer. At that time it would be in order.

MR. G. JOHNSTON: I'm agreeable to that course of action, Mr. Speaker.

MR. SPEAKER: The Honourable Member for Assiniboia.

MR. PAULLEY: Mr. Speaker, am I correct -- the information's been transmitted to me that there was an agreement on changing the resolution as it appears on the Order Paper in the name of the Member for Assiniboia. There were one or two deletions, I believe. The first "Whereas" and also the second "Resolved" portion of the resolution. I think there was an agreement that these would be deleted. Is that correct?

MR. SPEAKER: I must apologize. I was in consultation with the Clerk.

MR. PAULLEY: Mr. Speaker, I understand that there was an agreement on this resolution that the first "Whereas" and the last "Resolved" part of this resolution were deleted by consent.

MR. SPEAKER: May I just consult with the Clerk for a moment on that?

MR. PAULLEY: . . . that the resolution, as printed, is not correct.

MR. SPEAKER: I've just been advised that the resolution is recorded in correct form in the Votes and Proceedings. There is an error appearing on the Orders of the Day. The Votes and Proceedings do show the first paragraph of the preamble deleted and the second paragraph -- the last paragraph of the operative portion. The Honourable Member for Kildonan.

MR. PETER FOX (Kildonan): Mr. Speaker, with your indulgence and the indulgence of the House, may I have this matter stand? (Agreed.)

April 3, 1970.

MR. SPEAKER: The proposed resolution of the Honourable Member for Ste. Rose. The Honourable Minister of Industry and Commerce.

MR. FOX: Mr. Speaker, in the absence of the Honourable Minister who is ill, may we have this matter stand? (Agreed.)

MR. SIDNEY SPIVAK, Q. C. (River Heights): Mr. Speaker, I have a request to make, by leave.

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

MR. SPIVAK: Mr. Speaker, on Votes and Proceedings there's an Order for Return in connection with Mr. Alistair Stewart. In view of the announcement, I would ask that it be deleted from the Order Paper on Monday. (Agreed.)

MR. SPEAKER: On the proposed resolution of the Honourable Member for La Verendrye. The Honourable the Attorney-General.

MR. MACKLING: Mr. Speaker, during one of the many long committee meetings that took place between the ending of the last session and the commencement of this session, the subject matter of this resolution was discussed at some length before the Municipal Affairs Committee. Members of this committee met at great length and did a marvellous piece of work in respect to the review of the Municipal Act. This resolution stems from, I think, a consideration of the Act and there was considerable discussion that focused on this very point that was provided in the Act. As I recall, I don't think the committee had -- I think we had a recording system; I don't think we kept precise minutes of the committee meeting, but the honourable member, the mover of this resolution, did initiate discussion at the committee level of the subject matter and there was quite a considerable discussion of this subject matter and the all-party committee did not agree with the change in the Act at that time. I appreciate, however, the sincerity of the members' feelings in respect to the subject matter of the resolution, and it does provide the House an opportunity to discuss the merits and problems associated with the provision of police forces in Manitoba generally.

Mr. Speaker, I want to assure you and members of the House that my department -- and this will be reflected in a discussion of my estimates if and when they arrive before the House -- my department has been concerned with the ensuring of sufficient police personnel for protection of the rights and privileges of the persons of the Province of Manitoba. The provisions of the Municipal Act on which this resolution are based, making it mandatory that communities of 500 or more engage a policeman, or, as I understand it, this obligation is a long-standing one, and I don't know the particular rationale for the figure of 500, but nevertheless I assume that it was an attempt by the legislators of the day and those who followed, to establish some level upon which communities, having attained a certain size, would have to assume obligations for the social costs attributable to the community which they had incorporated as a town or village.

Social costs are reflected in the growth of communities and these are one of the concerns of government at all times. Any development, urban development, brings with it the consequences of social costs, whether they be for police protection, fire protection, educational costs, sewer and water, roads and so on. These social costs have been from time immemorial accepted by municipal governments as a necessary ingredient for the establishment of a viable community. It's true that the present government, in concert with the thinking of governments that went on before, has at this time accepted the basis that communities with populations of less than 500 ought not to be called upon to bear the expense of policing themselves, and so the Provincial Government does assume the costing of communities of such small nature that they don't attain the figure as provided in the Municipal Act.

I want to assure the House, however, that many many communities with a population of in excess of 500, have availed themselves of provisions of an agreement between the Federal Government, in right of the federal Crown, and the Province of Manitoba, to utilize the services of R. C. M. Police and their equipment, and they do so on a contract basis with the Provincial Government. The Provincial Government has a master agreement with the Federal Government, making provision for a substantial number of R. C. M. Policemen, whose services then are available for general policing services throughout the province, and, where communities have requested, for services to communities under additional or separate contract between the communities and the province. And at the present time, out of 59 towns and villages in Manitoba with a population of between 500 and 1,500 persons, 21 of these towns and villages have entered into contracts with the Province of Manitoba for these services.

(MR. MACKLING Cont'd)

I want to assure you, Mr. Speaker, that the costing of these police services is a very reasonable one, by virtue of the cost-sharing arrangements that are provided between the Federal Government and the Provincial Government pursuant to this master agreement.

Under the sub-agreement between the individual towns and villages with the province, the individual villages and provinces - and there are 21, as I've indicated, at this date - agree to refund or repay to the province the cost to the province of maintaining this police service. I want to assure honourable members of the House, however, that regardless of the fact that the province does not provide R. C. M. Police service for towns and villages that have a population of in excess of 500, nevertheless wherever any serious crime of any substantial consequence has occurred within the town or village that doesn't have this policing agreement, nevertheless the Attorney-General's Department has assured the cooperation of the R. C. M. Police for investigative services and police services in respect to those occurrences.

