

THE LEGISLATIVE ASSEMBLY OF MANITOBA
2:30 o'clock, Friday, July 7, 1972

Opening Prayer by Mr. Speaker.

MR. SPEAKER: Presenting Petitions; Reading and Receiving Petitions; Presenting Reports by Standing and Special Committees.
The Honourable Member for Radisson.

REPORTS BY STANDING AND SPECIAL COMMITTEES

MR. HARRY SHAFRANSKY (Radisson): Mr. Speaker, I beg to present the first report of the Standing Committee on the Industrial Relations.

MR. CLERK: Your Standing Committee on Industrial Relations begs me to present the following as their first report.

Your Committee met on Wednesday, July 5, 1972 for organization and appointed Mr. Shafransky as the Chairman. Your Committee agreed that for the remainder of the Session the quorum of this Committee shall consist of not under five members.

Your Committee also met on Friday, July 7, 1972. Your Committee has considered Bills:

No. 66, an Act to amend the Equal Pay Act.

No. 72, an Act to amend the Employment Standards Act.

No. 96, an Act to amend the Hairdressers Act.

And has agreed to report the same without amendments.

Your Committee has also considered the following Bills and has agreed to report the same with certain amendments.

No. 57, The Apprenticeship and Tradesmen's Qualifications Act.

No. 68, an Act to amend The Vacations With Pay Act.

No. 97, an Act to amend The Barbers' Act.

All of which is respectfully submitted.

MR. SPEAKER: The Honourable Member for Radisson.

MR. SHAFRANSKY: Mr. Speaker, I move, seconded by the Honourable Member for Inkster that the report of the Committee be received.

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

MR. SPEAKER: Ministerial Statements and Tabling of Reports.

The Honourable Minister of Industry and Commerce.

TABLING OF REPORT

HON. LEONARD S. EVANS (Minister of Industry and Commerce) (Brandon East): Mr. Speaker, I would ask leave to table a report pursuant to the Public Meetings held at Norway House, Gimli, Selkirk, Winnipeg, in February of 1972. This is a report published by the Manitoba Water Commission. It's called Volume II which is the report of the proceedings. Volume I is not yet available, which is the report of the Commission itself.

MR. SPEAKER: Any other Ministerial Statements or Tabling of Reports? Notices of Motion; Introduction of Bills.

ORAL QUESTION PERIOD

MR. SPEAKER: The Honourable Leader of the Opposition.

MR. SIDNEY SPIVAK, Q.C. (Leader of the Opposition) (River Heights): Mr. Speaker, my question is to the Minister of Industry and Commerce and it relates to a news release issued by him that was promised by the Premier to be made in this House, and this relates to the purchase of 25 percent equity in Tantalum Mine. I wonder if the Minister of Industry and Commerce can indicate whether the government had any independent financial consultant advise them on the purchase of the equity?

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

MR. EVANS: With regard to the first comment I'm not aware of any such commitment. I personally said that there would be a policy statement issued in due course but this is a financial arrangement made by the MDC, and the MDC of course enters into financial arrangements every week of the year. I can just advise the honourable member that the Board of Directors of the MDC which was involved in this decision obtained adequate legal and financial, and competent legal and financial advice.

MR. SPIVAK: Yes, Mr. Speaker, I wonder if the Minister of Industry and Commerce can indicate who advised the government. Who were the financial consultants hired by the Manitoba Development Corporation to advise them on the purchase and the profitability of the venture that they were undertaking?

MR. EVANS: Well, Mr. Speaker, I'm not in a position to advise the House but I can assure you that I'm satisfied that the Board of Directors obtained the necessary advice.

MR. SPIVAK: Mr. Speaker, I wonder if the Honourable Minister of Industry and Commerce could indicate whether the purchase of Tantalum Mine has been approved by the shareholders - by all the shareholders of Tantalum Mine.

MR. EVANS: Mr. Speaker, this is a technical question but I would advise the Honourable Leader of the Opposition that he is free to ask the shareholders. The one company by the name of Chemalloy of course is a major shareholder so he may ask them.

MR. SPIVAK: Yes, I want the Minister of Industry and Commerce to indicate to the House that the government is satisfied ...

MR. SPEAKER: Order, please. Order, please. I would suggest to the Honourable Leader of the Opposition the question period is for questions, not for supplying information to the House. The Honourable Leader of the Opposition.

MR. SPIVAK: Yes, Mr. Speaker. My question to the Minister of Industry and Commerce. Could he advise the House whether the government is satisfied that they know who the shareholders of Tantalum Mine are, who the actual shareholders are?

MR. EVANS: Mr. Speaker, as I indicated earlier this is the decision and the matter that's been handled by the Board of the MDC, and we have every confidence in them. I know they have voluminous files on this and I'm confident that they have adequate information.

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

MR. I. H. (IZZY) ASPER (Leader of the Liberal Party) (Wolseley): Mr. Speaker, my question is to the Minister of Industry and Commerce. Will the Minister table the agreement, make public the agreement, during this session of the House, relating to the purchase by the Government of Manitoba of 25 percent of Tantalum Mining Corporation?

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

MR. EVANS: Mr. Speaker, there has been no purchase by the Manitoba Government as such, therefore I don't feel incumbent upon myself to table any such agreements.

MR. ASPER: A supplementary question, Mr. Speaker. Will the Minister table the agreement whereby the Government of Manitoba, or the Manitoba Development Corporation, or any other instrumentality of this government, acquired 25 percent of Tantalum Mining Corporation?

MR. EVANS: We'll consider the matter, Mr. Speaker.

MR. ASPER: A further question, Mr. Speaker, to the Minister of Industry and Commerce. In view of the fact that Tantalum Mining Corporation has admitted a debt of \$5 million to General Host of New York, will that debt of \$5 million by Tantalum be secured on the assets of Tantalum Mining Corporation Limited?

MR. EVANS: Mr. Speaker, the honourable member is getting into a lot of detail. My understanding is that there is an agreement that has been arrived at between Chemalloy and Host and that the agreement has been settled out of court and the agreement is such it makes it possible for us to have a mining development in Manitoba which will be beneficial for the people in Manitoba, and which will create more jobs for the people in Manitoba. And that's what I'm interested in.

MR. ASPER: A supplementary question, Mr. Speaker. --(Interjection)-- This is the first supplementary. Does the Minister not consider it relevant, or does he not have the information to tell the House whether or not the company in which we have just invested has secured \$5 million worth of assets to General Host or other secured creditors?

MR. SPEAKER: The question is debatable. Out of order. Does the Honourable Leader of the Liberal party wish to rephrase it?

MR. ASPER: Yes, Mr. Speaker, I'll rephrase it. The investment to which you referred in your news release this morning of \$1.5 million, plus the guarantee of \$2 million, made by the people of Manitoba through the Manitoba Development Corporation, is it secured in any manner, other than through the ownership of shares?

MR. EVANS: Mr. Speaker, ultimate security is the total ownership of the mine.

MR. SPEAKER: The Honourable Member for Brandon West.

MR. EDWARD MCGILL (Brandon West): Mr. Speaker, to the Honourable the Minister of Industry and Commerce, with respect to his announcement that he will take through MDC a 25 percent equity. What is the percentage of equity owned by Chemalloy Minerals in Tantalum Mining?

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

MR. EVANS: Mr. Speaker, I am not in a position to give that precise information at this time but I can take it as notice.

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

MR. ASPER: To the same Minister, Mr. Speaker. Is it true that Chemalloy owns control, more than 51 percent, of Tantalum Mining Corporation?

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

MR. EVANS: Well, Mr. Speaker, that question relates to the previous question and to be precise about it I would like to have some time to examine the records and get advice on the matter.

MR. SPEAKER: The Honourable Leader of the Opposition.

MR. SPIVAK: Yes, I wonder if the Minister of Industry can confirm whether there are any Swiss bank interests involved in both the Chemalloy, Tantalum and General Host arrangements. --(Interjection)-- Mr. Speaker, I wonder if the Minister of Industry can confirm whether there are any Swiss bank interests involved in Tantalum, Chemalloy or the General Host interests?

MR. EVANS: Well, Mr. Speaker, not to my knowledge. Furthermore, Mr. Speaker, with all respect honourable members are asking questions which really relate to the operations of private enterprise, some of whom are beyond the borders of this province. And although we are satisfied with some of the people that we are dealing with directly, we are not in a position to know all of their operations anywhere in the world. But I think the answer is no.

MR. SPIVAK: Yes, I wonder if the Minister of Industry and Commerce can confirm whether there was any business relationship between any members of the Fund Administration and the shareholders and principles of Chemalloy or Tantalum prior to the Board of Directors arriving at this decision?

MR. EVANS: If I heard the honourable member correctly he asked if there was any business relationship between the staff of the MDC and the parties involved. Is this what you said?

MR. SPIVAK: Let me repeat the question for the Minister. I wonder if he can indicate whether he is aware of any business relationship that existed between the staff and administration of the Manitoba Development Corporation and Chemalloy or General Hosts prior to the decision of the Board of Directors with respect to the purchase of Tantalum or of Tantalum as well?

MR. SPEAKER: Order, please. I have no wish to adjudicate on all these technical and very involved questions but I would suggest, and I think I have suggested it before, that if honourable members would be courteous enough to give a Minister notice then we would have a lot less trouble during the question period. Very involved questions are not readily accessible for answers and I think I have indicated that before. The Honourable Leader of the Opposition.

MR. SPIVAK: Well, Mr. Speaker, it may very well be that the Minister cannot and probably should not answer that question unless he's assured himself. Because I think the question is valid and I think it has to be answered.

MR. SPEAKER: Order, please.

MR. SPIVAK: ... should not now, Mr. Speaker. He may very well want to take it as notice and I suggest that that be taken as notice, but I think the question is both pertinent and must be answered by him.

MR. SPEAKER: Order, please. I should like to refer to the last remark of the Honourable Leader of the Opposition. There is no compulsion in respect to answering questions and I'm sure he's well aware of that. ... the Honourable Minister of Industry and Commerce wish to answer?

MR. EVANS: Well, Mr. Speaker, the Honourable Leader of the Opposition referred to business relationship. Now I don't know what his definitions of business relationship is. Obviously the staff of the MDC deal with any company that has an application before it, before the MDC for consideration. Now beyond normal staff operations in order to obtain necessary information, to make assessments, etc., I'm confident that there is nothing beyond that. The honourable member seems to imply some sinister relationship and I'm afraid he's looking for

(MR. EVANS cont'd) skeletons in closets that are simply not there.

MR. SPIVAK: Mr. Speaker, I'll try and frame the question another way so that it will be clear. I wonder if the Minister of Industry and Commerce can confirm or not, or he can indicate whether there was or not, a business relationship or an association with the principals of Tantalum, Chemalloy or General Host with some of the administration who are responsible for the decision making on this particular transaction prior to their employment in the Manitoba Development Corporation?

MR. EVANS: Mr. Speaker, I must ask the honourable member to define what he means by business relationship because I cannot answer that question, or cannot endeavour to find an answer to that question unless he's much more specific and precise in what he is getting at.

MR. SPIVAK: Well, Mr. Speaker, it is very difficult for me to define business relationship to a Minister of Industry and Commerce, but I would suggest it relates to financial gain or an association in which there was some financial benefit.

MR. EVANS: Mr. Speaker, unlike the previous government we are not adept at entering into CFI arrangements.

MR. SPEAKER: The Honourable Leader of the Liberal party. Order, please.

MR. ASPER: Mr. Speaker, my question is to the Minister of Industry and Commerce. In respect of the investment of \$1.5 million by the MDC in Tantalum Mining Corporation other than the shares that were acquired by the government, is there any collateral security other than the shares that you have taken?

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

MR. EVANS: Ultimately we have a pledge of all the shares of the mine plus an unconditional guarantee of Chemalloy which has other properties around the world.

MR. ASPER: A supplementary. In view of the fact that the Government of Manitoba through the Manitoba Development Corporation is in possession of the balance sheet of Chemalloy which indicates a deficit of, I believe, something over \$2 million, does the Minister regard that as valid collateral security?

MR. EVANS: Mr. Speaker, the honourable member is getting into technical details; he's getting into matters of legal opinion. I think I've done my best to give the highlights of this agreement and I'm confident, as I said before, and everybody pooh-poohed on that side, but I have the feeling that we have prophets of doom and gloom here. They just don't like to see jobs created in this province and the people of this province obtaining a share of the natural resources that they are entitled to, and I am confident that we have an excellent, honest, capable, staff in MDC with plenty of integrity who know what they're doing, who have had ample legal advice from Manitoba lawyers, who have had ample financial advice as required, and that we have a damn good deal.

MR. SPEAKER: The Honourable Leader of the Opposition.

MR. SPIVAK: Mr. Speaker, my question is to the Minister of Industry and Commerce. I wonder if he could indicate to the House the exact nature of the income tax liabilities of Tantalum Mine at the time that the government has purchased the 25 percent interest.

MR. SPEAKER: Order, please. Again I must indicate to all members if they want details, technical answers, it would be a courtesy to inform the Minister in advance. I'm sure the honourable members realize that it's not possible to maintain all this at one's fingertips. And if --(Interjection)-- order, please, and if the honourable members feel that courtesy is too much to be asked of, well I feel that I must according to the rules indicate that it is one of the procedures of the House. The Honourable Leader of the Opposition.

