

LEGISLATIVE ASSEMBLY OF MANITOBA

Monday, 28 July, 1980

Time — 8:00 p.m.

OPENING PRAYER by Mr. Speaker.

MR. SPEAKER, Hon. Harry E. Graham (Birtle-Russell): Presenting Petitions . . . Reading and Receiving Petitions . . . Presenting Reports by Standing and Special Committees . . . Ministerial Statements and Tabling of Reports . . . Notices of Motion . . . Introduction of Bills . . . Oral Questions Orders of the Day.

COMMITTEE CHANGES

MR. SPEAKER: The Honourable Member for Gladstone.

MR. JAMES R. FERGUSON: Thank you, Mr. Speaker. I have some changes in Committee before Orders of the Day. On Statutory Regulations and Orders, I would like to substitute Mr. Blake for Mr. Minaker, Mr. Brown for Mr. Jorgenson, Mr. Mercier for Mr. McKenzie; and on Privileges and Elections, Mr. Kovnats for Mr. Driedger and Mr. McKenzie for Mr. McGregor.

MOTION presented and carried.

ORDERS OF THE DAY REPORT STAGE

MR. SPEAKER: The Honourable Government House Leader.

HON. GERALD W.J. MERCIER (Osborne): Mr. Speaker, would you call Bill No. 97.

BILL NO. 97 AN ACT TO AMEND THE CITY OF WINNIPEG ACT

MR. SPEAKER: Shall the Report of the Committee with respect to Bill No. 97 be adopted? The Honourable Member for Inkster.

MR. SIDNEY GREEN: Mr. Speaker, I believe I have an amendment. I move, Mr. Speaker, seconded by the Honourable the Member for St. Johns, that Section 7 of Bill 97 be struck out and the remaining sections of the bill renumbered accordingly.

MOTION presented.

MR. SPEAKER: The Honourable Member for Inkster.

MR. GREEN: Mr. Speaker, I am not sure whether the members of the Conservative Party are aware of the import of this section. I am also, Mr. Speaker, quite confident that nobody in the government has requested this amendment. This amendment, Mr. Speaker, would make it impossible for a person to challenge the existing mayor, if he is a member of

the council of the city of Winnipeg, without running the risk of forfeiting his seat and, Mr. Speaker, I suppose that that's not serious, that a person can forfeit his seat and therefore no longer serve on a municipal council unless he succeeded. What is serious, Mr. Speaker, is that that person would be lost to the citizens of Winnipeg, who might have wanted him to serve as a councillor even if he didn't serve as a councillor. Indeed —(Interjection)

MR. SPEAKER: Order please. I find it very difficult to listen to the Honourable Member for Inkster. I would hope all members accord him the courtesy of his remarks.

The Honourable Member for Inkster.

MR. GREEN: Mr. Speaker, I appreciate the fact that members are tired. I appreciate the fact that at this stage they are not interested particularly in hearing long speeches, but the fact is, Mr. Speaker, and I note that some of my city members are not here at all, but the fact is that this particular section is a very important one. We all heard the First Minister get up earlier in the session and say that we want to attract capable people to public life. I would imagine, Mr. Speaker, that it's the capable people who would either be urged or would feel willing or ambitious enough, if that's a bad word, to wish to take what is known as the head job in the city of Winnipeg.

One such person, Mr. Speaker, was the present mayor of the city of Winnipeg, Bill Norrie. Mr. Speaker, when Bill Norrie ran for mayor, and Bob Steen, he ran with the knowledge that if he was not elected as mayor, he could still be elected as a councillor of the city of Winnipeg and I'm sure, Mr. Speaker, that made him feel less worried about entering the race and, Mr. Speaker, I think it made the citizens of Winnipeg feel better. I think the citizens of Winnipeg profited by the fact that there was a more outstanding mayoralty contest in the last two elections, by virtue of the fact that councillors were willing to present themselves and not be disqualified from serving on council because they happened to lose.