If the spirit and the tenor of this Resolution were to be accepted by this Legislature, and the government did assume responsibility for giving not just a passing consideration, but very serious consideration to the adoption of the principle involved, it would mean that the province, the Provincial Government would embark upon the provision of services to communities throughout Manitoba which have long been considered to be the cost of the individual communities themselves. That is, for example, if we adopted this Resolution and the principle contained in it, it would mean that the Provincial Government would have to assume responsibility for a measure of support to the police services to be provided, not only in the towns and villages with a population of 500 or more, but we would have to provide some substantial financial input to those communities, including the city of Winnipeg and other cities in the metropolitan area, who have a substantial expense with respect to the makeup and retention of police forces, and, as you can imagine, this would be a very very substantial amount of money and would be contrary to the long-established practice of communities accepting responsibility for the financing of services which are basic to that community itself.

During the course of the debate, however, the honourable member the mover of the Resolution, did indicate in argument some very interesting matters and I commend him for them. Also, the Honourable Member for Swan River added to the debate, and I think there was some very significant argument made. One of the matters raised was the problem in connection with ensuring the excellence of police services available by providing adequate training facilities for police, and I want to assure the House, and in particular the honourable gentlemen who have spoken, that this is a matter of concern to me personally and I can assure you that it is a subject that I will follow through on. I am concerned that there be an extension of the training that is available to police in the Province of Manitoba. The City of Winnipeg has long maintained a training school to which a large number of policemen from other jurisdictions have been enrolled, and excellent results have been attained.

I understand that there is a police training school, an R. C. M. Police training school in Saskatchewan, that from time to time has had enrollment from other areas as well, but it seems to me that consideration has to be given some time in the near future of the establishment of further training for police in Manitoba. And I have had representation made to me, since being in office, from concerned groups of citizens who have indicated that they would like to see much more follow-up in connection with educational course involvement of policemen who have been trained excellently in police work but need refreshers in matters of current social understanding, particularly in fields of sociology, psychology and so on, because I know that the members of this House have an appreciation for the complexity of the work that a policeman in our modern society has to cope with. Most often in dealing with citizens, he deals with citizens at their weakest moments, in their times of greatest stress, and the demands for understanding and a patient, sympathetic hearing on the part of the police, are exceedingly great.

The Honourable gentlemen also have indicated a concern in respect to location of police services in the province. In particular, the Honourable Member for Swan River indicated a concern for the mileage involved in R. C. M. Police responding to various calls for assistance, and I can assure the honourable member, and the members of this House, that there is a frequency of contact between the Attorney-General's Department and the R. C. M. Police, and there is a very excellent rapport between the department, that had existed before and will continue, by virtue of which, problems that have arisen from time to time in connection with

(MR. MACKLING Cont'd . . . the adequacy of police strength at various areas in the province may be reviewed and have been reviewed from time to time.

I've had representation made to me, since being in office, by members on the other side of the House and by members of the back bench in this government, in respect to adequacy of police services in various areas, and the same concern has been exhibited in respect thereto.

In the remarks of the honourable mover of this Resolution, there was a reference to the concern for the high incidence of crime, and particular reference was made to an article which appeared in the Free Press and also in the Tribune recently, dealing with the incidence of juvenile crime in our community, and I want to take this opportunity to say just a few words about that subject matter.

The Winnipeg Police some time ago established a juvenile section to their police force - I believe the proper name is the Juvenile Branch - and recently they reported the success of the degree of involvement of that Juvenile Branch and the report was made public, and as a result of the public disclosure the comments of the honourable mover of the Resolution find their way into the debate. The comment was made about the report, indicating that there was about 9 percent of juveniles in the City of Winnipeg who had some involvement with the law, and that's an accurate particularization from the article, but actually, in studying the report itself, it isn't actually 9 percent, because a substantial number of the juveniles who merely had contact with the law - and that doesn't mean to say that they were delinquent in any way; they had some contact with the law - of that 9 percent there was a fair percentage who had contact with the law not because of any omission or error or certainly any delinquency on their part, but a delinquency on the part of the parents, because these were neglected children and had come into contact with the police by virtue of the fact that they had been neglected. So the report indicates that an overwhelming majority of young people never make any contact with the Law in any formal way. That is, it's at least 91 percent of young men and women who are categorized as juveniles, have no contact with the Law in any formal way at all, and even that 91 percent is not completely accurate, as I indicate; when you analyze the report it should be expanded considerably further. And my understanding is, and from the reading of that report on which the comments were made, is that the police have been carrying out an extensive program of education and contact particularly through the schools, and as a result of their programming, a significant reduction has been made in some sections of very serious juvenile involvement. And I want to highlight particularly their successful work. I'm sure the honourable member from Fort Rouge, who I'm sure recalls her concern in respect to the subject matter of glue-sniffing, would be heartened by the work of the Juvenile Branch of the City of Winnipeg. A very marked reduction in the incidence of glue-sniffing has resulted from the educative and corrective work that the Juvenile Branch of the City of Winnipeg Police have carried out.

The report has also highlighted significant factors, sociological factors in the City of Winnipeg environment, noting needs for more recreational area in certain sections of the city, and so on. In totality, it was an excellent piece of work, and I certainly am heartened by the efforts the City of Winnipeg Police, Juvenile Branch, in their good work, carried out as indicated in the report.