MR. SPIVAK: Yes, Mr. Speaker, I rise on a point of privilege. Mr. Speaker, yes on a point of privilege, or a point of order. I'll frame it . . .

MR. SPEAKER: Order, please. Order, please. The Honourable Leader of the Opposition.

MR. SPIVAK: Mr. Speaker, if our belligerent House Leader will just hold for a few moments, I would suggest to you that it is both a point of privilege and a point of order. But I will deal with this as a question of a point of order. Mr. Speaker, the information concerning the purchase of 25 percent by the public of Tantalum was made available to the news media this morning, and no one can suggest that there is an obligation on our part to have given the Minister information when he didn't have the courtesy to present that information in this House by way of a Ministerial Statement. And that, Mr. Speaker, is by way of both a point of privilege and a point of order. Mr. Speaker, there are enough questions that have to be asked legitimately and if the Minister is not capable of answering in this House now . . .

MR. SPEAKER: Order please. Order please. I should like to indicate to the honourable member that the point he made is probably a very good debating point but it was neither a matter of privilege nor a procedural point of order. Oral questions.

MR. SPEAKER: The Honourable Minister of Public Works.

HON. RUSSELL DOERN (Minister of Public Works) (Elmwood): Mr. Speaker, a week or so ago I was asked the question by the Member for Assiniboia concerning any appeals to Ottawa for financial assistance in the construction of the convention centre and I want to inform him that the Metropolitan Corporation of Greater Winnipeg applied to the Federal Government under the Federal-Provincial Employment Loans Program for a loan for some \$2 million which is repayable over a 20 year period, and a portion of this, some \$700,000 is attributable to on-site labour providing we have that much construction, and that much labour involved in the construction, take place by June 30th, there's a 75 percent forgivable feature, so that, in effect, the Federal Government, through this Federal-Provincial Employment Loans Program would give us, or provide us with a half a million dollars, and then the remainder of the \$2 million loan would be loaned to us at, what I would call a moderate rate of interest, for a period of some 20 years.

MR. SPEAKER: The Honourable Member for Thompson.

MR. JOSEPH P. BOROWSKI (Thompson): Mr. Speaker, I have a question for the Minister of Health and Social Development, arising as a result of the CJOB program this morning in which the now exposed police informer made a certain statement. My question is, is the Minister aware that three people on the payroll of his department as drug councillors are in fact pushing drugs?

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

HON. RENE E. TOUPIN (Minister of Health and Social Development) (Springfield): Mr. Speaker, first of all I didn't have the time to listen to that particular program this morning. I had to listen to another one that I was called upon. I am not aware that I have three members of my staff pushing drugs, more that I am aware that any other member of this House are pushing drugs.

MR. BOROWSKI: Mr. Speaker, after the Minister has had a chance to ascertain the facts, will he ...

MR. SPEAKER: Order please.

MR. BOROWSKI: ... will he assure this House that he will dismiss these three people and ask the Attorney-General to lay charges against them?

MR. SPEAKER: The Honourable Minister of Health.

MR. TOUPIN: Well, Mr. Speaker, I wasn't blessed with the knowledge of the informer that appeared on CJOB this morning. If the informer is willing to tell me the names of the three individuals in my department, either himself or the Honourable Member for Thompson, I will definitely look into the problem and take whatever action that I'm made responsible of, or pass it on to the proper authorities.

MR. BOROWSKI: A final question, Mr. Speaker. Has the Minister taken any steps to see to it that drugs are not smuggled by returning prisoners into Headingley who have been out on a weekend or a day pass?

MR. TOUPIN: Well, Mr. Speaker, again as you so well know so far as the problem that we've had at Headingley in the last few weeks, has been looked into not only by myself as Minister of Health and Social Development, but equally by the Attorney-General's department, and many aspects of the treatment that has been made available at Headingley as security, and everything else, is being reviewed and I'm not in the position at this stage to indicate what ultimate measures will be taken to rectify what is, or could be before the courts.

MR. BOROWSKI: I have one separate question. The Minister made a statement that if the informer would come forth he would take action. Could this informer be assured that his name will not be revealed if he gives the Minister the information?

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

MR. SPIVAK: Mr. Speaker, my question is to the Attorney-General and it relates to a statement made by the Provincial Secretary for Justice in Ontario indicating the existence of a Mafia family in Ontario. I wonder if he can indicate to the House, or can assure the House, that no such family exists in Manitoba.

MR. SPEAKER: The Honourable First Minister.

HON. EDWARD SCHREYER (Premier) (Rossmere): I would ask you, Sir, to ponder on

(MR. SCHREYER cont'd) reflection whether that kind of question deserves the dignity of being entertained in this House.

MR. SPEAKER: The Honourable Leader of the Opposition.

MR. SPIVAK: On a point of order, Mr. Speaker, and I assume that the First Minister rose on a point of order, but he may be very well indignant but the truth of the matter is that yesterday the Provincial Secretary of Justice, the Honourable Allan Lawrence stated --(Interjection)-- in Ontario, that there was in existence, --(Interjection)-- well, I wonder if my honourable friend can sit and listen just a few moments. The Provincial Secretary of Justice in Ontario indicated the existence of a Mafia family in Ontario, and he related the interest that they had, and indicated that the police had in fact surveillance of them. Now, Mr. Speaker, I do not think that it is out of order for such a question to be posed to the Attorney-General to determine whether there is such a family in existence in Manitoba. If there is, let him at least inform us, if there isn't he can deny it, I believe it is perfectly in order, Mr. Speaker, to be able to ask that question of the Attorney-General, just as it is perfectly in order for the equivalent Minister in Ontario to make a statement indicating that there is.

MR. SPEAKER: The Honourable Attorney-General.

HON. A. H. MACKLING, Q.C. (Attorney-General) (St. James): Mr. Chairman, I don't like to comment about what the Honourable Attorney-General of Ontario has said in a public forum, however even if, and I say even if, because I don't believe that there are any Mafia families in Manitoba, or any Mafia representatives in Manitoba that I'm aware of, but even if there were I would deem it unwise to articulate on that in such a manner as to give notice to those people that I am aware of their presence and indicate that I am prepared to contend with them in a public way.

MR. SPEAKER: The Honourable Member for Lakeside.

MR. HARRY J. ENNS (Lakeside): I direct a question to the Honourable Attorney-General. Has the Honourable the Attorney-General any request or any reason to investigate the garbage disposal pickups' business in this city in this connection, and in this light?

MR. SPEAKER: The Honourable Attorney-General.

MR. MACKLING: I'm not aware if the honourable member has shares in a disposal industry, or what his concerns are. If he wants to indicate to me that someone in that industry, and he wants to name that person, is some way related to organized crime, then he had better do so, because he puts everyone under a cloud when he asks such a question that's loaded with innuendo like that.

MR. SPEAKER: The Honourable Member for Churchill.

MR. GORDON W. BEARD (Churchill): I direct a question to the Minister of Industry and Commerce. I wonder if he could confirm whether the National Harbours Board or any other federal department has agreed to finance the Port of Churchill Authority, in the Town of Churchill?

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

MR. EVANS: Well the latest information, I have - I've been out of the city on official business yesterday - but the latest information I have is that there's been no decision in that respect. If I heard the honourable member correctly, no decision as to the location of an office. This is some information that I have, but maybe the honourable member can enlighten us with information he has.

MR. BEARD: Did the Minister say - I'm sorry I didn't get the Minister's reply.

MR. EVANS: Well, obviously we all know that the Port of Churchill Authority has been established by the Federal Government, and I thought the honourable member's question related to the operation of an office in the Town of Churchill, and I'm really not clear whether there has been a decision on the operation of an office, if that was the nature of his question.

MR. BEARD: I'll rephrase my question. There is some indication now that the Federal Government or the National Harbours Board are refusing to finance the Port Churchill Authority office in Churchill, and are attempting to confiscate the records of the old Port Churchill Commission, and remove them and bring them into Winnipeg.

MR. SPEAKER: Orders of the Day. The Honourable Minister of Industry and Commerce.

MR. EVANS: Mr. Speaker, I appreciate the honourable member's concern. I've had some information to that effect and I have sent someone to Churchill to discuss it, to the Town of Churchill, to discuss it with various people concerned, but as you will appreciate this is a federal decision, a federal matter. We can persuade and cajole but in the last analysis it is a decision that the Harbours Board has to make.

MR. BEARD: Oh. I will try and rephrase this question properly, Mr. Speaker. In that the Province of Manitoba have appointed one person to the Port Churchill Authority, does the Minister feel that the Federal Government will be in touch with the Government of Manitoba before any steps will be taken?

MR. EVANS: Well I'm not sure whether the Federal Government will be in touch with us or not. I would hope so but we will be - in fact we have contacted some of the staff informally, because we are concerned about the matter.

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

MR. ASPER: Mr. Speaker, a question to the Minister of Industry and Commerce. In view of the fact that the \$1,5 million for the purchase of 15 percent of Tantalum Mining Corporation this morning as announced by the Minister, the same 15 percent of the company was bought by Chemalloy about a year ago for one-quarter that price. Will the Minister explain what occurred in the affairs of Tantalum Mining to justify a four hundred percent profit in one year to the seller from whom we bought?

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

MR. EVANS: Mr. Speaker, that question is full of allegations and some innuendo, which I am not prepared to accept.

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

MR. ASPER: Mr. Speaker, the question was based on . . .

MR. SPEAKER: Question please, question. Order please. I must indicate to the honourable member that this is not the debating hour. If he wishes to have a resolution to debate that matter he may do so. This is a question period.

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

MR. ASPER: Mr. Speaker, the question is, what technique did the Department of Industry and Commerce, or the Manitoba Development Corporation, follow in reaching the conclusion that an asset which was bought for \$300,000 twelve months ago is now worth a million, five.

MR. SPEAKER: Order please. The question is argumentative, and out of order.

MR. SPEAKER: The Honourable Member for Rhineland.

MR. JACOB M. FROESE (Rhineland): Mr. Chairman, I wish to direct a question to the Minister of Industry and Commerce on the same matter. Has the Manitoba Development Corporation now gone into gambling?

MR. SPEAKER: Order please. I had hoped I wouldn't have to cite Citation 171 and 172 to the Honourable Member for Rhineland, unfortunately I must again, and one of the first items, it says, "the question oral or written must not be ironical, rhetorical, offensive, contain innuendoes, satire, or ridicule" and I think anyone of those would probably have covered it.

MR. SPEAKER: The Honourable First Minister.

MR. SCHREYER: Mr. Speaker, would you advise me please if it's in order to answer the honourable member's question because I would like to take advantage of the opportunity to do so if it's in order.

MR. SPEAKER: The Honourable Member for Emerson.

MR. GABRIEL GIRARD (Emerson): I would like to direct a question to the Honourable Minister of Transportation in the absence of the Minister of Agriculture. It has to do with the projected shortage of cattle feed in some regions of Manitoba, and I would like to know if the government assistance for regional transportation of feed, such as was existent some three or four years ago is still existent today, can still be provided in case of necessity of this kind.

MR. SPEAKER: The Honourable Minister of Highways.

HON. PETER BURTNIAK (Minister of Highways)(Dauphin): Mr. Speaker, insofar as the last part of the honourable member's question is concerned, I'm not aware of whether this is still in effect, it may well be, but I also would like to say that at this time I would imagine that it is just a little too early to really find out, or to know definitely, whether there is definitely a shortage of feed. There may be in certain areas, but all across the province I am not aware that that is actually the case. It may be another week or so, it may be a month before we will definitely know whether that is the case, and I'm sure that if that is so, then certain steps will be taken to remedy the situation.

MR. GIRARD: A supplementary question. I wonder if the Minister would then take it under advisement and consider answering me on whether or not the subsidy that did exist, still does exist?

MR. BURTNIAK: Mr. Speaker, I'll take that as notice and advise the honourable member.

MR. SPEAKER: The Honourable Leader of the Opposition.

MR. SPIVAK: Yes, Mr. Speaker, my question is for the Minister of Industry and Commerce. Did the government assume major income tax liabilities by the purchase of the 25 percent equity into Tantalum Mine?

MR. SPEAKER: The Honourable First Minister.

MR. SCHREYER: On a point of order. I believe that about 15 minutes ago the Honourable Member for River Heights asked precisely the same question.

MR. SPEAKER: The point is well taken. The Honourable Leader of the Opposition.

MR. SPIVAK: Just on a point of order, Mr. Speaker. The question that was asked before was a detailed question which I recognized should be asked by an Order for Return and I intend to do that. The question that I ask now is not a detailed question but a question for the Minister to just indicate whether the government did assume major income tax liabilities by the purchase of 25 percent equity?

MR. SPEAKER: The Honourable First Minister.

MR. SCHREYER: Mr. Speaker, I don't know whether the honourable member intends to file an Order for Return, that's open to him, but when he asks whether the government assumed any particular tax liability on the part of the company in question, then the answer has to be that the government made no assumption inasmuch as the decision was taken not under Part 2, but under Part 1, of the Development Corporation Act, and any assumptions made there were made by the board.