So what will be the effect of this amendment, Mr. Speaker? Bill Norrie ran for mayor on the basis that he need not lose his seat if he entered the race. The next person, whoever it may be, whether it be ICEC or a member of the other group, who runs for mayor against Bill Norrie must, Mr. Speaker, put himself in the position that Jack Willis was in. Jack Willis was a chairman of Metro Council. He was regularly elected, and I believe he was a Conservative — he was a Conservative. He was regularly elected to Metro Council. When we brought about the unification of Greater Winnipeg, we had the old rule which said that a person could only run for mayor if he was not running for council. Jack Willis pitted himself as against Steve Juba, lost, which is perfectly acceptable, that can happen to anybody in the game, and as a result, Mr. Speaker, he was lost to the municipal council. Who gained by it, Mr. Speaker?

The fact is that I am quite certain, and I heard it said, that we are asked to pass this section because

it was requested by the municipal council. Mr. Speaker, I am quite amenable to saying that I am willing to pass things that are suggested by the municipal council which has to do with the operation of the council. If they said that they wanted to eliminate certain committees, or they didn't want to be rigid with regard to boards of commissioners, Mr. Speaker, I for one would be amenable to taking their position in that connection, rather than our position, because our position was to set it up to start, and from then on, the way in which the council operated, as far as I'm concerned, what the councillors say is of utmost importance.

But as to who should be elected to municipal councillor, the last people that we should be asking are the councillors themselves. What we are bound to do, Mr. Speaker, is see to it that the city of Winnipeg has good government and that the form of government is not prejudiced by the fact that councillors themselves are setting up the rules as to who may run and who may not run.

Mr. Speaker, we're going to be doing this several times during the evening and tomorrow, but I am looking at the members across the way and I am asking them why they would want themselves to be bound, why the government would want their members to be bound, why there would not be a willingness to have this matter proceed, not as a matter of government policy. And that's why I asked the question of the Minister of Economic Development the other day, is it Conservative policy? Mr. Speaker, it never was Conservative policy. It wasn't Conservative policy when we dealt with it in the House when the section was passed. There were all kinds of votes on this subject, Mr. Speaker, and I am asking the members of this House to look at this section, to compare what they gain, to assess what they lose, and to reject that part of the bill which would prevent, Mr. Speaker, the very thing that has resulted in the mayoralty today, the mayoralty when it was contested in the previous election in which the late Bob Steen ran.

I am suggesting, Mr. Speaker, that there is absolutely no harm in permitting a person to run for a council seat and to run for the mayoralty, and if he is elected and feels he wants to resign, as Mr. Norrie did, nobody will stop him. If he is elected and still feels that he can serve as a councillor, as do all members of the front bench, who serve as Ministers of the Crown and as MLAs for their constituencies, that that should be their right, Mr. Speaker, and the people who will gain by it are all the people in the city of Winnipeg. I would therefore appeal to my honourable friends, I would appeal to their reason, that this amendment is something which they can easily vote for without feeling that they have in any way broken ranks from the government on a matter of any critical importance. And if the government lines them up on this type of question, Mr. Speaker, it will make itself much weaker in the future, because you can't line people up on a thing like this and get them to vote in that way, and expect them to continually vote on such questions where it was completely unnecessary for members to be lined up on any government position, because it never was a position of the Conservative Party.

On this question, Mr. Speaker, it should be just as it was on Sunday hunting. When I introduced Sunday

hunting legislation from the seat now occupied by the Member for Lakeside, several members of the Cabinet got up and voted against it on that particular clause, and it didn't in any way, Mr. Speaker, hurt my feelings; it didn't pass, and I still think it was wrong. It absolutely should be the right of working people to use their Sunday afternoon as they see fit. But we did it, Mr. Speaker, and it didn't hurt us. I am suggesting to honourable members that on this question that they not be led either by the city of Winnipeg councillors, who might be trying to eliminate competition, or by any rigid position on the part of the government, which is completely unnecessary in a circumstance of this kind.