Also at this time, I would like to indicate to the House my awareness and my concern, to voice appreciation for the efforts of organized groups now in society going out of their way to pay particular recognition to the valuable role that police fulfill in an educative manner, in a rehabilitative manner, and the good works that individual policemen do, not only while they're on their tour of duty, but in their off times. And the other night, the Honourable Member from Assiniboia and I had the pleasure of attending what was a first in the Province of Manitoba, and perhaps a first elsewhere in North America, a Police Appreciation Night, when the officers and men of the City of St. James - Assiniboia police department were the featured and honoured guests on an occasion honouring the policemen of the City of St. James - Assiniboia. It was a very auspicious and colourful event, and I certainly reiterate the words I had on that occasion commending those who had conceived this project, and hoping that other communities will follow the example exhibited by the community of the City of St. James - Assiniboia and the organizers of this event, and demonstrate in a knowing and important way the significant contribution of policemen in our society, not in a negative sense of interfering with persons when from time to time it's been considered that they have run afoul of the law, but in the positive manner of assisting people to protect their rights, and particularly in an educative

(MR. MACKLING Cont'd) process in the public relations programs that are carried out in the schools in respect to safety programs, avoidance of drugs, and the many other programs that the police whole-heartedly co-operate in.

I want to thank the mover of the Resolution for having made this contribution. I've indicated that, on principle, I am concerned with the whole question of training in respect to police forces, but in respect to the principle of the Resolution, the request that this government consider the advisability of providing financial assistance for communities with a population of 500 or more persons, for all of the reasons that I've indicated, Mr. Speaker, I cannot recommend that this government give serious consideration to the acceptance of this program.

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

MR. BILTON: Mr. Speaker, I appreciate the comments of the Honourable the Attorney General and I realize the problems with which he is faced, but I attempted in my own little way to outline a problem that we do have, and it doesn't seem to me that the Honourable the Attorney General offered any solution.

MR. MACKLING: . . . question, Mr. Speaker, because I know the honourable member has spoken already in the debate, and I don't know whether I can reply to him. If it's a mere question, I imagine I can.

MR. BILTON: Mr. Speaker, I really don't know how to put it other than to suggest to you, Sir, and to the Attorney General, that what I was trying to do was to try to ratify any misunderstanding of any remarks that he made this afternoon with regard to the problem in my area which I endeavoured to bring out.

MR. MACKLING: Mr. Speaker, I'm sorry. I don't impinge upon the honourable mover of the Resolution. I think he has an opportunity to conclude and speak if he so desires. I have no further opportunity to speak in rebuttal to my honourable friend who wishes to make further remarks now by the rules. With leave I would, but I think that if he wants to make a second speech, he would have to have leave.

MR. BILTON: Mr. Speaker, it is not my intention to make a second speech . . .

MR. SPEAKER: Order, please. I believe I understood the honourable . . .

MR. PAULLEY: . . . clarification, I think the member has the right to clarify . . .

MR. SPEAKER: My understanding was that the Honourable Member for Swan River is attempting to clarify what to him appeared to have been a misunderstanding by the Honourable Minister, and he has that privilege. The Honourable Member for Swan River may . . .

MR. BILTON: Mr. Speaker, apparently the opinion has been made up and I see no point in me continuing the discussion on behalf of the people that I represent and the problem which I feel is serious, and obviously the Attorney General does not wish to deal with it so I will resume my seat.

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

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

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

MR. SPEAKER: Proposed resolution, the Honourable Member for Ste. Rose.

MR. PATRICK: Mr. Speaker, in the absence of the Honourable Member for Ste. Rose, would you have this matter stand please? (Agreed.)

MR. SPEAKER: Proposed resolution, the Honourable Member for La Verendrye.

MR. BARKMAN: Mr. Speaker, I'd like to ask the indulgence of the House to have this matter stand. (Agreed.)

MR. SPEAKER: Proposed resolution, the Honourable House Leader of the Liberal Party.

MR. G. JOHNSTON: I beg to move, seconded by the Honourable Member for La Verendrye:

WHEREAS the cost of Education represents the largest single charge against property, and

WHEREAS Education is not a service to property, and

WHEREAS the property tax bears heaviest on those who can least afford to pay, and

WHEREAS basic Education costs should be transferred from the property tax to the broader provincial tax base where they can be financed on the basis of ability to pay,

April 3, 1970.

(MR. G. JOHNSTON Cont'd)

THEREFORE BE IT RESOLVED that the government of Manitoba consider the advisability of changing the foundation grant formula from the 70% now payable from the consolidated fund and 30% now payable from the uniform levy on property to the following formula:

1. 80% payable from the consolidated fund and 20% payable from the uniform levy in the calendar year 1971.
2. 90% payable from the consolidated fund and 10% payable from the uniform levy in the calendar year 1972.
3. 100% payable from the consolidated fund in the calendar year 1973, with provision for this target to be achieved earlier if provincial finances permit.

AND BE IT FURTHER RESOLVED that the government consider the advisability of instituting an annual review of foundation grants payable to school divisions to ensure that they are increased in relation to increases in basic education costs so that school divisions are not forced to meet the additional costs of these basic services through the imposition of higher special levies as at present.

MR. SPEAKER presented the motion.

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

MR. G. JOHNSTON: Mr. Speaker, since the new interpretation by the government of considering the advisability of taking certain measures, I'm not too certain how this or any other resolution will be treated, whether it passes or not.

MR. BILTON: You can say that again.

MR. PAULLEY: You can say that again.

MR. G. JOHNSTON: However, I think . . .

MR. BILTON: You bet your life.

MR. PAULLEY: You bet your life.