MR. SPIVAK: Mr. Speaker, I wonder if the First Minister can indicate to the House whether competent, professional accounting advice was given to the Board of Directors to be able to determine whether the board was . . .

MR. SPEAKER: Order please. Order please. I recall that particular question just a few moments ago.

The Honourable Leader of the Liberal Party.

MR. ASPER: Further to the same Minister, Mr. Speaker. Has he or government officials investigated the relationship of a Swiss company called Kilcherre to Tantalum, Chemalloy and the group into which we have just invested.

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

MR. EVANS: Mr. Speaker, as I said before this is a decision taken by the board of the MDC and I trust that they're satisfied with the relationship with the principals and that this is a worthwhile development creating jobs for the people of Manitoba.

While I'm on my feet, Mr. Speaker, the Member for Rhineland asked the question just a few days ago, whether there is provision in the Federal Development Corporation Act for provincial membership and if so, is the province contemplating subscribing to membership in the Canadian Development Corporation? I'm advised that the CDC, as it's called, has no provisions for any province or any organization to participate in its activities except through the acquisition of shares. It is the intention of the CDC I'm advised to publicly offer shares about a year from now and all Canadians, including the Honourable Member from Rhineland, will have an opportunity to have an equity interest in its operation. However, I believe there is a limit of three percent equity, up to a maximum of three percent equity for each individual or group of individuals, to prevent domination or control by any one group. Now whether the Manitoba Government wishes to purchase shares will, I assume, depend on whether the Minister of Finance considers it to be a good or appropriate investment for the province.

MR. SPEAKER: The Honourable Leader of the Opposition.

MR. SPIVAK: Yes, Mr. Speaker, my question is to the Minister of Industry and Commerce. I wonder if he can indicate whether to the knowledge of the government there is a business relationship between the Swiss bank representing some of the firms involved in the Tantalum Mine purchase and officials of the Manitoba Development Corporation.

MR. SPEAKER: Order please. Again, although the question has been slightly rephrased, it's a repeat of one earlier.

MR. SPEAKER: The Honourable First Minister.

MR. SCHREYER: On a point of privilege in this case, Mr. Speaker. I'm not sure that I heard the Honourable Leader of the Opposition's question clearly, but if I did I've got the impression he was alleging or suggesting that perhaps certain officials of the MDC, either its board or its staff, have some possible conflict of interest by way of share ownership, or whatever, in some bank with which they then had commercial dealings. Mr. Speaker, if that in fact

(MR. SCHREYER cont'd) is what the Honourable Leader of the Opposition was suggesting in his question, then I believe he's under an obligation to advise us who he means in particular so that the Crown can take the necessary action and take it swiftly.

MR. SPEAKER: The point is well taken. The Honourable Leader of the Opposition,

MR. SPIVAK: On a point of order. There have been questions asked in the House that the Minister has essentially refused to answer, and it is not up to the members on the opposite side to in any case prove a position to the government, rather it is up to the government who have knowledge of the facts to indicate yes or no. So I question his proving the question that was asked, was whether any business relationship existed between any of the employees of the Manitoba Development Corporation and any of the officials connected with the purchase of Tantalum Mines, and if the government is in position to assure that that has not happened, then that's fine, but if they're not in that position and if in fact a business relationship is - if they're aware of such a relationship, then I think there's an obligation to indicate that.

MR. SPEAKER: The Honourable First Minister.

MR. SCHREYER: Mr. Speaker, still on the point of privilege. The Honourable Leader of the Opposition is suggesting some rather peculiar shift of onus here, but in any case, I say again, that if the Honourable Leader of the Opposition has reasonable cause to believe that such a relationship exists I believe he is under some obligation to be more specific.

MR. SPEAKER: Order please. I should also like to indicate to the Honourable Leader of the Opposition Beauchesne's Citation 171 contains, a question oral or written must not contain inferences, or contain innuendo, and as I indicated, even though it's in a little variation, not be repetitive, so on a number of counts the honourable gentleman has been out of order.

MR. SPEAKER: The Honourable Leader of the Opposition.

MR. SPIVAK: Mr. Speaker, on a point of order. Mr. Speaker, the members on the opposite side and the people of Manitoba --(Interjection)-- I'm talking on a point of order. Mr. Speaker, I assume that I'm still recognized and I still have the floor.

MR. SPEAKER: I wish to hear the point of order.

MR. SPIVAK: Mr. Speaker, the people of Manitoba and the members on the opposite side know very little about the purchase that is taking place.

MR. SPEAKER: Order please. That is not a point of order that is a debate. Orders of the day. The Honourable Leader of the Liberal party.

MR. ASPER: Mr. Speaker, will the Minister of Industry and Commerce, in view of the statement he made in this House some months ago stating that the moneys being advanced by the MDC to Tantalum Corporation were secured by a first mortgage on the ore --(Interjection)-- ore concentrate, sorry. Will the people of Manitoba still hold a first mortgage on those assets in addition to the shares, or have they given up their mortgage.

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

MINISTERIAL STATEMENT

HON RUSSELL PAULLEY (Minister of Labour)(Transcona): Mr. Speaker, before the orders of the day are proceeded with - I presume the questions are completed - I would like to indicate to the House what is considered to be the order of business for today and tomorrow in order that honourable members and staff may make arrangements. It is considered that we should meet this evening for a session of the Legislature and that we should meet tomorrow morning to continue the business of the House. It is not the intention of the government to call sessions of the Assembly for tomorrow afternoon or for tomorrow evening. I make this announcement, Mr. Speaker, in order that all and sundry will be able to regulate their private business accordingly --(Interjection)-- well private affairs right.

In addition to that, Mr. Speaker, may I now announce to the House that the Committee on Industrial Relations will be meeting on Monday morning. This was a decision arrived at at the committee, and at the committee representatives of the Workmen's Compensation Board will be in attendance, and then of course if there are any other bills processed in the interim they may be under consideration on Monday.

So I suggest, Mr. Speaker, that the announcement that I am now making will be of value to all members of the Assembly, and those connected with the business of the Assembly.

So now, Sir, may I ask you to call the adjourned debate on third reading of Bill No. 12 standing in the name of the honourable member --(Interjection)-- do you have a point of order?

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

MR. ASPER: I was not aware that the question period had terminated. At the end of the last question I was on my feet seeking to ask a question.

MR. PAULLEY: He wasn't aware, - I'm sure that if he'd been around here for a few weeks, he'd learn how we conduct the business of Manitoba. --(Interjection)-- I note that the Honourable Member for Rhineland is not . . .

MR. ASPER: Is this closure?

MR. SPEAKER: Order please. I'd like to indicate to the . . . May we have order please. I'd like to indicate to the Honourable Leader of the Liberal Party there is no closure, and any further remarks of that kind are a reflection on the Chair. I proceed with the business of the House according to the will and pleasure of members, and I do hope that he will give me the courtesy of realizing that I will not always be able to anticipate, or read a man's mind whether he's going to stand up or not. If he stands up afterwards, it's much too late.

The Honourable House Leader.

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GOVERNMENT BILLS

MR. SPEAKER: The Honourable House Leader.

MR. PAULLEY: Mr. Speaker, I had intended to call Bill No. 12. The adjournment standing in the name of the Honourable Member for Rhineland. I note that he is temporarily absent from the House. I note that the Member for Lakeside also on the Mineral Acreage Tax Act -- I'm wondering in the presence of the Honourable Member for Minnedosa whether he would like to make his contribution in respect to Bill 70.

MR. DAVID R. BLAKE (Minnedosa): Mr. Speaker, I took the adjournment for the Honourable Member for Morris.

MR. SPEAKER: On proposed motion of the Honourable Minister of Tourism and Recreation. The Honourable Member for Morris.

MR. WARNER H. JORGENSEN (Morris): Mr. Speaker, the debate on Bill 70 has developed into a rather interesting turn of discussion. It started out as a -- I suppose one could call a somewhat routine amendment to the Amusements Act which in a large part prompted by the recommendations of the Censorship Review Board which submitted its recommendation to the government on March 5th of 1971. However, by the time that the Member for Thompson had got through putting his interpretation on this particular bill, I doubt very much now that there is any hope of restoring the debate to what the original intention of the bill was. It has now been generally recognized as the "dirty movie bill" and we pretty well have to discuss it on that basis, but I do want to make a few brief comments on the question that has been raised, and that is the question of censorship versus classification, on the question of the responsibility of those in government to set moral standards as advocated by the Member for Thompson, as opposed to the concept of individual rights and liberties which is really the only moral concept that a political party or a government can hold. The concept of individual rights is one that is fundamental and basic to the administration of government without which a society cannot survive.

Our friends opposite and particularly the Member for Inkster, has attempted to create a difference, or to establish a difference between individual rights or human rights, as he called them, and economic rights. Sir, there can be no economic rights if there are not individual rights because as I stated earlier the whole basis of economic rights extends from the right to the freedom of the individual, and to attempt to say that you can have individual rights on the one hand, as espoused in this legislation, and then interfere with the individual rights in the name of economic rights on the other hand, is such a violent contradiction in philosophy that I'm surprised that the Member for Inkster would even attempt to bring it forward -- maybe he thought nobody would notice it, I don't know. But the Member for Inkster is given to those contradictions from time to time, and I'm not sure that he even recognizes them. But I want to point out to him that unless there are human rights, individual rights, and that covers the whole gambit of rights, that does not limit itself to the rights of the individual to watch a dirty movie. It is the right of the individual to hire another person to work for him, and to make an arrangement between that person and himself as to what terms that person will work under; it includes the rights of anyone to invest his money in a business enterprise and to produce that which he feels there's a market for, and to pursue that market in a free society on the basis of his own judgment without being interfered with by the State; it includes the right of the individual to pursue without interfering with another person's rights, whatever course of life that he chooses, and the protection of the degradations of one human being on another, that is robbery, willful fraud, and things like that, or exploitation, are the responsibilities of the government to protect the individual against. Nothing more. I see my honourable friend from Inkster is desirous of asking a question. I'll give him that opportunity.

MR. SPEAKER: The Honourable Member for . . .

MR. SIDNEY GREEN, Q. C., (Inkster): I thank my honourable friend. If he indicates that my attitude is a contradiction, will he at least concede that the same contradiction exists on the part of many members on the opposite side of the House who said that there should be freedom of choice in the area of automobile insurance but who say that we should impose censorship.

MR. SPEAKER: The Honourable Member for Morris.

MR. JORGENSEN: My honourable friend is perfectly right, and I am not suggesting for a single minute that he's the only one that's wrong. I am just dealing with the comments that he made because I heard him make them. But I think that contradiction stems from something that I have been speaking about for some time, the right of the people of this country and out of

(MR. JORGENSON cont'd) this province to know where, philosophically know where a political party stands, and for that political party then to abide and to stay within that philosophical approach to government. You either believe in freedom, or you don't, or you believe in collectivism. And this is one of the difficulties with honourable gentlemen opposite, and herein lies the reason why there is so many contradictions over there; herein lies the reason why they can't get along, why there's a steady parade of members moving from that side of the House over to this corner. Simply because, Sir, they can't contain within their philosophical approach to government the variety of opinions and views that are held by honourable gentlemen opposite. There's one person on the other side and although I disagree and disparage his philosophical approach to government, I don't deny him the right to hold that view; but I disagree with it very violently because I feel it will result in the destruction of our society as we know it -- and that's the views held by the Member for Crescentwood. But at least the Member for Crescentwood is honest enough to say that he believes in those things. -- (Interjection) -- Well he believes in -- but he says at least what he believes in. -- (Interjection) -- Well then I see he's got the same contradiction my honourable friend from Inkster says and I suppose that we all have that same contradiction. We have that contradiction because there is a great need in this country for political parties to understand what they mean by a philosophical approach to government, present that viewpoint to the people and then get elected on that basis.

And now, Sir, I just want to deal for a few moments with the -- to the question that is posed by the amendments to the Amusements Act. It's rather interesting, Sir, to note that the terms of reference that are presently contained in the Amusements Act gives the Censorship Board powers that I am wondering if most of us recognize that that Censorship Board actually had. Section 23 subsection 2 of the Act says this: "The Censor Board may refuse to approve any film or slide depicting scenes of an immoral or obscene nature, or which indicate or suggest lewdness or indecency or marital infidelity; or showing the details of murder, robbery or criminal assault of depicting criminals as heroic characters. And the Censor Board shall refuse to approve any other picture that may consider it injurious to public morals, suggestive of evil to the minds of children or against the public welfare." Sir, what is very interesting is that the Board that had these powers, having been given these powers, then one is at a loss to understand why so many of the movies that appear on the screens in this province contain the objectionable features so often described by my friend from Thompson and by a good many citizens of this province. Is it because the Censorship Board were either incapable or unwilling to apply those restrictions that are contained in this legislation, or did they find it impossible to do so? Or is it because that if they applied them there wouldn't be any movies to show? -- (Interjection) -- Now, there is another alternative, there is another alternative -- was it because of pressures on the part of the government to relax the regulations that apparently exist in the act? And there may be other alternatives, but I'm finding it now somewhat difficult to understand why a change in the act is necessary, because if one goes over the report of the Censorship Board -- and I'd like to read certain sections to it because I think they're very relevant to the discussion that is currently taking place.