MR. SPEAKER: The Honourable Attorney-General.

MR. MERCIER: Mr. Speaker, let me just briefly reiterate comments at committee. This section has not worked, Mr. Speaker. The mayor serves in a different position on a municipal council than a member of this Assembly does, who also serves as a Cabinet Minister. A member of council is required to attend and provide a forum at community committee meetings on a very regular basis, Mr. Speaker, and it's been found and determined that it was impossible for the present mayor, who is as diligent, I'm sure, as any mayor could be, to perform both his function as mayor and councillor at the same time. Mr. Speaker, I suggest that if he had not been elected a councillor in the fall election of 1977, that there would have been no different result in the mayoralty election in which he was elected mayor. For those reasons, Mr. Speaker, he could have still been there as a candidate, Mr. Speaker.

For those reasons, we cannot accept the amendment, Mr. Speaker.

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

MR. SAUL CHERNIACK: Mr. Speaker, I just want to comment that, as I recall it, Steen and Norrie ran against each other, and had this law been in effect, the people of Winnipeg, or the constituencies for which they ran as councillors, would have lost them as councillors and they may have been lost altogether to the city. I think it's a pity, and I think what is trying to be salvaged is minor, at most. What they're looking for is to save a by-election. If that is the desirable thing, Mr. Speaker, then we have two at the last provincial by-election who would have had to resign in order to run here in the same comparable situation. I think that it's a poor amendment to bring in for purposes of convenience, I suppose, or neatness, and I think it's undesirable. I think that a mayor could indeed represent a constituency, but he has the absolute choice, if he chooses not to represent a constituency, to resign and then there can be a by-election and there's no great harm.

By-elections are pretty healthy, Mr. Speaker. They usually produce people from the opposition.

QUESTION put, MOTION defeated.

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

MR. SPEAKER: Does the honourable member have support? Call in the members.

Order please. The question before the House is the amendment that has been moved to Bill 97 by the Honourable Member for Inkster.

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

YEAS

Messrs. Adam, Barrow, Bostrom, Cherniack, Corrin, Cowan, Desjardins, Evans, Fox, Green, Hanuschak, Jenkins, Malinowski, Miller, Parasiuk, Pawley, Schroeder, Uruski, Uskiw, Walding, Mrs. Westbury.

NAYS

Messrs. Anderson, Banman, Blake, Cosens, Craik, Downey, Driedger, Einarson, Enns, Ferguson, Galbraith, Gourlay, Hyde, Johnston, Jorgenson, Kovnats, MacMaster, McGill, McGregor, McKenzie, Mercier, Minaker, Orchard, Mrs. Price, Messrs. Ransom, Sherman, Steen.

MR. CLERK: Yeas 21, Nays 27.

MR. SPEAKER: I declare the amendment lost.

Shall the report of the committee on Bill 97 be concurred in? The Honourable Member for Fort Rouge.

MRS. WESTBURY: Thank you, Mr. Speaker. Mr. Speaker, I move, seconded by the Honourable Member for Crescentwood, that Bill 97 be amended by adding thereto, immediately after Section 11 thereof, the following section:

Subsection 88.1(2) added — 11.1, Section 88.1 of the Act, is amended by numbering the present section as subsection (1) and by adding thereto at the end thereof the following subsection:

Councillors voting on boards, commissions, etc.

88.1(2) No member of council who, while a member of council, is appointed by the council to be a member of a board, commission or other body, shall vote on that board, commission or body on any question affecting any mortgage, agreement for sale, lease, purchase, contract or dealing

(a) to which the member is a party; or

(b) to which a corporation of which the member is a shareholder is a party.

MOTION presented on the amendment and carried.

MR. SPEAKER: Shall the Report of the Committee with respect to Bill 97 be concurred in? (Agreed) Is it the pleasure of the House to adopt the motion? I declare the motion carried.

The Honourable Government House Leader.

THIRD READING

BILL NO. 97 was read a third time, by leave, and passed.