MR. G. JOHNSTON: . . . that in time this strange new thought that has crept into the government's mind will be forced by public opinion to be changed. As far as I know, in the Federal jurisdiction and in all the provinces, a resolution of similar wording is treated in the manner that has been historically in the past and I certainly hope that my friends on the front benches will see fit to re-caucus this idea that has been proposed by the House Leader.

I would like now to refer back to some time in the past where this resolution was presented and where prominent members of the government seemed to be in favor of the idea. I would like now to quote from the Hansard of March 18, 1969 when the identical resolution with the exception of date was proposed to the House, and I quote Mr. Russell Paulley, on Page 483. Mr. Paulley, of course, as you may guess, is supporting this idea wholeheartedly, not halfway but all the way, and I quote: "Mr. Speaker, may I first of all indicate support for the amendment proposed by the Honourable the Leader of the Opposition." This was the Member for Ste. Rose at that time. "But may I also suggest that in my opinion it does not go far enough and it does not meet with the general consensus of opinion as expressed by the delegations as appeared before the committee this morning, because the majority of those who did appear before the committee suggested that 100% of the Foundation Grant or Foundation Formula should be undertaken by the government now, not three years hence." That was March 18, 1969. Further down in the next paragraph, and I hope I'm not taking my friend out of context. If I am he can certainly interrupt . . .

MR. PAULLEY: No, it's a good speech.

MR. G. JOHNSTON: "But I think that -- and this is my friend the Member for Transcona now a cabinet Minister speaking -- "But I think that it is interesting to observe some of the suggestions made this morning; and to me the principal suggestion made this morning was one that my party has been advocating for years, and only recently has the party to my right" -- that's us -- "The Liberal party of Manitoba joined us in our plea to have the cost of education removed from the local property owner." Now, Mr. Speaker, there's what a prominent member of the government had to say.

rest of it.

MR. G. JOHNSTON: The rest of the speech, Mr. Speaker, was redundant --(Interjection) -- seven or eight times redundant.

MR. PAULLEY: Touché - touche'

MR. G. JOHNSTON: But those are the main points that my friend made in about three pages of Hansard.

(MR. G. JOHNSTON Cont'd)

Now, Mr. Speaker, we know when the Foundation Grant was first proposed it was designed to cover the basics of education and for those communities through their school divisions who wished to add more sophisticated means to the educational system within their areas they were free to do so but they also would be calling upon their own taxpayers in that area to pay. For example, nursery schools. For many years the NDP have taken credit as the enlightened educators of the province to speak out for nursery schools, and they always seemed to infer that the old line parties were rather unwilling to accept this idea. But, Mr. Speaker, I'm sure you're aware, being in the profession yourself, that no grants are given under the Foundation Program for nursery school teachers, yet this has come to be an accepted method of beginning the educational process at an earlier age. And the same thing I might say applies to kindergarten.

In speaking about the vocational schools, the R. B. Russell School here in Winnipeg, a grant allowance for a teacher is only allowed on the basis of one teacher per 20 students; so if there are say ten students who wish to take a particular course, then only a half grant is allowed; and in the year 1968 there were 15 teachers in that institution who were not provided for under the grant system.

I would like to come down to the situation facing school divisions as it exists right now. I have in my hand an issue of the Portage Daily Graphic, March 28, 1970, and it's a good paper. And I'm sure when I quote the difficulties of the Portage School Division, I'm sure that this can be prorated across the province as the difficulties facing the school trustees in all the school divisions across the province. "The Portage Division School Board today announced a total budget for 1970 amounting to \$3,111,290, of which \$562,606 will have to be raised by special levy over the municipalities concerned in the division."

Now I'll only talk about the City of Portage as it relates to their problem because I'm not familiar with the tax base and the population of the other areas within the division. The City of Portage is called upon to provide 50% of the special levy which is \$282,000; \$282,000 has to be found amongst about 3,000 structures whether they are homes or businesses, and this works out to very close to nearly \$100.00 per structure, whether it's a house or a business or an apartment or whatever. So in one year we find that the people in that area are going to have to have levied on their taxes about five or six mills increase in this one year. The Chairman of the School Board in his press conference explained the situation fairly well. He said that, and I quote his figures, Mr. Harold Narvey the Chairman of the Division Board's Finance Committee said that "The increase in the special levy this year is brought about by the fact that there has been no change in the Foundation Grant by the Department of Education since 1967, although salary and wage scales have continued to rise along with other costs."

Further down in the article, he says: "The salary and wage schedule in the Division will take up \$498,800 of the special levy against the participating municipalities. Mr. Narvey pointed out that maintenance cannot be maintained within the grant structure as provided by the Department of Education." I might point out, Mr. Speaker, that utilities such as natural gas, Hydro and water have all increased over the years since 1967, yet the provincial grant has not recognized or kept pace with the ever spiralling costs facing the people who are running our school divisions throughout the province. I would suggest, Mr. Speaker, that because of the past words of the, shall we say, the inner core of the party, the NDP —(Interjection) — former House Leader, I believe the Minister of Youth and Education spoke strongly for such a course in his years sitting on this side, and I think now that these gentlemen who have had nearly a year to find their way around their departments, I hope within that year they haven't forgot the ideas that they had when they were on this side of the House, and I hope that they will support this resolution.

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

MR. BUD BOYCE (Winnipeg Centre): If no-one else wishes to speak, I move, seconded by the Member for Kildonan the debate be adjourned.

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

MR. SPEAKER: The proposed resolution, the Honourable Member for La Verendrye.

MR. BARKMAN: . . . also have this matter stand. (Agreed.)