The Censorship Review Board indicated that it was only in Manitoba that there was a very clearly outlined criteria established for the review of films and for the review of slides or whatever comes under their purview; under no other province of Canada did the Censor Review Boards have definitive powers or a criteria established whereby they would judge films. It goes on to say that the other provinces' legislation is entirely silent, merely giving to its censors a general power to prohibit the showing of any film that they deemed advisable or unsuitable.

Now the Review Board went on to ask this question. How has this present system been operating in Manitoba? And they go on to say that in the period from December 5th, 1968 to December 9, 1970 -- approximately 21 months -- the Manitoba Censor Board classified the following films: 179 as general, and I won't go into an explanation of what the term general means. I think that most people know that; 208 adult and 209 restricted. Note that the general films which were suitable for family viewing are considerably less than the other two categories, which would indicate a tendency on the part of the movie makers to unduly exploit violence and objectionable material in their films in order to make movies.

I think it's also significant to point out that in reading a report a few months ago, many of the film producers in the United States were finding it extremely difficult or exceedingly difficult to continue operations because of the fact that there was a rejection of that kind of a

(MR. JORGENSON cont'd) movie. They're beginning to find that that rejection was manifesting itself in a lower box office appeal. They were going broke simply because they were producing the kind of film that had limited audience for which there was no general acceptance. They go on to say that a total of 11 films were rejected by the board during this period but 10 were passed after cuts had been made so that meant that there was really only one film that was rejected. The remaining rejection was appealed successfully. In all a total of 17 films were cut at the request of the Board for a total of 34 cuts. Of these one was because of violence, three for objectionable language and the balance by reason of sexual content. So of the three objectionable features of films obviously the movie makers were using sexual content as the main source of material. But then they go on to say, from September of 1970 to February 27, 1971, there were only four films rejected and no appeals. Now you come to one of two conclusions: Either there began to be a general acceptance of the kind of film -- I refuse to accept the possible answer to that, that the quality of the films had improved because of what films I've seen recently, I doubt very much if that is the answer; but the other alternatives are that the public is somewhat more relaxed in their attitude towards those films or the Censor Board themselves were a lot more relaxed in their attitude towards the censorship of films.

They go on to say that it is abundantly clear that the function of the Manitoba Censor Board has gradually changed and this is a point that I think should be heard by the Member for Thompson, who unfortunately has left the -- oh, he's back in the Chamber. It is abundantly clear that the function of the Manitoba Censor Board is gradually changing until it now operates almost entirely as a classification board. So what we have in effect is a classification board rather than a Censorship Board. This change has come about gradually over the years with the change in public attitude and with the advent of a permissive society. It is not a change unique to Manitoba. It is interesting to note however that the entire concept and practical function of the Manitoba Censor Board has changed drastically without any alteration in the legislation creating it. So if that has occurred, and if it has occurred within the law then one wonders why this bill is before us in the first place. This is apparent when one compares the basis of censorship in Section 23 (2) quoted above with the films currently being shown in this province. Even those in the general classification, were the basis of censorship to be applied strictly, very few of the films produced in the last ten years could be shown in Manitoba. With that observation I'm inclined to agree. That there is very substantial public acceptance of this new freedom of the screen is evidenced by the fact that not even the most conservative of the submissions to this Board suggested a reversion to the strict application of the basis of censorship.

I'd also add that apart from the films that were reviewed by the Censorship Board -- and I'm not sure whether they have the powers to look into the films produced on television, but I daresay if they did from what I have seen of many of the shows produced by the CBC would close up shop, and that might not be a bad idea if one takes into consideration solely the type of film that the CBC is given to produce. And I don't want to make any broad criticism of the CBC, there is some of their programming that I endorse very heartily. As a matter of fact in my own home I would suspect that the CBC is the program most listened to and most watched. But there are moments when I do think the CBC could upgrade, and if they are intended to be a public service paid for by the public, then I think they have an obligation to set a standard of moral behaviour that perhaps should be above the average.

And for one to suggest that that cannot be done should look at the example of Radio Station CFAM, and I recall very clearly during the early years when FAM radio station was first set up. The question arose as to what type of programming would take place, and for the first few years of operation that radio station came under heavy fire because they would not relax the standards of programming that they had set; they felt that they as a radio station had an obligation to set a cultural standard and a moral standard that people could look up to. The decision was made despite the pressures that were offered, to maintain their standards -- and this was particularly in the field of music that would tend to encourage an appreciation of good music. They've never regretted that decision because I think today one will agree that the programming over radio station CFAM insofar as an appreciation of fine music is concerned is much higher than that set by any radio station in Canada, and day by day its listening audience increases. And it increases because people are beginning to get sick and tired of the rain barrel effect of modern music, or the kettle drum effect of modern music; and the kind of an impact that it has on people itself to listen for an hour of that kind of music is enough to drive one out of its mind.

(MR. JORGENSEN cont'd) But I think an example of the setting of standards can be observed in the kind of programming that radio Station CFAM have followed persistently through the years; and one would think that a public corporation such as the CBC would learn from that kind of an example by setting a standard of excellence in programming that the people of this country could be proud of.

Sir, during the course of its hearing the Censorship Board had a number of hearings, and there were a number of people that appeared before the board presenting briefs on the question of censorship. The argument for and the argument against, and I will not go into those arguments because they have been expressed here in this Chamber, was presented and they're contained on Page 9 and 10 of the report. And if one were to read them, one were to read those arguments both for and against, it would be extremely difficult for one to choose one above the other; in fact that was the conclusion that the board itself came to. It had some difficulty in determining whether or not they would opt for a change in the present structure of the Censorship Board or whether they would recommend that the Censorship Board itself be changed to a classification board, which was the final recommendation.

But I find very little difference, Sir, in whether or not we have a classification board or a Censorship Board, except that with a Censorship Board - if there is going to be a need, and that need could well arise, for the Board to take some action that would be necessary, then at least the powers contained in the present Act would be there for them to take that action. If they have already, or if they have relaxed their position to the point where they become nothing more than a classification board now, then this legislation that is before us now is unnecessary. It would seem to me that if there is a demand for a stricter classification of films - censorship on films - and an acceptance on the responsibility of those who are entrusted with that responsibility to insure that a better quality of film is shown in this province, then it wouldn't be very difficult for the board to accept that direction. And on that basis, Sir, I find it very difficult to understand why the legislation is brought in in the first place. Notwithstanding the kind of contradiction that we are all guilty of, a philosophical contradiction in that we honestly believe in the rights of the individual, and I for one happen to perhaps believe more strongly in that philosophy of government than a good many, and I'm often criticized for it.

There is at least a moral obligation on the part of government to ensure that the institutions, culture and the standards, that have served this country for so many years are at least maintained. Rights, human rights are a moral principle defining proper social relationships and just as a man needs a moral code of ethics with which to govern. On that basis, Sir, the need arises, and I believe that there is certainly demand on the part of people today that the moral standards of this nation be not only maintained, that they be moved higher. I think there is an obligation to set, at least on the part of government to set an example, and on that basis, Sir, I must reject the bill that is now before us.

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

MR. PETER ADAM (Ste. Rose): I was wondering if the honourable member would permit a question? I was wondering what he would consider more immoral, overexposure of sex or the burning of bodies by an A Bomb in Vietnam?

MR. SPEAKER: The Honourable Member for Morris.

MR. JORGENSEN: Section 23 (2) of the Censorship Act pretty well defines those things. I don't think it makes any differentiation. I think that what has happened though, there appears to be a greater acceptance of violence than there is of the undue exploitation of sex. And if I were given my choice - I had the experience of seeing a lot of violence during the years between 1940 and 1945 and if I was to - my honourable friend is going to ask me whether I'd prefer to be making love than to be killing somebody. I don't think that there is need for me to answer that question.

MR. SPEAKER: The Honourable Member for Gimli.

MR. JOHN C. GOTTFRIED (Gimli): Mr. Speaker, while my position in this matter is essentially one of support I do so with some reservations, particularly in two areas. Mr. Speaker, it's somewhat surprising that notwithstanding all that has been said about this bill, there has been very little reference to the Ten Commandments, and I find it difficult to accept that we have already reached that position in our society where they should be considered irrelevant.

I feel that ease of access to hard drugs and equally ease of access to pornographic movies and magazines go hand in hand, so why indulge in one if you can't get the other, either in the

(MR. GOTTFRIED cont'd) living form or a reasonably good facsimile. But let's look at the Commandments. One says that we should not commit adultery, while another states flatly that we should not even covet. Now I can concede, Mr. Speaker, that in those far-off days the customs and mores were well grounded and consistent with the degree of technological advancement of the times. One socially undesirable effect of adultery was of course the possibility of saddling another member of society with the responsibility of rearing someone else's child, and of course there were also the undesirable social and psychological problems that always follow. So one can argue today that with the discovery of the pill we have managed to evade some of the penalties of engaging in adultery. But what about the act of coveting that which is not ours to have in the area of sex. And I think pornography has a great deal to do with that. We haven't yet found a pill for that one and surely there must be a danger to society and the individual's personality in the indulging of and practise of this type of leisure activity. Otherwise why was it included in the Ten Commandments. This then is one of my areas of concern and uncertainty as implied in this bill. Is there really no authority above that of the individual in the determination of what one should or should not see and covet. I for one do not agree but rather will accept and ascribe to that belief that in some areas only the dictates of a higher authority will apply.

In my opinion, Mr. Speaker, this bill deals in essence with the principle of change as a sociological phenomenon. During the past ideological changes managed to keep pace with the technological changes and as a result we achieved a larger measure of stability within the social structure. Today, however, our technological advances are far outstripping our advances in the ideological field. So much so that in an attempt to close the cultural gap our young people are prepared to experiment with new moral systems. They are willing to leave the comparative safety and security of ideology they consider irrelevant today and no longer of importance, such as the Ten Commandments. It is only natural that this experiment at change should be channelled along one of our most powerful drives, the sex urge, the urge to procreate. As I stated at the outset, Mr. Speaker, I consider this bill companion legislation for the greater liberalization of drugs, and since I don't want the latter, I don't want the former.

Personally I feel that we have progressed far enough at this time in this direction. Let's rather find ways and means of channeling society and its experiments in change along another one of our basic instincts, the instinct of self-preservation. Mr. Speaker, I think we should be trying harder to close the cultural gap in that area before we go all out on our instinct of procreation and experiment with sex, drugs and pornography, to the point of ad nauseum. This then is my second reservation. Is it possible that instead of classification we could have a more enlightened censorship. The pornographers will still be able to peddle their wares, but hopefully at a pace society can handle without too many adverse effects, and especially without increasing the further use of hard drugs.

MR. SPEAKER: The Honourable Member for Rupertsland,

MR. JEAN ALLARD (Rupertsland): Mr. Speaker, I rise to say a few words on this bill. I think the first thing that I should like to do is to move, seconded by --(Interjection)-- Why? --(Interjection)-- Well, Mr. Speaker, I've been advised by experts on the subject that I should speak first, otherwise I'll be precluded from saying a single word on the whole issue.

I regret, Mr. Speaker, that the subject matter of this bill has somehow been lost. We're not debating the relative value of a classification board as a method of dealing with pornography and that because of the actions of spokesmen on both sides of the question, we're now dealing with this bill as one dealing with a general approach in our society towards permissiveness, or the opposite situation, a greater degree of control. It's no longer an issue of pornography as such, it is now a question of rules and of whether man really needs rules or not.

The Member for Inkster when he spoke, Mr. Speaker, had this to say. "As far as I'm concerned the bill that is being presented by the Honourable the Minister of Tourism and Recreation is less restrictive than the existing Censorship Law and therefore although it doesn't abolish censorship I will vote against, or I will vote for it. If it was more restrictive, if it was strengthening the censorship laws as the Attorney-General seemed to suggest in responding to the Member for Thompson, I would be voting against this bill. Now having decided, Mr. Speaker, in my mind as against what the Attorney-General said, having decided in my mind that it is less restrictive, I am going to vote for the bill."

But, Mr. Speaker, the Attorney-General and the Minister for Tourism claimed that they are going to vote for the bill because it is more restrictive. I believe that the Member for Inkster is correct, that it will be less restrictive, that it will increase the supply of smut in

(MR. ALLARD cont'd) our society, but what it will do, which is more important, is that it will establish the position of this House, of the government especially, our position towards permissiveness and restriction. Permissiveness in this context I take to mean license not freedom. Indeed any freedom which destroys certain rights of others becomes a license, and when the freedom of an adult to indulge in every kind of pornography, every kind of perversion that there is in this world, starts to encumber the right of a child or of a youth to the good example of his elders for one thing, and secondly, his right to a decent approach, or a decent presentation, of a subject than the right that is insisted upon by the man who enjoys pornography becomes license not freedom. The right of a man to drive 90 miles an hour down the highway in heavy traffic is not freedom but is an exercise of license.