MR. SPEAKER: The Honourable Government House Leader.

MR. MERCIER: Mr. Speaker, would you call Bill No. 31.

ADJOURNED DEBATE

REPORT STAGE

BILL NO. 31

THE PUBLIC SCHOOLS ACT

MR. SPEAKER: Bill No. 31, the amendments thereto, Adjourned Debate, standing in the name of the Honourable Member for St. Boniface.

MR. LAURENT L. DESJARDINS: Am I allowed 45 minutes or 40 minutes?

MR. SPEAKER: Twenty.

MR. DESJARDINS: I am speaking for the party.

MR. SPEAKER: Order please. Is it the amendment that was moved by the honourable member himself, otherwise the honourable member has 20 minutes.

MR. DESJARDINS: Mr. Speaker, I just want to say that there is no reason for holding this bill anymore. I think the reason why this was amended has been taken care of by an amendment in committee and I think the Member for St. Vital might want to withdraw his motion. I'll let him speak for himself at this time.

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

MR. D. JAMES WALDING: In view of changes to another Act, this amendment would now appear to be redundant. I would ask leave of the House to withdraw the amendment.

MR. SPEAKER: Is there leave from the House to withdraw the amendment? (Agreed)

MR. SPEAKER: The Honourable Minister of Education.

HON. KEITH A. COSENS (Gimli): Mr. Speaker, by leave, I move, seconded by the Minister of Community Services, that Bill No. 31, The Public Schools Act, be now read a third time and passed.

MR. SPEAKER: Order please. The motion has not been put forward yet that the report stage be concurred in. Shall the report of the committee on Bill No. 31 be concurred in? Is there agreement? (Agreed)

The Honourable Minister of Education.

MR. COSENS: Mr. Speaker, by leave, I move, seconded by the Minister of Community Services, that Bill No. 31, The Public Schools Act, be now read a third time and passed.

MOTION presented.

MR. SPEAKER: The Honourable Member for Point Douglas.

MR. DONALD MALINOWSKI: Thank you, Mr. Speaker. So much has been said on both sides of this question, it is hardly possible to add anything new. Therefore, I would like to be very brief. We, in this democratic country, Mr. Speaker, believe that the people have the right to hold many beliefs. But, of course, we also believe that it would be better for our country and the world if, on certain important matters, we all shared the same belief. So, Mr. Speaker, we may think it would be better if the people all over the world believed in the same religion, but we must accept the fact that they don't. Quite often, Mr. Speaker, I think it would be better for this province, and as a matter of fact, for the country as a whole, if all Conservatives and Liberals held the same beliefs as we do in the New Democratic Party. But I must face the sad fact that it isn't so, at least not yet. Maybe, let's hope it will be in the future.

We are living in a world in which people believe in many different religions. Some people hold their religious convictions much more seriously than others. In accordance with their religious beliefs, or because of other convictions, many people seriously believe their children should be educated in certain private schools.

So, Mr. Speaker, if people wanted separate schools because they were opposed to the general curriculum of the public schools, or if they wanted to give their children the kind of education that would be harmful to the children and harmful to the community, we might raise strong objections. We would not want to spend public money for such a purpose. But, Mr. Speaker, the same curriculum is used in the private schools as in the public schools, so our main concern should be that the children in the private schools receive as good as an education at least, as those in the public schools. If the teachers in private schools are as well qualified as those in public schools, if the buildings and other facilities of the private schools are on a par with those of the public schools, we should not be too concerned over this issue of public versus private schools.

Mr. Speaker, if the people of all the different religious beliefs in this province insisted on having separate roads to travel, the Honourable Minister of Highways — I'm glad he's with us today — would have an impossible job before him. Having both private and public schools also creates some problems, I realize that, Mr. Speaker, but they are not nearly as great as the problem of unemployment or inflation which we have in our country. In dealing with this question, we must bear in mind the nature of our country, especially unity, Mr. Speaker. We are a country made up of many races. We have two official languages and many unofficial ones. We have more than one political party, and many people feel we should support private as well as public schools. All this requires a lot of tolerance.