MR. SPEAKER: Proposed resolution, the Honourable Member for Assiniboia - Resolution No. 9.

MR. PATRICK: Mr. Speaker, I beg to move, seconded by the Honourable Member for La Verendrye:

WHEREAS in the present Employment Standards Act of the Province of Manitoba only seven (7) "General Holidays" are specified, and
WHEREAS generally in Manitoba additional holidays are recognized especially in relations between employers and employees who are represented in collective bargaining by trade unions, and
WHEREAS in the current Employment Standards Act, there is no provision for payment to employees for any of the "General Holidays" not worked, and
WHEREAS this omission in the Employment Standards Act results in a penalty in the form of lost wages to many workers in the Province, and
WHEREAS at the last session this House discussed this matter and the Government agreed in principle to the contents of this resolution,
THEREFORE BE IT RESOLVED that the government consider adding to the specified "General Holidays" outlined in Section 2 (k) of the Act, Boxing Day and Civic Holiday (first Monday in the month of August),
AND BE IT FURTHER RESOLVED that the government consider enacting legislation providing for payment to employers for "general holidays" not worked, at the rate of their regular daily wages.

MR. SPEAKER presented the motion.

MR. SPEAKER: The Honourable Member for Assiniboia.

MR. PATRICK: Mr. Speaker, I will not take too much of the House because this resolution has been before the Assembly before, and I cannot see why the Minister couldn't have got up on his feet and said well, you don't need to go through with it, we're bringing in legislation -- I'd have been quite happy. It has been before the House on two previous occasions and at that time I understand the present Minister of Labour at that time agreed with the resolution in principle and we had no indication so far in the Throne Speech or even during the Labour estimates if this legislation will be forthcoming.

The legislation of Manitoba at the present time does not entitle an employee to his pay if he is off on any of the statutory holidays. The Act does not specify this and he is not entitled to pay it. I know it is quite normal for most employers, and I would say many industries in the province, to pay employees when they are off on any of the general holidays. But, Mr. Speaker, there are isolated cases where employers deduct wages for statutory holidays, and if I can use an example -- for instance, you're off on a holiday and for that holiday that the employee is off work the employer can deduct one day's wages off a week's salary. I feel that it is not practiced to any great extent in the province but I think it would make legislation much better and it would probably remove any misunderstanding that there is at the present time in some instances between the employer and employees in respect to holidays not worked. The law says that he must be paid only if he would otherwise receive less than the minimum wage.

The resolution as you will note also asks that statutory holidays be increased from seven to nine. I would like to see some other people in the House or in the Assembly take part in this debate and see what their own response will be and ideas, because at the present time you know that we do celebrate Boxing Day and the first Monday in August is also declared a civic holiday but it is not a legal holiday in the Province of Manitoba. So I say why not make it a general holiday, classify it as such and I think that there would be less confusion. I'm not concerned what day it is specifically. It could be -- you could change it, you know, from one week to the other but . . .

MR. PAULLEY: . . . suggest June 25th.

MR. PATRICK: June 25th, I don't think I would agree to that, no.

Mr. Speaker, the other part of the resolution is that we're asking the government to enact legislation providing for payment to workers for general holidays not worked which I tried to explain because, as I said, employers may deduct the day when one is not working on a holiday, but I am saying that they should be paid at the regular rate, the pay . . . would be working. I know some of the other provinces at the present time have this legislation and I believe it has caused no problems or has put any financial bind on any industry, because I think the confusion on a problem that does exist is very small, and I think if we would enact this legislation it would remove any misunderstanding.

(MR. PATRICK Cont'd)

I believe it's forward-looking. I see nothing wrong with it. I cannot see why the government cannot give it consideration. Actually what I'm saying, Mr. Speaker, is that every worker must get paid for statutory holidays and to increase the statutory holidays from seven to nine. At the present time in the Act general holidays are New Year's Day, Good Friday, Victoria Day, Dominion Day, Labour Day, Thanksgiving, and Christmas Day, and I've already mentioned the two that I think should be added, Boxing Day and the Civic holiday that we usually take in August.

Now, Mr. Speaker, I think that we are all aware that the province of Manitoba, in particular Winnipeg, insofar as the wage scale is concerned itself, is not anywhere near where some of the other provinces are. For instance, Ontario has a per capita income somewhere 20 percent higher than Manitoba has, and I think in the last 25 years or so Manitoba has been generally falling behind most of the other provinces, and at the present time I understand it's even behind Quebec, except slightly ahead of the Maritime provinces.

MR. PATRICK: So actually what we would be doing with this legislation is probably making it more acceptable for many of our workers to stay in this province, and I certainly recommend this resolution to the House.

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

MR. PAULLEY: If I may, Mr. Speaker, if no one else wishes to speak at this time, I just want to make a comment or two. I have followed with a great deal of interest the remarks of my honourable friend the Member for Assiniboia. I don't know whether he was quoting speeches from Hansard that I had made previously while I was on that side of the House, as indeed did his leader this afternoon, but I want to assure my honourable friend that the government of Manitoba is giving consideration to this resolution. We will accept the principle enunciated in the resolution, and possibly my honourable friend may be in for a little bit of surprise before we rise.

MR. SPEAKER: The Honourable Member for Assiniboia.

MR. PATRICK: I'm not closing the debate. I wonder if I can make one comment or question. I could never recollect or recall when the honourable member spoke on statutory holidays or employees being entitled to pay in this House that I remember. I don't think that the honourable member has ever spoke on that part.

MR. PAULLEY: If I may answer my honourable friend, I did it when his party was the government of Manitoba, without success.