The basic premise, I regret to say that fundamental to a great deal of the thinking of my former colleagues on the front bench, is based on the premise that man is some sort of a noble animal who has been debased by society and by restriction, and that that is the reason why somehow we have had to establish some laws, and that if we remove all these laws that somehow man would suddenly become good again. Well the Christian principle and the basis of Christianity of the coming of a Saviour is based on the notion that man is a fallen angel, somehow has a wounded nature, and he needs help to grow. And that's the very fundamental principle with which we are dealing here, and we're dealing with it because of the efforts of the Member for Thompson who felt the need to bring the issue to a head, and of the Member for Inkster and of the Minister of Finance, who support this measure because they believe it will be more permissive and that it will somehow lead to this nirvana, one where there are no need to be laws or rules. I don't believe, Mr. Speaker, in this type of a Utopia, of a kind of a Heaven on earth here. I'm of the opinion that somehow we die, that there is an afterworld, that they are related to each other, and I have some faith in the revelation that started with our Grandfather Abraham, Father of all of us by the way here, I believe, spiritually in some way or other whether we actually believe in it or not, our fathers and grandparents did. So I'm not of the opinion, Mr. Speaker, that if we remove laws men will somehow become good. I don't believe that if we remove the laws against physical violence that somehow men will quit being tempted to hit each other in the nose, or really if we give the right to police to strike if they go on a three week - you know really if we follow this logic to its conclusion - I'm sorry that the Minister for Inkster, the Member for Inkster is not here. I'm sorry if I used the word Minister - (Interjection) - No it's not by habit, it's by expectation, that's right - I don't really believe that a six-month police strike in Winnipeg would really make all of us holy men or that we would suddenly develop a great deal of respect for the property of others, for the bodies of others, for the rights to respect what our neighbours have. I believe that we'd end up with vigilantes very quickly and that really laws and government are established to deal with the problems of mob rule. And that is what men would end up with without rules.

The Member for Morris read out a provision of the censor law. I believe if the Censor Board in the last three or four or five years had lived up to its responsibilities that we wouldn't have had the smut that we've had in the last six months or a year or two years. How movies like -- (Interjection) -- It has always existed and yet it's getting worse and worse. Or would the Member for St. George agree with that? -- (Interjection) -- So, Mr. Speaker, I do not believe that the removal of rules or laws somehow lead to man's perfection. I think that it is the law that helps man to act in a reasonable fashion and allows each one of us as individuals to grow to perfection. And so faced with this problem, Mr. Speaker, faced with the problem that the specific bill has now been lost sight of and that what the people of this province now seek is an argument between more permissiveness or less, that I have to back away from this bill as such, suggest that a measure of examination of the subject to see whether better means of dealing with the problem; perhaps a more forceful use of the censorship laws as they exist, the composition of the Censor Board could be changed, certainly the law that exists has not been enforced. Faced with this, I beg to move, seconded by the Member for Rhineland that this Bill No. 70 be not now read a second time but be read six months hence.

MR. SPEAKER presented the motion.

MR. SPEAKER: The Honourable Minister of Universities and Colleges.

HON. SAUL A. MILLER (Minister of Colleges and Universities) (Seven Oaks): Mr. Speaker, I have been listening to some of the debates on this subject - I've missed many of them as I was out of the House on a number of occasions, but I did hear three of them this afternoon in rapid succession and I listened to them in great wonderment and I'm wondering what is it they're talking about. What are we really dealing with here? Did we suddenly invent smut and pornography?

(MR. MILLER cont'd) Did this suddenly appear out of the clear blue sky? Who is kidding whom when they suggest for one moment that something has happened in Manitoba in the last ten years in isolation to what's happening in the rest of the world. Are we an island unto ourselves? That's absolute nonsense. What has happened in the entire world is a new attitude, a new awareness, a new recognition of new things, a new acceptance that as has happened through generation after generation since man began. And in every generation the preceding one always questions what the younger generation is doing and thinking, and challenges and questions them and feels that no doubt they've gone to pot or they're going to pot.

Now there's a suggestion here that we're becoming permissive, we're not going to have any rules any longer. Do members who have spoken on this not realize that there is a Criminal Code of Canada, and that is the code and that is the act under which prosecutions are laid; and that act still is in existence and will continue to be in existence until such time as the parliament of Canada decides to change it, as they might change it. And we're not talking about "them" in an abstract sense; they are representatives of Manitoba and the rest of Canada just as I am a representative of Manitoba. They are citizens, they are elected by the people, they sit in Ottawa, they in a sense reflect the totality of Canada. They have made certain changes in the Criminal Code - and if the Member for Rupertsland would please not interrupt me as I didn't interrupt him, I'd appreciate it, especially if he's not in his seat. So it's absolute nonsense to suggest that suddenly we're opening the doors to immorality, suddenly we are allowing some evil to come into our society. Do none of these people watch TV? Do they think they can hide from their children what is happening throughout the world? Are they going to try to put a wall around Manitoba? How naive and how simplistic can people be? What has happened has happened as a consequence of a new awareness as I say throughout the world, of a different set of standards, something that is not new in man, the development of man, something that has been going on for centuries. And for centuries a battle I suppose has taken place, as every generation battle with the preceding one.

Someone said that drug and pornography go hand in hand. You know what is pornographic to the Member for Gimli may not be pornographic to me and vice versa. It reminds me of a story of the man who had to go to a psychiatrist, and he was sitting there and the psychiatrist drew a triangle and said: "What does this remind you of?" And he said: "Sex". And he drew a picture of a square and he said: "What does this mean to you?" And he said: "Sex". He drew a circle and the man said: "Sex". And the psychiatrist said: "Well, why do you keep seeing sex in everything?" And he said: "Why don't you stop drawing dirty pictures?" Mr. Speaker, it's what you see - it's plain - there's the answer exactly. I'll draw the picture for the honourable gentleman, he'll see it.

If we think for one moment that by retaining a board we're going to protect and put a wall around Manitoba, we're kidding ourselves, because as the Member for Morris correctly pointed out, the board has been there for years. I think it's 1923 that it came into being or something like that - it's been there for years; it's performed its functions for years, and yet the change in societal thinking has taken place so that the board gradually changed its perspective, changed its attitude and permitted pictures in 1969 or 1965 that they would never have permitted in 1960 or 1955. It would have been unheard of, but these people are citizens and they change as society has changed.

One of the things that I've always felt had to be done was that people should at least have an idea of what it is they're going to see, so there should be proper classification, because I know that if I want to see a picture I can't tell any longer from the title; I can't tell from the advertisement - I don't know if I'm going to see a comedy; I don't know if I'm going to see a drama; I don't know if I'm going to see criminal violence; I don't know whether I'm going to see sex - there's no way of knowing. And I for one would like to know because sometimes I want to spend a very light evening and just be pleasantly entertained, other times I want something with greater content, but at least if there's classification, I'll have that, I'll know that. I won't know it through the present system and certainly I won't have it if we simply sit with the present Censor Board because it is a most useless function that they perform at the present time. The suggestion that this will suddenly unleash something is wrong. It is unleashed - if there is today a concern amongst people about violence and sex is because that now is here. That is a fact. It's not the Censor Board that created it; it's not the Censor Board that deters it; it's not the Censor Board that in any way affects it. These things are here today because that reflects the society in which we live.

(MR. MILLER cont'd)

So, Mr. Speaker, what is being proposed makes manifest sense because if we try to hide behind the present board and the present act then we're making an ass of the law. We are trying to live with an anachronism that really is irrelevant today; and we're trying to make it possible so that people can attend a movie, know what they're going to see, and have knowledge in advance and they as adults can make up their mind. And if I want to see something then I have at least a choice of rejecting, deciding to go or not to go; I don't have to guess at it, it's classified, I know what it is I'm going to see. And if I go, I'm doing it on my own - and if members are concerned that I'm going to be somehow affected by it I suggest to you that that's never been proven, that somehow the argument that if people see certain things happening that it's going to affect them in a special way; different people are affected in different ways, others have no affect whatsoever, they can take it as they will, they can ignore it.

The main thing though, as I see it is this, that if we leave the Censor Board or the Censor Act, the present Censorship Act as it is we are actually allowing an anachronism to remain; we know that it's not fulfilling its role, we'll know it's not satisfying anyone. We do know this though that it is a method, a vehicle behind which the exhibitor and the movie maker can hide because he's protected by the fact that the Censor Board approved something or didn't approve something and he has that approval to go on and he has no fear of exhibiting. It's true he can still be prosecuted but it's much more difficult because someone has given the stamp of approval on it.

But this debate we've had has really been quite far reaching. The act we're dealing with is censor, censorship of movies and films I think it is, that's what it's called. And we've ranged far and wide; we've talked about magazines, we've talked about books; we've touched on TV - and nowhere in this act is there any control, any classification of magazines, books or TV. Now why aren't people concerned about that? Isn't there an absolute inconsistency in suggesting that there should be censorship of movies when I can walk into any drug store in Winnipeg, any counter which sells magazines and books, paperbacks and otherwise and see anything and everything that I or anyone else might desire? Is anyone suggesting, and this is what I'm afraid of, that they are suggesting - and I suspect the Member for Thompson would want it, he would like to censor everything - not only the films that we're talking about here, he would want to censor the books you read, the magazines you read, the newspapers you read, everything in print, everything visual and preferably everything one might hear. And he would want to be the censor because he would set himself up as the judge and the jury of what people can think, of what people can see, what people can hear. Mr. Speaker, if we yield to this kind of bullying we in Manitoba would be making a dreadful mistake because we'd be allowing the kind of fanatical, frantic fanatical and fascistic type of censorship that is possible in this world to see. We've seen enough of it throughout the world, surely we are educated enough in this society; surely we have minds of our own; surely we should not be bullied into trying to be knuckled under, pushed, bulldozed by a man who thinks he has a halo on him, but in fact what he has is a spotlight on him that he wants for himself because he's driven to seek that spotlight.

MR. SPEAKER: The Honourable Member for Logan.

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

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

MR. SPEAKER: The Honourable House Leader.

MR. PAULLEY: Bill No. 59, standing in the name of the Honourable Member for Lakeside.

MR. SPEAKER: The proposed motion of the Minister of Finance. The Honourable Member for Lakeside.

MR. ENNS: Thank you, Mr. Speaker, and thank you, Mr. House Leader, I think we'll accommodate the other matter shortly.

Mr. Speaker, it's not my intention to be lengthy with respect to my few remarks on the Mineral Acreage Taxation Bill before us. The bill that was introduced to us by the Honourable Minister of Finance is a pretty straightforward bill, it's going to tax acreage now being held or proposed to be held by various mining corporations but not the individuals. Mr. Speaker, the obvious questions that came to mind immediately upon presentation of this bill at the time of the Minister's explanation have already been answered to a large extent. To what extent does this put us with respect to our sister provinces? The Minister outlined and told us what the

(MR. ENNS cont'd) situation is. He's also indicated to us the fact that there are other jurisdictions that are going considerably beyond or contemplating going considerably beyond this kind of approach to the raising of revenue from our natural resources.

Mr. Speaker, we in the Conservative Party do not propose to prevent this bill from moving forward expeditiously. We could and indeed raise the question that is always uppermost in our mind, not one from a point of view of denying the treasury necessary revenues, but always one of concern as to whether or not there will be in any measure that the Minister of Finance introduces be any impediment to the development of our natural resources. I would have to suggest, Mr. Speaker, that in this instance with the situation as it is, the relatively modest proposition before us, that that case cannot be now argued; indeed if it were it would be argued weakly.

Mr. Speaker, I think that it would also be proper perhaps to commend the Minister for the distribution of the explanatory notes that he did with the introduction of the bill. It's something I'm sure that other Ministers may choose to take advantage of from time to time. It certainly facilitates the reason and intelligent discussion of the bill. It somewhat opens up the facilities of staff and research to the members of the Legislature who do not have those facilities open to them and, Mr. Speaker, I just want to make the Minister aware that we are not unappreciative of that gesture on his part. Mr. Speaker, let me at the same time say that if we had basic disagreement with the bill that the explanatory notes would in no way be helpful to the Minister in quick passage of the bill. We do however in the case of the Mineral Acreage Tax see no particular reason for preventing its passage. We note in its passage that it is another tax. It is one of the many tax bits and pieces that have to be taken into consideration when they're all added up and while as an individual piece of tax legislation it's difficult to take great exception to. But I do warn the Honourable the Minister of Finance that when we in the Opposition decide to tote up the general tax levy against any particular industry and we tote up the levy, the fact that that industry has to pay a higher corporation tax here in Manitoba than any place else, we have to tote up the fact that the employees so working in that industry have to pay a higher personal income tax than in most other jurisdictions in the province then even this 10 percent per acre tax that the company has to pay that it doesn't pay in Ontario and doesn't pay in Quebec and doesn't pay in Newfoundland and doesn't pay in many other jurisdictions, although it does pay immediately to our sister province in the west, then that is again part of the equation; and when we make that kind of a general charge of problems of taxation that we face in the Province of Manitoba, then surely at that time we will reserve the right for us to add this 10 percent per acre tax on to the growing list of taxation that is being imposed on those people doing business in the Province of Manitoba. I say this not from the point of view that there is any disagreement, I think there's a disagreement as to how but there's not any disagreement between us, nor the Minister of Finance, that all potential revenues accruing to the people of Manitoba through the result of mineral exploration, mineral development should in fact so accrue to the people of Manitoba. Our concern always has been and this is where we part company as to how precisely that best can be achieved.