Some day, in the distant future, Mr. Speaker, when all of us are gone, all Canadians may prefer to have only public schools, but for the present, there are large numbers of people who still believe that their children should be educated in certain private

schools. This is indeed part of their religious convictions. I, for one, respect their beliefs and their rights. Despite all the arguments I have heard, I don't believe there is too great a sacrifice involved financially or otherwise for the province to tolerate both private and public schools, but, whatever the cost may be, it is a small price to pay to assure to all members of the community their rights in this diverse, democratic society.

If the private schools serve their communities as well as do the public schools in the standard of education, there is no logical reason why they shouldn't receive public financial support. Therefore, Mr. Speaker, I have no difficulty in supporting this bill. Mr. Speaker, in many constituencies I deal with people of many religions. They are approaching me and they are discussing this matter concerning a private school education. As one greatly involved with people of my own religion, I know that many people have strong feelings to different views on the question before us, but whatever differences my constituents may have on this question of aid to private schools, those who elected me are agreed on the important questions, that the the New Democratic Party economic and social policies are best for this province.

On this point, Mr. Speaker, in our development it is much more important that Catholics, Protestants, Jews, Moslems, and people of all religions should agree on ways and means to end unemployment and inflation instead of fighting with this public school aid. It is more important that we agree on how to end poverty and distress in our country and the world. We can disagree on the question of private schools, Mr. Speaker, but it is of the utmost importance to agree on how to preserve peace in the world.

Mr. Speaker, on the matter of public aid to private schools, we can well afford to be tolerant. I appeal to my colleagues on this side, and to you fellows on the other side as well, to be more tolerant and also to support this bill.

Mr. Speaker, we should not allow this to be too great a diverse issue in our parties or in our province. Let's be together. Any education is good education and at the end of this session, again I am appealing to you, let's support it, let's give a chance to our constituents. Thank you.

QUESTION put, MOTION carried.

MR. PETER FOX: Ayes and Nays.

MR. SPEAKER: Has the honourable member support? Call in the members. The motion before the House is Third Reading of Bill No. 31.

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

YEAS

Messrs. Anderson, Banman, Blake, Brown, Cosens, Craik, Downey, Driedger, Einarson, Enns, Ferguson, Filmon, Galbraith, Gourlay, Hyde, Johnston, Jorgenson, Kovnats, Lyon, MacMaster, McGill, McGregor, McKenzie, Mercier, Minaker, Orchard, Mrs. Price, Messrs. Ransom, Sherman, Steen, Wilson.

NAYS

Messrs. Adam, Barrow, Bostrom, Cherniack, Corrin, Cowan, Desjardins, Evans, Fox, Green, Hanuschak, Jenkins, Miller, Parasiuk, Pawley, Schroeder, Uruski, Uskiw, Mrs. Westbury.

MR. CLERK: Yeas 31, Nays 19.

MR. SPEAKER: I declare the motion carried.
The Honourable Government House Leader.

MR. MERCIER: Would you call Bill No. 57, Mr. Speaker.

BILL NO. 57
AN ACT FOR THE RELIEF OF
INGIBJORG ELIZABETH ALDA HAWES
AND GEORGE WILFRED HAWES

MR. SPEAKER: Bill No. 57. Shall the Report of the Committee on Bill No. 57 be adopted? The Honourable Member for Minnedosa.

MR. DAVID BLAKE: Mr. Speaker, I beg to move, seconded by the Honourable Member for Crescentwood, that Bill No. 57, An Act for the Relief of Ingibjorg Elizabeth Alda Hawes and George Wilfred Hawes be amended,

THAT the 4th, 6th, 7th, 8th and 9th paragraphs of the preamble to Bill 57, being the paragraphs added to the bill by the Standing Committee of the House on Private Bills, be struck out.