MR. PATRICK: How many years ago was that, Russ?

MR. PAULLEY: Oh, it's quite a number of years now.

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

MR. SHERMAN: Mr. Speaker, if no one wishes to speak at this time, I'd like to move, seconded by the Honourable Member for Riel, that debate be adjourned.

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

MR. SPEAKER: Proposed resolution of the Honourable House Leader of the Liberal Party.

MR. G. JOHNSTON: Mr. Speaker, could I have this matter stand? (Agreed.)

MR. SPEAKER: Proposed resolution of the Honourable Member for Ste. Rose.

MR. PATRICK: Mr. Speaker, in his absence, can we have this matter stand? (Agreed.)

MR. SPEAKER: Proposed resolution of the Honourable Member for La Verendrye.

MR. BARKMAN: Mr. Speaker, I beg to move, seconded by the Honourable Member for Assiniboia,

WHEREAS the livelihood of many Manitoba citizens is dependent upon fishing, trapping and hunting, and

WHEREAS the use of snowmobiles and motor boats is essential to these activities, and WHEREAS there should be a distinction between the use of these vehicles for recreation or sport, and their use by citizens for hunting, trapping and fishing for food and for their livelihood,

THEREFORE BE IT RESOLVED that this House urge the government of Manitoba to consider the advisability of permitting citizens using motor boats and snowmobiles for the purposes of maintaining their living by fishing, hunting and trapping to use tax-exempt purple gas.

MR. SPEAKER presented the motion.

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

MR. BARKMAN: Mr. Speaker, I will be brief, but I think while this resolution has been before us before, and I had the honour of presenting it once before and I think perhaps part of it was touched on at some earlier date, I think this resolution is perhaps becoming more important as time goes by. While the resolution is short and, I think, very much to the point, I should perhaps still review or maybe repeat some of the things that seem to be involved.

First of all, Mr. Speaker, we have a number of people - of course the largest percentage of these people are native people that we're concerned with, namely the Indians and the Metis, but Mr. Speaker, although we have quite a few of our population doing some trapping, fishing - and perhaps the percentage is low as far as people going after the fishing and trapping in the same respect as the northern people; I believe it must be quite a bit lower below the 53rd parallel than it is further north, and there is no question in my mind, and I don't think in anyone's mind, that the highest percentage of trapping and fishing of course takes place north of the 53rd parallel. And these people actually, Mr. Speaker, are so dependent on the trapping period, and surely we all agree that these are very much the people that we would like to really give a break or help as far as tax-exempt purple gas is concerned. It so often means the whole difference of keeping these same people off our welfare rolls. I think it was just this morning when the Honourable Minister of Health and Social Development mentioned that our welfare costs have gone up by about 32 percent. We could so readily use that money for helping people to help themselves in this respect.

It has been pointed out, Mr. Speaker, and pointed out correctly, that other groups are receiving subsidies. Of course, I'm referring to our farmers that receive the tax-exempt purple gas liberties, and also our fishermen. Now some members -- I remember the Honourable Member of Emerson speaking on this last session. I believe he is of the opinion that perhaps some of our bush men should be under the same category or under the same privilege. I could quite easily agree with him, although I think we should point out that we should definitely not consider our commercial lumber people in this same category. I think we must keep in mind that as long as it goes to some people that are deserving of this kind of relief. However, the resolution clearly mentions that we are not advocating the exemption for recreation or sports activities. I think it's clearly put in the resolution and this should be very clear, as far as I'm concerned, because we're certainly not asking for any kind of help for those kind of activities, but purely for the people that we may be able to encourage to make their own livelihood and in so many cases actually provide for food for themselves and for their families.

Mr. speaker, as you and all the members of this House know that were sitting in the last session, this resolution was basically accepted. Other than a slight amendment, I think we could agree that the resolution was accepted at the last Session. Now, Mr. Speaker, there's really so little money involved, but it means so much to the people involved that I wish to repeat my plea that this government should act upon this request at this time and not say that, "well, according to priorities . . ." There's so very little money involved, and I think it will help so many people, that perhaps we couldn't spend our dollars much more wisely than we could in this respect, and I think again we must also take into consideration that where one segment of our people, our agriculture friends, receive this - and I am very much in favour; I agree this is right that they do - but I think for the sake of equality we must consider or give our trappers, hunters and fishermen, and perhaps some other people as I mentioned before, people deriving a livelihood through these means and having to use the snowmobiles or the motorboats or perhaps other means of transportation - let us give these people the same break that other segments of our society are getting.

I don't think I have to spend much time in trying to tell you what some of the difficulties these people go through in the far north. I think the gentlemen involved in the Northern Task Force -- I'm not as familiar with the northern situation as many are. I'm sure that the Honourable Minister of Transportation and the Member for Churchill are much more familiar than I am, but I think it's quite common that you see people paying \$1.75 or \$2.50 for a gallon of gasoline. I think it's quite common that many of the inhabitants cannot get anywhere with regular vehicles. I'm sure that -- (Interjection) -- there just aren't any roads and won't be for some time. While I realize that the Minister is very active in the north and we should be having more, I think at this time it's quite conceivable to say that perhaps, what? of the 64-65

(MR. BARKMAN cont'd.) thousand people north of the 53rd parallel that perhaps, what? - 45 - 50 thousand people are perhaps involved to some extent excluding of course the City or Town of Thompson.

So at this time, Mr. Speaker, I intended to be brief. I do hope that this government puts it on their list of priorities, because only such a small amount is involved.