Mr. Speaker, the Minister is the Minister responsible for the collection of revenues of the province at this particular time and we certainly are prepared to see this measure move forward and give him our leave in so doing.

MR. DEPUTY SPEAKER: The will of the House to adopt the motion? Agreed? The Honourable Member for Rhineland.

MR. FROESE: Mr. Speaker, as pointed out by the Member for Lakeside on the notes that were provided by the Minister, I too appreciate this because this certainly saves you time and gives you explanatory notes. While he may have used some of them in introducing the bill nevertheless it takes some time before we get Hansard and in this way we can refer back to it.

I notice also that when he introduced the measure that this would be applicable only to corporations and not to individuals -- is that correct? -- and therefore most of the farmers in this province will not be taxed under this particular legislation at this time. I hope it's not just a matter of getting the foot in the door and that at a future date individuals might be taxed. --(Interjection)-- If Alberta did it at one time and under the Social Credit administration that doesn't mean that I always give blessing to everything they do. I have criticized them on previous occasions and -- I won't say that publicly. When talking to them and when going down there and conversing with them I pointed out many a thing to them where I think they fell down or where they made mistakes and I think to a large extent that particular government

(MR. FROESE cont'd) defeated itself at the last election, because this is what Mr. Campbell the former Premier of this province indicated at one time that governments defeat themselves. I think that is largely true, that sooner or later this happens. I think one of the reasons why the Social Credit administration in Alberta was defeated was that the Ministers were not stepping down firm enough on the civil service and let them get away with too many things. Bringing in too many programs and not exercising sufficient control. I'm just wondering . . .

MR. DEPUTY SPEAKER: Would the member come back to the bill that's under discussion please.

MR. FROESE: I'm probably led astray here by the front bench on the other side.

MR. DEPUTY SPEAKER: . . . morally sound and he cannot be led astray by others. The Honourable Member for Rhineland.

MR. FROESE: Maybe this particular bill will be part of what is going to defeat this government at some future date. This is the very point I'm trying to make that it may be extended to individual farmers and provide a tax loan on the farming community. This is what I certainly would not like to see, that we tax those farmers who have mineral rights on their land or have gravel deposits -- oh no, we now know that because of the bill that was passed gravel and sand is no longer a mineral so it won't apply. And I guess that legislation was passed already knowing that bill would be coming forward after that piece of legislation had been passed. This certainly will provide additional revenue to the province, not in any great amount as an overall percentage of the moneys that is being used by this government, but it is another tax we can't deny that, I always find it difficult when tax bills come up to give support to a tax bill and if the official opposition goes along and gives approval of it I question myself whether I should go along with them. I don't think I will, because of the very fact that I think it's opening a door to which later on amendments may come in and it may hit the farmer of Manitoba who is hard-pressed and I can't see any hope at this time that the situation will be relieved any because of the way the commodities and pricing and so on, markets, all this and that, the way the set-up is presently that we can't see too much improvement and therefore I have my reservations on it and will not support it because of that fact. Otherwise we may say that corporations as such, well let them pay because they have some way of collecting it from other sources and that they themselves don't necessarily have to suffer as a result. They probably pass it on to the consumer in one form or another and most likely the big amounts that will be paid will be paid by large corporations who at one time got large tracts of land for next to nothing and who probably in a way deserves to be taxed on this, because when they originally acquired it or it was given to them, it cost them very little. Since then the investments have grown to an enormous amount and therefore we could justify and say well because it was given to them almost free, for next to nothing and it has grown to a large investment that the public is entitled to get some revenue and get a share of the proceeds from that investment. I don't fault the government that they are doing this. As the Minister says, it's being done in other provinces. I won't be too critical of it but at the same time I have certain reservations on it.

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

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MR. SPEAKER: Proposed motion of the Honourable Minister of Labour. The Honourable Member for Lakeside.

MR. ENNS: . . . leave to have this matter stand, although I do not object to any other member speaking at this time. I understand my leader wishes to speak at this time. Thank you.

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

MR. SPIVAK: Mr. Speaker, it's rather late in the proceedings this week, it's rather late in the session and although there seems to be still a lot of vigor on the part of the Minister of Labour to - well who says that he's the oldest man and the most vigorous. We are dealing, Mr. Speaker, with an issue that is important, an issue that has already been discussed by the leader of the Liberal party and by the Member for Inkster and I'm sorry that both of them are not in their seats because I do want to address a few remarks to them.

Mr. Speaker, I'll open my remarks by suggesting that the members on the opposite side, that is the government up to this point have not proved a case to support the passing of the bill. This is a rather unusual situation. We've seen brilliant demonstration of debating techniques by the Member for Inkster as he demolished the Liberal Leader's presentation; but having done that he did not in any way make an adequate, valid, substantive presentation for the need for a change in Manitoba of the basic way in which labour relations have been handled. Secondly, Mr. Speaker, we had the Minister of Labour who piously stood up, made a few remarks and sat down, and seemed to think that all that is necessary is the numbers behind him who can ram through this bill in the next few days and that is all the justification that's required for this bill to be considered by this House and by the people of Manitoba as being a progressive and adequate and better measure than we have today.

Now, Mr. Speaker, the Honourable Member for Emerson made a presentation, to date the members of the opposite side have done nothing to meet that presentation, and I must say, Mr. Speaker, the reason that they haven't is because they are satisfied that what they're going to do is they're going to put it through no matter what happens, no matter what kind of public opinion or reaction occurs, because you know they know it's right - and you know why they know it's right? - because they know it's right. Mr. Speaker, I accept at the very beginning that the members of the opposite side had a bias towards labour, and I see nothing wrong with it and there is no problem with me on that and I accept that, their orientation is towards labour. The Honourable Member for Logan spoke as one who's been involved in the union movement. The Honourable Member for Inkster has certainly been a solicitor for the unions and I understand and I accept the fact that there is a particular bias and there is nothing wrong, everyone has biases and there should be an acknowledgment of that. But having said that, that doesn't mean that that particular bias gives them any better right to basically impose on the people of Manitoba a proposal that may not necessarily be better than what we have now.

Now, Mr. Speaker, the Honourable Leader of the Liberal party - and I only want to spend a few moments on his speech - and again I'm sorry that he's not in this House - because his speech only really warrants a few moments. If you eliminate the clichés of moderation, good will, new bold steps, consolation by their assurances, price expansion, repatriate control, democratization and grapple with the real problems of the workers, if you eliminate all of that, you find almost the preposterous statement that the bill that has been proposed has really come from the ideas generated by the Liberal Party over the last period of time and particularly by the Liberal Leader. And, Mr. Speaker, I have to say it's preposterous, because I accept the fact of the Honourable Member from Thompson who suggested that the backbenchers, and that he along with the Member for Inkster and the Minister of Labour, were responsible for drafting that and were responsible for a number of the ideas that have been generated here. Mr. Speaker, I'm one who believes that had the Liberal Leader been living before the Bible had been written he would have been able to take credit for many of the passages by saying that these were his declarations and that he in fact had made these forecasts.

Mr. Speaker, before we begin the debate, or my debate, it's interesting to note what the present Minister of Labour has said in the Annual Reviews of the department which he has tabled in this House as to the state of labour relations in this province. And I'd like, Mr. Speaker, to quote from the 1970 Annual Report of the Department of Labour on discussing Industrial Relations in the Minister of Labour's report when he says: "For several years the province has been relatively free of industrial conflict and has had one of the best collective bargaining records in Canada. This was maintained in 1970. There were several hundred negotiations entered into by labour and management during that year and all but a few were settled without

(MR. SPIVAK cont'd.) work stoppages occurring." Mr. Speaker, that was in 1970 and the Honourable Minister of Labour presented the report of the Department - the Annual Report of 1971 - and, Mr. Speaker, he said: "Collective bargaining trends and the basically sound state of labour-management relations under the province's jurisdiction which have characterized industrial relations in Manitoba this last decade were maintained in 1971."

So, Mr. Speaker, we have the acknowledgment by the government that labour relations have been essentially stable, that labour relations essentially have been good, that the process of collective bargaining and the involvement of government has worked. So, we have the admission by the government that in effect conditions are not so bad, in fact if we really - and I did not delve into that, but I am sure that the Minister would acknowledge that on various occasions he's probably said publicly that we've had the best labour relations in Canada. And we've had it in Manitoba.

Well, Mr. Speaker, as a result of this act are we going to make it better? And of course the Member for Inkster automatically says, yes. But you know I'm one who has to say to him - and I admit quite freely that I do not have the experience in the labour relations field but I do have some experience in business and I acknowledge, and I'm sorry he missed that, that there is a particular bias on the part of the people opposite to labour and I have no objection to that - but I have to say to him that he saying that it is going to be better doesn't make it in my opinion better and the very substantial argument that has to be presented from this side is essentially this. That you have not proved your case, not one iota have you proved your case. You have not indicated that we are going to make it better just because we announced a new concept in the Speech from the Throne and now we have a draft before us in a final form of a bill two weeks before the session's going to be finished which we are going to have to live with and we are going to have to deal with. --(Interjection)-- It's not finished, it's not finished, Mr. Speaker, but let me tell you this. That the Minister of Labour has attempted, quite properly as House Leader, to try and get us to give some agreement that he can get it through so it can go to committee, so we can finish with committee, so we'll get it into third reading, and so who are we kidding? I mean let's call a spade a spade, let's not be silly about this. This is being rammed through in a couple of weeks deliberately; it's been brought in at the end; it's a major piece of legislation, and if you really review those pieces of legislation that have been introduced by the government this is one of its major ones. So, Mr. Speaker, let's at least be honest with each other, this is brought at the end and it's brought at a time when in reality it will be very difficult for any public opinion to be mustered to be able to present an intelligent view of the consequences of this act. So, Mr. Speaker, I don't think we're going to make it better by the process that is taking place right now. I don't really believe that the kind of debate that has occurred is making it better and I don't think that the bill in itself passing this way will make it better. Now, Mr. Speaker, I don't think it makes it better by the Premier's statements which were made after the Minister of Labour had his press conference giving the detail when he said: "Manitoba won't trade off with the rights of its labour groups for new industrial expansion" - which to a certain extent sounds like some of the statements that the Honourable Member from Crescentwood made last night with respect to the whole question of economic growth and the crude growth concept that has gone back and forth.

Mr. Speaker, our problem in Manitoba is not the terms of relationship between labour and management or the terms of employment; our problem in Manitoba is to have the availability of employment. I want to make that clear again, Mr. Speaker, our problem in Manitoba is to have employment, to have employment available. From the Minister's own words and from the reports that he's presented we have no problem in Manitoba with respect to the terms of employment. So in effect we have to understand realistically, are we really going to make it better or not? And we have the words of the First Minister: "Labour rights too big a price to pay for industry." Where? In Manitoba? So far? It's not contained in the Department of Labour's statements, certainly not contained in the statements of the Minister of Labour. Now, Mr. Speaker, I don't think we improve our situation in Manitoba by allowing vital services to strike. I just don't think that the bill which would allow this is a more progressive or better bill or makes our situation better in Manitoba and again, Mr. Speaker, I say the onus is on the members opposite to prove their case to us and at this point they have not.

Now, Mr. Speaker, I'm not sure that we have a better situation that has been created by increasing the area in which both union and management can negotiate sort of free from government interference, but at the same time removing the freedom of the individuals to bargain with

(MR. SPIVAK cont'd.) the union or remain outside the union. And I'm not sure that the situation that is being proposed can be considered as better than the situation we have. Now, Mr. Speaker, had the government said this is a White Paper, we have been studying it; we have a proposal that is radical; we have a proposal that should be considered; we want it considered between the committee in between sessions and we will bring in the bill - the members on this side would have agreed to that procedure. It has been done - Consumer Protection - it has been done on other issues.

Mr. Speaker, I want to take an issue which is of concern to everybody on the Order Paper right now dealing with the resolution setting up a committee to study aid, and I want to try and apply the rationale and the arguments that have been presented on that to this particular situation. --(Interjection)-- I will. The Minister of Labour in answer to the questions as to whether he'd be prepared to consider this matter going for a committee for a period of study from this session to the next said: "We have been studying this problem for a hundred years, and we know we have been studying this and this is what we have developed and the matter's been before us for a hundred years." Mr. Speaker, the First Minister said, "In the situation with aid, it's been before us for 80 years and I want it referred to a committee." And he is going to have a substantial support of the members opposite who are going to be prepared to allow an issue that has been before us for 80 years - which is not resolved and which he hasn't resolved - to go to a committee. Now, Mr. Speaker, in reality this issue hasn't been before us for a hundred years and in the Minister of Labour's own inimitable language that remark is poppycock. This issue is before us for two weeks, the propositions that are here have only been presented; they have obviously been considered by the members opposite for some time. There is no doubt that in the drafting of the legislation there has been probably more serious consideration than in the drafting of other legislation that I can see, not only because of the nature of the terms that are involved but even in terms of the legal language in which it has been drafted. So, Mr. Speaker, the matter may have been before the honourable members for some time, but it has only been before us and before the people of Manitoba only for the last three weeks or two weeks - two or three weeks; Mr. Speaker, two weeks, three weeks. And, Mr. Speaker, whether it's two weeks and two days or three weeks, don't suggest to me that it's been with us for any substantial amount of time. And I must contrast the remarks of the Honourable Minister of Labour - who piously stands up and says this issue has been with us for a hundred years, and that we can't let it go to a committee, we have to ram it through - to the statements of the First Minister who says that the aid issue has been with us for 80 years and I now would like to refer it to a committee and out of this we may get something better than what we have.