THAT sections 1 to 5 of Bill 57, being sections added to the bill by the Standing Committee of the House on Private Bills be struck out, that section 6 of the bill be renumbered as Section 2 and that the following section be substituted for the sections struck out.

Application to extend time.

1 Notwithstanding any provision of The Limitation of Actions Act, and notwithstanding that more than 2 years have elapsed since the occurrence of the hereinbefore mentioned collision, injury, loss, expense and damage, the said Ingibjorg Elizabeth Alda Hawes of the Town of Selkirk, in the Province of Manitoba and the said George Wilfred Hawes, of the Town of Selkirk, in the Province of Manitoba, shall have 30 days from the date this Act comes into force to commence an action by statement of claim in the Court of Queen's Bench for Manitoba against the owners and drivers of the motor vehicles involved in the said collision, namely Wayne Oscar Goodman and Willard Gabriel Burns, to recover damages as aforesaid resulting from the said collision.

MR. SPEAKER: The Honourable Member for Kildonan on a point of order.

MR. FOX: Yes, I wonder if we could have a short delay so we could all have a look at the amendment that is being read.

MR. SPEAKER: The honourable member, has he copies of the amendment?

MR. BLAKE: They were distributed several days ago, Mr. Speaker. I'm sure everybody has one. — (Interjections)— They were.

MR. FOX: That's fine, go ahead.

MR. SPEAKER: I have been informed that copies of this amendment have been distributed. Have any members of the Assembly not received them? Then I suggest that the request of the honourable member is not in order.

The Honourable Member for St. Boniface.

MR. DESJARDINS: Mr. Speaker, I have just been given a four-page amendment. Is that the one from the honourable member?

MR. SPEAKER: Order please. The Honourable Government House Leader.

MR. MERCIER: Mr. Speaker, just to clarify the matter raised by the Member for St. Boniface; the one that has been distributed is the motion that was adopted in committee from the Member for St. Johns, I believe. That's the one that the Member for Minnedosa is proposing to have struck out.

MR. SPEAKER: I need a copy of the amendment.

MOTION presented.

MR. BLAKE: Mr. Speaker, on a point of order, I hadn't finished presenting the bill. I'd only got down to the application to extend time. Will this suffice, now that you've read it into the record as my amendment?

MR. SPEAKER: I would presume that once it is read by the Chair, it is now official. Are you ready for the question?

The Honourable Member for Lac du Bonnet.

MR. SAMUEL USKIW: Mr. Speaker, I wish to move an amendment to the motion. I move, seconded by the Honourable Leader of the Opposition, that the motion be amended

(a) by striking out the figure "2" therein and substituting therefor the figure "3";

(b) by striking out the word "section" therein and substituting therefor the word "sections"; and

(c) by adding thereto, at the end thereof, the following section: Contribution by Law Society. 2(1) — If, in an action commenced under Section 1, Ingibjorg Elizabeth Alda Hawes, or she and George Wilfred Hawes, hereinafter referred to as "the action", obtain judgment against Wayne Oscar Goodman and Willard Gabriel Burns, or either of them, the Law Society of Manitoba shall pay to Ingibjorg Elizabeth Alda Hawes (a) the sum of 23,000; or (b) the amount of the judgment against Wayne Oscar Goodman and Willard Gabriel Burns, or if separate and several judgments are obtained against Wayne Oscar Goodman and Willard Gabriel Burns, the total of those judgments, whichever is the lesser, and payment under this subsection may be recovered or enforced by action in the Court of Queen's Bench for Manitoba.

Satisfaction of Judgment. 2(2) — The payment of any amount under subsection (1) shall be

conclusively deemed to be an amount paid by Wayne Oscar Goodman and Willard Gabriel Burns in partial satisfaction of the judgment against them, and if in the action separate and several judgments are obtained in the action in pro rata satisfaction of those judgments.