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

MR. GIRARD: Mr. Speaker, I'd just like to say a few words in support of the motion of the previous speaker. I remember when it came up at the last session and I remember saying at that time that I was in favor of the resolution, but I wished it to be extended to include people who are now working in the lumber industry, I mean people especially who are involved in cutting and logging operations. I think it's a little bit unfair if we look at it realistically, to see a number of Manitobans working side by side in different industries and to observe that some of them have been privileged to use non-taxable fuel while others in very closely related kinds of operation have not been privileged. If we go in the southeast corner of Manitoba you will find farmers who are permitted to use purple gas in their operations, and of course I don't begrudge that in the least bit.

MR. DOERN: Is that purple grass or gas?

MR. GIRARD: Gas. I'd like also to point out that in the same region you might find people involved in trapping who will be, I hope, allowed to use purple gasoline in vehicles that they might use in that operation. Needless to say, along with those people we have those who are involved in the logging and bush-cutting operation who will be carrying their chain saws to work and in that form of work will be compelled by law to use taxable gasoline and I believe that this is really a little unfair.

I don't propose to amend the resolution to include this, because I think it would maybe lessen its chances of being carried. While I'm speaking on this, I'd just like to make one further observation, and that is that I hope it will carry, but I'm a little confused as to the final results, whether it carries or not. I'm a little confused by the present system that the government has adopted, of saying yes, we're all in favour of voting for it, but saying at the same time that we might not do anything about it. I think it's fine to digress from past traditions. I think when they're improvements and they are replaced with something that is understandable and viable then I can accept this. However, if it is a mere tactic, if it is a mere tactic because it's expedient to use it at this time, it saves us from certain embarrassment or certain decisive statements that we must make then I don't think it's proper.

I know there will be an opportunity to discuss this again, Mr. Speaker, but I like my feelings known at this time as well.

MR. SPEAKER: Are you ready for . . . The Honourable Member for Elmwood.

MR. DOERN: Mr. Speaker, although I'm intrigued with the question of farmers smoking purple grass, I would like to move, seconded by the Honourable Member for Logan that debate be adjourned.

MR. WILLIAM JENKINS (Logan): Mr. Speaker, I move, seconded by the Honourable Member for Gimli that debate be adjourned.

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

MR. SPEAKER: Proposed resolution. The Honourable Member for Assinibola.

MR. PATRICK: Mr. Speaker, I ask the indulgence of the House to have this stand. (Agreed).

MR. SPEAKER: Proposed resolution, the Honourable House Leader of the Liberal Party.

MR. G. JOHNSTON: Mr. Speaker, I ask the indulgence of the House to have this matter stand. (Agreed).

MR. SPEAKER: Proposed resolution, the Honourable Member for Fort Rouge.

MRS. TRUEMAN: Mr. Speaker, I ask the indulgence of the House to let this resolution stand. (Agreed).

MR. SPEAKER: Proposed resolution, the Honourable Member for Fort Rouge.

MRS. TRUEMAN: Could this stand, too, please? (Agreed).

MR. SPEAKER: Proposed resolution, the Honourable Member for Rhineland.

MR. FROESE: In the absence of my seconder, I would ask the indulgence to have this stand. (Agreed).

MR. SPEAKER: Proposed resolution, the Honourable Member for Assinibola.

MR. PATRICK: I ask the indulgence of the House to have this matter stand. (Agreed).

MR. SPEAKER: Proposed resolution, the Honourable Member for Churchill.

MR. GORDON W. BEARD (Churchill): Stand? (Agreed).

PRIVATE BILLS

MR. SPEAKER: Second reading, Private Bills. Bill No. 20. The Honourable Member for St. Matthews.

MR. WALLY JOHANNSON (St. Matthews) presented Bill No. 20, an Act to amend an Act to incorporate Co-operative Credit Society of Manitoba Limited, for second reading.

MR. SPEAKER presented the motion.

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

MR. JOHANNSON: Mr. Speaker, I was requested by the Co-operative Credit Society of Manitoba Limited to present this bill to the House and I'm now going to do so. I'll give you a very brief explanation about the purposes of the bill. There are three simple amendments which are merely housekeeping in nature.

The organization, the company referred to, was incorporated in 1950 by Acts of this House. The Act has been amended several times since that date. The Private Members' Bill which I am presenting today, as I said, simply consists of three simple housekeeping amendments. No. 1. Section 2 of the original Act read as follows: "The capital of the company shall be the sum of \$500,000 divided into 100,000 shares, having a par value of \$5.00 each." This section has already been amended twice, the last time in 1964. That year the capital was increased to five million and the number of shares to one million. The first amendment proposed by the bill before you, would authorize the increase of the share capital of the company to 10 million and the number of shares to two million. Now if I may read briefly from the note given to me by the solicitors for the company, Scarth, Simonsen & Company. This states the reason why the company wishes increase of its authorized share capital. "The Society has continued to grow and develop and its authorized share capital since its last increase in 1964 is now fully employed and a further increase to \$10 million is now required." I was speaking to one of the junior partners in the solicitors' firm today and he informs me that the share capital issued of the company is already in excess of \$4.8 million, so the company requested its authorized share capital be increased to 10 million.

No. 2. Section 5 1 (b) of the original Act specified the objects and powers of the company respecting receiving deposits. The company was allowed to, quote, "receive money on deposit from its members or from any corporation, society or association of which the company is a member, upon such terms as to interest, security, time of payment and otherwise as maybe agreed upon."