Now, Mr. Speaker, I want to repeat again that the issue in Manitoba is not the terms of employment but the availability of employment in Manitoba, and our concern has got to be consistent with the basic thrust of the government to see to it that unemployment in Manitoba is kept to its lowest level, to tolerable levels, that there are job opportunities for people all over. And this is what we should be addressing ourselves to. --(Interjection)-- Well the Honourable Member from Crescentwood yesterday said that free collective bargaining as envisioned in this act is a milestone and he made a comparison to the CCF's introduction of hospitalization and medicare and I think to auto insurance as well. Well let me just talk about that comparison as far as auto insurance is concerned. When auto insurance was introduced in Saskatchewan 14 percent of the people were covered and I think I'm correct, 10 percent, less than 14 percent - that will satisfy the Minister of Municipal Affairs. You know, we've progressed a great deal in this province, as witnessed by the state of labour relations in this province; as witnessed by the statements of the present Minister of Labour, other Ministers of Labour, of both management and union - and in the co-operative way in which they have worked together with government, and I suggest to you that our situation is in no way comparable to the Saskatchewan situation with respect to auto insurance.

Mr. Speaker, the logical extension of free collective bargaining if there was not some checks and balances in this act, the logical extension would obviously be chaos. It has to be, just as the logical extension of the free marketplace, if we didn't have checks and balances that government became involved in would be chaos as well. So government must impose conditions, both on the free market and government must impose conditions as it has in this bill on the negotiation between the management on one side and labour on the other. And, Mr. Speaker, we have a harmonious state in Manitoba; we are going to move into a situation where we may have what can develop into a thinly veiled chaotic state, and the government says that we are doing

(MR. SPIVAK cont'd) this because we want to step out of the position the government is in and allow the personnel to be able to deal and negotiate freely by themselves. But on the other hand we put the following conditions; Automatic check-off, certification by 35 percent, a number of other conditions, Mr. Speaker. Now, Mr. Speaker, the basic assumption that the government has presented is that the union in all cases is the perfect and ideal representative of each of its individual members. Now if you make that assumption, and it's only if you make that assumption can you be satisfied with the Honourable Member for Inkster's statement on free collective bargaining. He made a comparison between a buyer and a seller, between a lawyer and a client relationship in which individuals directly participate. Mr. Speaker, in labour and union collective bargaining the workers participate only through the medium of the union and by his own admission the union may only represent 35 percent of the workers. Mr. Speaker, the Honourable Member for Inkster in his address stated that there really are only two parties, there's management and labour - and the assumption that there is also a third party called the public is not true, because management and labour are public.

MR. SPEAKER: The Honourable Member for Inkster.

MR. GREEN: Mr. Speaker, he made the remark that I said that the union need only represent 35 percent, I don't believe I made that . . .

MR. SPIVAK: No, I never said that. No, I'm sorry. What I said is that the Honourable Member for Inkster . . .

MR. GREEN: By his own admission.

MR. SPIVAK: My Honourable Member for Inkster . . .

MR. GREEN: By his own admission said that they only need representation . . .

MR. SPIVAK: No, Mr. Speaker, I did not, and if I did in that terminology I did not mean it. What I simply said is that it's based on the assumption that the union is the perfect and ideal representative of each and every worker even though it may only represent 35 percent.

But I now want to go to the Member for Inkster's statement with respect to management, labour and public. He said management and labour are public, so therefore the public interest is represented. And he made the comparison, Mr. Speaker, by attempting that they should be in the same position as everyone else. Mr. Speaker, I have to suggest to you that there really are four sides; there's management, the union, the workers and the public. --(Interjection)-- Well you know, we're going to go through the logical extension, I would say management at this point is owner --(Interjection)-- Union and workers are not. They are different, yes, and I want to say, Mr. Speaker, and I want to point out something. The Honourable Member for Inkster would like to sort of disassociate the public's interest in what is taking place between the worker or the union and management. But, Mr. Speaker, the government becomes involved between a company and its client when their activities will in fact affect the public interest, and a company who sells goods to a client which will cause pollution will need the public's representation to stop that pollution.

Mr. Speaker, we had a situation in Brandon, why should the public be concerned about an imposter who represented himself to be a professor and had a relationship with his students - a business relationship - and which allowed the public to say to the imposter, you can't do what you did because you are misrepresenting what you were doing and even though that relationship was freely made, freely made, even though that relationship was freely made the government interfered. --(Interjection)-- Now the Honourable Minister of Finance says, you follow that, I can't. The Member for Inkster said specifically that free collective bargaining is the most important thing, it puts everyone at an equal status; that management and union are the two people involved and that the public interest is protected because it's management and union; because they're no different than the individual purchaser and vendor, the individual lawyer and client. And I'm suggesting to you, Mr. Speaker, that we have set rules and standards and we do have a public interest and we are involved, because notwithstanding what may happen between a purchaser and a vendor, if it involves the issue of pollution, we're going to enact a law for it and we're going to see to it that the public interest is protected; and if it involves a relationship between an imposter who represents himself as a professor and his students, we are going to protect the public's interest and become involved.

Mr. Speaker, there are four elements and four sides and their workers are involved as well. Now government certainly has an interest in seeing that harmonious labour relations continue to be maintained in this province. Government has to protect the interests, the workers interests, insofar as their individual interests may diverge from the interests of the

(MR. SPIVAK cont'd) union. Mr. Speaker, the Honourable Member for Inkster said and I quote: "There is no way you can make a case that management and labour are not public." That is a quotation, and I suggest, Mr. Speaker there is no way that you can make a case that the public does not have an interest in what happens between management and labour.

Mr. Speaker, we have stated publicly and we state again that if this bill is good for the workers, we will support it. The onus, I suggest, is on the part of the government to prove that it will provide direct benefits to the average working man and, Mr. Speaker, they must take whatever time is necessary to administer the proof. The very glaring example of the question of protection of the public interest comes into the definition of essential services of those services that we consider are vital, and this I believe is one area that has not been answered, Mr. Speaker, and I want to repeat it again. The Honourable Member for Inkster will be back, that's fine.

Mr. Speaker, the Honourable Member from Emerson when he spoke indicated that it is our opinion that there is a distinction between essential and vital services and I must say that it will be our intention - and the Honourable Member for Thompson said the same thing. He wasn't prepared to acknowledge the various categories that the Honourable Member from Emerson expressed, but I must say, Mr. Speaker, while there may be difference as to the exact categories of vital services, there's a general agreement there are some vital services in which it will be in the interest of the public as a whole to see to it that a strike is not allowed. And we intend to introduce that by way of an amendment, and we intend to find out whether the government is prepared to support that position or not. --(Interjection)-- Well, Mr. Speaker, I don't know if the Honourable Member for Crescentwood really speaks for the government today or not, it's hard to say when he does speak for them and when he doesn't speak for them. --(Interjection)-- This measure you do. Well, Mr. Speaker, if strikes are prohibited in vital services, and we believe they must be prohibited in vital services that does not condemn workers to slavery.

And I, Mr. Speaker, have just a few remarks about the Honourable Member for Crescentwood's statement yesterday where he said that the public in Manitoba have been blinded by some of the more spectacular strikes in the vital service field and he said that's not necessarily a permanent phenomenon, I think those were his words - not necessarily a permanent phenomenon. You know, Mr. Speaker, from a member of his supposed erudition, that statement is really phenomenal.

Mr. Speaker, the public has an interest in the vital services in this province and I must tell the honourable members opposite they are not going to stand for a government that is going to allow those vital services to be allowed to strike so that there will be danger to life and to limb and to health. And I say that to you and I repeat it again, if the members opposite really think that the people in -- they're mistaken and they'll find out. Mr. Speaker, there are vital services that are essential and required in our modern society today, there is going to have to be an acknowledgement that they have to be identified and we may have some difficulty in identifying them. The Honourable Member for Thompson wasn't prepared to agree with what we had talked about and I must say that we are still very open in terms of even the ones we've suggested and there may very well be others to be included or even others from our list that should be excluded. But don't members on the opposite side believe that the people in Manitoba are prepared to allow strikes in vital services to take place in this province and the phenomenon that's occurred in other areas to take place in Manitoba as well; they are not. And those on the opposite side who believe them will find to their sorrow if they pass this bill in the manner in which they are intending to do it now. The Honourable Member from Thompson has expressed that opinion. Not very many times do you listen to him, but I suggest in this one you better listen to him.

Mr. Speaker, we now deal with the principle, that 35 percent are sufficient to apply for certification --(Interjection)-- Not true? I've read the section, I read the section before I came here. You may have to amend it then, you may have to amend it, but I think I know what the section says and I think I know what the clauses say. And, Mr. Speaker, I have to ask the Honourable Member for Inkster, would he be prepared to allow 35 percent of this Assembly to agree on aid to private schools?

MR. SPEAKER: The Honourable Member for Inkster.

MR. GREEN: In interpreting the remarks the Honourable Leader of the Opposition made, I told my Minister of Labour that he did not say they are entitled to certification, they can apply for certification. You are now asking me whether 35 percent are entitled to apply or to be certified? Because there is a difference.

MR. SPIVAK: Mr. Speaker, I am asking the Honourable Minister or Member for Inkster - I may be a little bit ahead of myself by saying Honourable Minister at this point - I am asking the Honourable Member for Inkster whether he would be prepared to have 35 percent of the members of this Assembly -- Mr. Speaker, I wonder if he's prepared to have 35 percent of the people of this Assembly support and vote aid for private schools? --(Interjection)-- Of course not, Mr. Speaker, I wonder if the Honourable Member for Thompson would want to have 35 percent of members of the Assembly . . .

MR. SPEAKER: Order, please. Would the honourable member address himself to the microphone so I can hear him too.

MR. SPIVAK: I wonder if the Honourable Member from Thompson is prepared to have 35 percent make the rules that will apply with respect to abortions. --(Interjection)-- Mr. Speaker, may I, Mr. Speaker, read the section, I think I may so the honourable members opposite --"Where a union applies" --(Interjection)-- I did. "Where a union applies to be certified as bargaining agent for employees in a unit, and the board has determined that a unit of employees is appropriate for collective bargaining, (a) if the board is satisfied that at the date of filing of the application more than fifty percent of the employees in the unit were members in good standing of the union, the board may order a vote to be taken to determine the wishes of the employees in the unit as to the selection of a bargaining agent for them; (b) if the board is satisfied that, at the date of filing of the application, more than thirty-five percent but not more than fifty percent of the employees in the unit were members in good standing of the union, the board shall order a vote to be taken to determine the wishes of the employees in the unit as to the selection of a bargaining agent; (c) if the board is satisfied that at the date of filing of the application not more than thirty-five percent of the employees in the unit were members in good standing of the union, the board may order a vote to be taken to determine the wishes of the employees in the unit as to the selection of a bargaining agent for them."

Mr. Speaker, the next section, "Where a union applies in accordance with this Act to be . . ."

MR. SPEAKER: Order, please. I did allow a certain amount of latitude in respect to debate but I do think our rules call for debate in principle and not clause by clause which the honourable member's proceeding to do now.

MR. SPIVAK: Well, Mr. Speaker, I'd like to read the next section, I think this is pretty pertinent. "Where a union applies in accordance with this Act to be certified as bargaining agent for employees in a unit of employees of an employer, after considering whether the unit is appropriate for collective bargaining; the number of employees in the unit who are members of the union; the wishes of the employees in the unit as to the selection of a bargaining agent, whether expressed by way of vote, petition or any other manner; any other matters that seem to the board to be relevant to the matter before the board; the board may certify the union as bargaining agent for employees in a unit of employees of the employer or dismiss the application and refuse to certify the union." And there's no requirement for 50 percent here, there's no requirement for 50 percent, Mr. Speaker. --(Interjection)-- Where do you see 50 percent? No, it's not in the Act. Where do you see 50 percent here? Mr. Speaker, I am suggesting to you --(Interjection)-- I fell into it, I fell into it.

Mr. Speaker, 35 percent is the factor that is applied here and I suggest again in our sort of democratic society the Honourable Member for Inkster would never apply a 35 percent factor to anything, not in this Assembly with respect to any wish that may occur. And as a matter of fact, Mr. Speaker, let's be practical and apply the logic of the Member from Inkster and let's go to the aid issue. Is he prepared to accept 35 percent for a committee to be set up, 50 percent for the legislation that may be introduced? I don't think so.