Again, the reason for the amendment, the Society requests that capacity to -- pardon me, this explains both the nature of the amendment and the reason for it. The Society requests the capacity to receive money on deposit from the Provincial Government, departments, bureaus or agencies of the government and boards, commissions or Crown corporations established by the Legislature. The drafting of this section was taken from the Act of Incorporation of the Saskatchewan Co-operative Credit Society Limited. That Society has successfully received such deposits during the last 11 years and our Society - referring to of course the Manitoba Society - feels that it would be beneficial to have a similar power. The Company is simply asking for the power to receive deposits from the Provincial Government or branches of it, if the Provincial Government decides that it wishes to do so.

Third amendment. Section 11, 4 (k) of the Act of Incorporation gives the Society the general power to enact necessary or advisable by-laws. It then continues to state that, "without limiting this general power these by-laws may include a provision for payments of interest on paid-up share capital up to a maximum rate of five percent. This ceiling rate is now unrealistic and does not reflect present market conditions. Since the section itself is only a guide and is not meant to limit the general power to pass necessary by-laws, we look upon the removal of the mention of a ceiling as housecleaning rather than an actual change in power." This is the explanation given by the solicitors for the company.

Section 16 of the Act sets out the manner of distribution of the net surplus arising from the business of the company. The ceiling on the rate of interest on paid-up capital was removed from this mandatory section by the 1966/67 Statutes of Manitoba, Chapter 98, clearing the way for a higher rate of interest to be provided for in the by-law.

(MR. JOHANNSON cont'd.)

This is a brief explanation of the three amendments that are requested. When the Bill comes before Law Amendments -- or does it come before the Private Bills Committee? -- whichever committee it comes before -- the solicitors will be present and they will explain in detail or they will give answers in detail to any questions you may have.

MR. SPEAKER: Are you ready for the question? The Honourable Member for Fort Garry - I'm sorry, the Honourable Member for Rhineland.

MR. FROESE: Well, I do not happen to represent Fort Garry, but I happen to represent the people of Rhineland. I rise not to oppose the bill in any way, rather to support what it contains. I know that the Credit Society has grown very substantially over the past years and that revision is needed. I do hope, however, if the government is willing to accept what is requested in this bill that they likewise later on also incorporate the same features in the Credit Unions Act so that the credit unions will have the same privileges as we're extending to the Credit Society at this time.

Then, too, I would request that the government also change their particular Act so that the various agencies will not be prohibited because of their own legislation from investing or depositing funds with the Credit Society. Here we are giving allowance for the Credit Society to accept these, but at the same time we must also liberalize our legislation so that these Crown agencies and the government can deposit funds with them. I hope that this will come about later if this request is agreed to.

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

MR. SPEAKER: The proposed motion of the Honourable Member for Brandon West. The Honourable Member for Kildonan.

MR. FOX: Mr. Speaker, with your indulgence, may I have this matter stand? (Agreed).

MR. SPEAKER: Second readings - Bill No. 11. The Honourable Member for Logan.

MR. JENKINS: Mr. Speaker, with leave of the House, may I have this matter stand? (Agreed).

MR. SPEAKER: Bill No. 12. The Honourable Member for Logan.

MR. JENKINS: Again, Mr. Speaker, may I have leave to have it stand? (Agreed).

MR. SPEAKER: Bill No. 13. The Honourable Member for Elmwood.

MR. DOERN: Mr. Speaker, I ask leave of the House to have this matter stand. (Agreed).

MR. SPEAKER: Bill No. 5. The Honourable Member from Winnipeg Centre.

MR. BOYCE: I beg leave of the House to have this matter stand. (Agreed).

MR. SPEAKER: Bill No. 10. The Honourable Member for Winnipeg Centre.

MR. BOYCE presented Bill No. 10, an Act to amend The Optometry Act, for second reading.

MR. SPEAKER presented the motion.

MR. SPEAKER: The Honourable Member for Winnipeg Centre.

MR. BOYCE: Mr. Speaker, maybe this would be a good opportunity to wake up the Member for Fort Garry. -- (Interjections) -- Sorry about that. But maybe this would be a good opportunity for me to say something about my predecessor from Winnipeg Centre who did a very good job of representing the constituency.

May I refer the members to Hansard of April 30th, Page 1723, and may - this is 1969. Is this permissible? Because Mr. Cowan gave an excellent speech that particular day. Maybe I should just re-read his speech in explanation at second reading. But seriously, Mr. Speaker, this particular bill did have some debate and it did pass second reading and it had been referred to Law Amendments where time ran out on us. But it involves three principles, the most contentious of which I imagine is the right of the optometrists to call themselves Doctors of Optometry. And because of the lateness of the house and because of the prior debate on this bill, I think all viewpoints were expressed in previous sessions -- I can't go any farther than that at this particular time. If somebody wants to adjourn debate they can.

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

MR. CRAIK: Mr. Speaker, I think the same comments should apply to this as were made by the Honourable Member for St. Boniface earlier today with respect to another bill that involved the Professions Committee. Those were, essentially, that it should go by second reading to Law Amendments Committee and from there the parts of it that should be passed, pass, the parts that want to be further considered by the Professions Committee should be deleted, taken out, and referred at the Law Amendments stage. So if that is

(MR. CRAIK cont'd.) acceptable to the members I think that that would be fine as far as we're concerned.

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

MR. PAULLEY: Mr. Speaker, I think this ends the Order Paper and Friday afternoon we normally stop at 5:30. Possibly you could call it 5:30 or I could move the adjournment, seconded by the Honourable Minister of Cultural Affairs. At your pleasure, Sir.

MR. SPEAKER presented the motion and after a voice vote declared the motion carried and the House adjourned until 2:30 Monday afternoon.