Mr. Speaker, the act also deals with the problems which --(Interjection)-- Mr. Speaker, the Honourable Minister of Labour can and will have an opportunity to answer in the debates that occur and in the committee but I suggest he should read his own act.

Mr. Speaker, there is a presumption of guilt onus in this bill and it's interesting that when the remarks were made -- and I'm not sure whether it was the Member for Thompson who made those remarks and I think he did when he talked about the particular sections that he was concerned about in the act. The Honourable Minister of Labour from his seat - and I don't think it would be reported in Hansard - said "well, the boot is on the other foot." That's what he said, the boot is on the other foot, and that was his answer to the question of presumption here and in the question of the onus sections. Surely, Mr. Speaker, if we're going to have new

(MR. SPIVAK cont'd) legislation that is supposed to create harmony between management and labour, between management and unions and between the workers in his employ, we must recognize that there should not be a position where the onus sections are put in almost in a way which suggests a vendetta, but rather should be put in such a way that there is protection for the worker, and surely the manner in which the Labour Board operated before and the way in which complaints were dealt with was, if not adequate, was at least the form in which this should have been dealt with. And if in fact some stronger teeth had to be put into that particular section surely it should have been applied in this particular section itself.

Mr. Speaker, the basis on which any new labour law should be introduced is that the interests of both management and labour should be protected so that they have the same impartiality before the law or before whatever legislative guidelines have been set up by the members in this Assembly. And, Mr. Speaker, it is only logical as a result of the whole history of labour legislation that if something is to be brought forward which is supposed to be better than what we have, notwithstanding all the concerns of the past, notwithstanding all the objections that labour may legitimately have had to the position that it's been put in, notwithstanding all the rancour that has occurred, what we should be doing is bringing forth some kind of legislation which basically brings the interests to an equality and to harmony. And by the very words of the Minister of Labour, who says we're going to put the boot on the other foot, we have essentially ignored that.

Mr. Speaker, I want to talk just for a few moments on the issue of technological change. Mr. Speaker, the question of technological change is really modern rhetoric. Its language, what does it really mean? I don't think anyone knows what it means. Does it mean as an example in the soft drink plant where you now go to a lift truck instead of hauling it by hand, that's a technological change? Does it mean where you have people in an office who were using hand-written accounting methods and now you get a bookkeeping machine, that's technological change? Does it mean -- and the honourable members opposite said, yes, electrical typewriters, does that mean technological change? And surely if we're going to deal with this there has to be some kind of parameters set up by someone as to what we're talking about. The presentation is ambiguous and it's essentially at least a source of I would think continual and petty arguments in the years to come.

Mr. Speaker, the honourable members opposite say we want free collective bargaining and who are best suited to be able to determine what technological change really means in the industrial sector in which they are negotiating - the people involved, the people involved. -- (Interjection)-- Well the honourable member says the Censor Board. I'm not sure that the Censor Board is equipped for that, but I must suggest that if you suggest that you're going to allow the people to deal in freedom among each other then surely you can make the adequate presentation for technological change, but surely they are the best people to make the judgment as to what technological change really means in their particular industrial sector. Who's going to know that? The people who are actually involved, certainly not the people who are on the outside. And, Mr. Speaker, let me suggest to you, that that's the inconsistency with the position of freedom that the Member for Inkster has basically presented.

Mr. Speaker, the next item I'd like to deal with is the so-called sympathy strike which is referred to sometimes as the hot goods theory, suggest that the honourable members opposite are not protecting the public in Manitoba if they are going to allow essentially the domino theory to become involved with respect to sympathy strikes in this province, because what they are essentially saying by this act is that one strike can lead to another strike, to another strike and it will all be legal according to this act.

Now we went through an exercise where the Honourable Member from Inkster started with the International Unions to the National Unions to the Western Canadian Unions; I want to suggest to him that I will apply the same logic and the wording of this act would simply mean, and the intent of this act is that one small strike can start a whole series of strikes through the whole industry and we'll have the domino theory applied here and that's satisfactory and the public interest doesn't have to be protected. And the Member for Inkster says it's true. -- (Interjection)-- It could? Well, Mr. Speaker, I suggest to you that the public interest is not protected in that kind of a situation. Mr. Speaker, I suggest to you that it is not protected in that interest, and I would suggest, Mr. Speaker, as well that it's very difficult for members on this side to support essentially that theory without some kind of essential restriction that is legitimate and has some common sense applied to it.

(MR. SPIVAK cont'd)

Mr. Speaker, I would suggest that the Honourable Minister of Labour and the Premier and the members opposite are really afraid of public scrutiny of this bill. Mr. Speaker, I would suggest that the members opposite are really afraid of what four or five months study would mean to their concept. Mr. Speaker, I believe that the honourable members opposite could not withstand the arguments that would be presented from workers - I want to repeat that - from workers, from unions, from management in a committee that would be given sufficient time to be able to adequately prepare and deal with this bill. And, Mr. Speaker, the Honourable Member from Crescentwood can shout all he wants, and the Honourable Member from Winnipeg Centre can talk about they'll have a chance in the committee. You know, one thing, at least be truthful and be true to yourself. You know damn well that there is not going to be enough time for anybody realistically to be able to appear before the committee and to do the preparation that's required. Mr. Speaker, again I want to repeat, that I do not believe - well in fact I do believe that the government, the Minister of Labour, the First Minister and even the Member from Inkster are afraid, very much afraid of the kind of presentation that they would have to resist if the public both knew this bill and were prepared and able with sufficient time to make their presentations on the issues that I've just touched on; on the issues of technological change, on the issues of strikes in vital industries, on the issues of the onus sections, on the individual rights of the worker who could become unionized on this, on the issue of whether this will help further employment in Manitoba, whether this really will help improve the terms of employment. Mr. Speaker, I suggest that the government could not stand that, and the reason we have a situation where the government presents us a bill in the last two or three weeks of the session is because they want to ram it through, they want to get it through and they want to then believe that they've accomplished something which they think is better than what we have now.

Mr. Speaker, I'll complete my remarks by saying to the members opposite -- there is no way in which the members on this side are going to be able to support this bill, even to go to committee, and I'm going to explain why. We're not going to be able to support it because you haven't proved a case for need. We're not going to be able to support it because you've indicated that you're going to be bullheaded and stubborn -- and I use the Member for Thompson's words when we talk about being bullheaded -- because you're not prepared to allow it to go to a committee for study. You have not proved that labour conditions in Manitoba justify a major change or the kind of disruption that will occur. You have not justified the question of 35 percent with respect to certification. You have not justified the section that you have in the act which states that the result of a strike vote does not bind a bargaining agent or a union to a course of action in accordance with the results of the vote. You have not justified, Mr. Speaker, you have not justified, Mr. Speaker, - and I would like to repeat this again - the onus that is on you, not us, to suggest that what you are intending to bring in to improve labour relations will basically assist the vital issue with respect to labour that government must be involved in, and that is the availability of employment, not the terms of employment but the availability of employment.

So, Mr. Speaker, you can't ask us to pass this, not in this form, and if you believe the people out there are quite prepared to allow you as a government to give police, fire protection, those people involved in vital industries the right to strike so that they're lives will in fact be in danger then I think you're misreading the public mood very much.

MR. SPEAKER: The Honourable Member for Inkster.

MR. GREEN: The Honourable Leader of the Opposition is not the Member for Wolseley. I would ask him whether he is aware that the Labour Relations Act now, passed in 1966, the session before he got into the House, the result of a strike vote does not bind a bargaining agent or a trade union to a course of action in accordance with the result of the vote.

MR. SPEAKER: The Honourable Leader of the Opposition.

MR. SPIVAK: All right, let's now deal with that particular issue. The honourable members opposite have suggested that there will be free collective bargaining; the honourable members opposite have indicated that there is going to be a position taken which will allow, you know, an opportunity for individuals to be able to negotiate, management and labour, and now we are suggesting at this particular time that a union having taken a strike vote cannot in fact bind a bargaining agent in what is supposed to be a free situation in which the third party government is not now involved. It won't work, it won't work, --(Interjection)-- Well, Mr. Speaker, I wonder whether the members opposite really believe that they now having said that government

(MR. SPIVAK cont'd) is now involved that they are not going to now give the right to the workers themselves to determine themselves --(Interjection)-- Yes, that's what it's for. --(Interjection)-- Yes, all right. Now. The result of a strike doesn't bind a bargaining agent or union in a course of action in accordance with the results of the vote. --(Interjection)-- That's right. --(Interjection)-- Well, Mr. Speaker, then may I ask something. The bargaining agent then is not bound by the strike vote, that's what you're basically saying. Yet you're essentially saying that the government itself as a third party has no involvement in that. Are you not saying that as well? All right. Okay. The government has no third party involvement in this, it is simply union and management now negotiating and unions themselves are not bound by the wishes of their own members. That's what you're saying - and that you consider now is the improvement? Because --(Interjection)-- Yes, that was the law before but the law also contained an involvement in which there was third party interests on the part of the public. Well, it didn't, Mr. Speaker. --(Interjection)-- On a strike vote, a strike vote, not a strike. --(Interjection)-- Well, Mr. Speaker, if there's no change then I stand corrected, and I would be prepared, Mr. Speaker, to deal with this again.

All right, Mr. Speaker, again, I assume that the Honourable Minister of Labour's statements are correct, and he stamped the desk when he made his statement and I believe the First Minister did as well, that there's no way in which this is going to go to committee. Mr. Speaker, I must suggest that from our point of view we are going to deal with other items with respect to this matter, there are other particular sections that require study. If in fact we are not in a position to be able to ask the government to reconsider their position, to at least allow this to be considered a white paper and not to disrupt the state of industrial relations in this province, we are going to then be put in the position and we will move substantial amendments with respect to this bill and we must serve notice on the part of the government that it will be our intention to be very vigorous in our approach and not to be in a position to simply accommodate the wishes that they may have now or in the future with respect to the closing of the session. We are not prepared, Mr. Speaker, to allow this to simply be rammed through so that there will be a detrimental effect on the part of the people of Manitoba.

MR. SPEAKER: The Honourable Member for Crescentwood.

MR. CY GONICK (Crescentwood): Mr. Speaker, I'd like to ask the member two questions if I might.

MR. SPEAKER: Questions of clarification?

MR. GONICK: Yes, Mr. Speaker, could the Member from River Heights name a situation where the banning of strikes which he advocates has actually worked to eliminate strikes except in Nazi Germany? Is there one instance where this has occurred except in Nazi Germany successfully?

MR. SPIVAK: I wonder if the honourable member would repeat it. I'm sorry I couldn't hear because of the front bench.

MR. GONICK: Mr. Speaker, the question is, with the one exception of Nazi Germany, is there one case in recent history where a nation or a jurisdiction that has banned strikes has actually succeeded in eliminating strikes?

MR. SPEAKER: The Honourable Leader of the Opposition.

MR. SPIVAK: Mr. Speaker, I wonder if the Honourable Member from Crescentwood would speak to some of the people in Quebec and let them tell you what happened, the problems that they had when those people in the vital industries went on strike.

MR. SPEAKER: The Honourable Member for Crescentwood.

MR. GONICK: Second question, Mr. Speaker. Is the Member for River Heights and his colleagues willing as we are to sit for one week, two weeks, three weeks or as many weeks as required to hear briefs that are presented to the Committee on Industrial Relations?

MR. SPIVAK: Mr. Speaker, it is the most specious argument on the members opposite to suggest --(Interjection)-- I'm going to answer it, to suggest in any way that the introduction of this bill in the last two weeks and the coverage that has been given and the availability of people to be able to get the bill and to understand it and to know the full effect, that we are in any way capable of having sufficient public representation to be able to adequately deal with this bill. --(Interjection)-- Yes, they won't be there, and I'll tell you why they won't be there. They're on holidays, they don't even know what's happening, this has only been a minor part at the end of the session, and I suggest to you that realistically neither management or the workers were --(Interjection)-- management or the workers, yes, I'll make the valuation that the

(MR. SPIVAK cont'd) workers in this province have no idea of what this bill really means to them. Not at all, not at all. And I'll suggest to you that we'll support something that will help the workers but there is nothing in this bill that we can be sure of, because all you have done is cater to your own personal experience and your belief that you think you know better than anyone else and a few of the labour union leaders who you are attempting at this point to satisfy. But I suggest to you that you have never considered what the impact will be on the total economy of this province. You have no judgment at all as to what it will mean in the lack of expansion in the existing industries, and what you're essentially doing is trying to ram something through.

Mr. Speaker, I am prepared, and we are prepared to have this presented to committee where there can be an opportunity for reasonable discussion over a period of time; and that's what was required, that's what a common sense arrangement would be. But you're not prepared for common sense at this time.

MR. SPEAKER: The question shall remain in the name of the Honourable Member for Lakeside, as adjourned.

MR. PAULLEY: I didn't know if the Honourable Member for Rupertsland might have had a question, Mr. Speaker. --(Interjection)-- No? Pardon? --(Interjection)-- You're just resting your brain, are you? Good.

Then, Mr. Speaker, I beg to move, seconded by the Honourable Minister of Finance that the House do now adjourn and stand adjourned until 8 o'clock this evening.

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