Assignment of Professional Judgment. 2(3) — Where the Law Society of Manitoba pays any amount under subsection (1), Ingibjorg Elizabeth Alda Hawes shall assign to the Law Society of Manitoba a portion of her judgment against Robert H. Szewczyk equal to the amount paid, and if an assignment required to be made under this subsection is not executed by Ingibjorg Elizabeth Alda Hawes, the Law Society of Manitoba may apply to the Court of Queen's Bench for and the court may make any order as to it seems appropriate to give effect to the intent of this subsection.

MR. SPEAKER: Order please. According to our Rule 88(10), the Speaker may select or combine amendments or clauses to be proposed at the Report Stage and may, if he thinks fit, call upon any member who has given notice of an amendment to give such explanation of the subject of the amendment and may enable the Speaker to form a judgment upon it. I understand the Honourable Member for Minnedosa has given notice of an amendment, and I would ask him to explain to me why such an amendment should be proposed at this time.

The Honourable Member for Minnedosa.

MR. BLAKE: Mr. Speaker, the reason for the amendment being brought in at this time at the Report Stage is to bring the bill back to its original state. The motion that was passed at committee completely destroyed the intent of the bill. Bill 57 as I brought it forward is almost identical to the bill brought forward two years ago, An Act for the Relief of Ingibjorg Elizabeth Alda Hawes and George Wilfred Hawes. The bill is not brought forward for the relief of the Law Society, for the relief of the lawyer, or for the relief of the Manitoba Public Insurance Corporation. The bill is brought forward, An Act Praying for the Relief of Ingibjorg Elizabeth Alda Hawes.

We're all well aware of the circumstances surrounding the need for this particular bill. Through no fault of Mrs. Hawes, she has been denied her day in court and consequently compensation for injuries received in an automobile accident through the failure of her solicitor to file a claim in sufficient time to be within The Statutes of Limitations Act. The bill has been before the House, as I say, before. It has been debated fairly successfully in the House and I think the more debate and the more amendments that we have on this bill, all we're doing is prejudicing the case of Mrs. Hawes. We've got so many amendments here now, I'm not just too sure that members are going to know just what they are voting on. The purpose of the amendment that I brought forward, Mr. Speaker, is to return the bill to its original state and I would ask members to support it on that basis.

MR. SPEAKER: Order please. I received no notice of amendment as proposed by the Honourable

Member for Lac du Bonnet. However, if the House, by unanimous consent, agrees to changing of the rules, we can adopt a second amendment, but I have not received any notice so far of any proposed amendment.

The Honourable Member for St. Johns on a point of order.

MR. CHERNIACK: Yes, Mr. Speaker, on the specific point of order, I don't see how you could have received notice of an amendment to a motion that has just been made and therefore, as I interpret the rules, the rules require that when a bill comes out of committee at Report Stage, it may be amended by notice, but here there is an amendment to the amendment, and there is no way, as I conceive of it, that you or anybody else could have received notice of an amendment to be made to an amendment not yet presented. I am only making this statement, Mr. Speaker, on the basis that in the future, I wouldn't like a precedent to be set to deny us an opportunity to amend an amendment. The only alternative might be, if members want time to study it, then it's a simple matter to lay it over for tomorrow. I'm not suggesting it; I'm pretty clear on what's going on, Mr. Speaker, but if there's any confusion, I don't think you need leave.

MR. SPEAKER: I thank the honourable member. One of the problems that the Chair faces is the Chair was not subject to the debate that went on in Committee. I want the Honourable Member for Lac du Bonnet to explain to me the reasons for the amendment to the amendment that he is putting forward.

MR. USKIW: Mr. Speaker, there is no difficulty in explaining why it is that we find it necessary to amend the amendment as proposed by the Member for Minnedosa. Mainly, the change that we are proposing allows for complete restitution on the part of the people responsible, for the benefit of Mrs. Hawes; but we have a provision here that does not allow the Law Society to escape its responsibility, and that is the only real change between the motion presented by the Member for Minnedosa and the motion that I have just read. We do believe that the Law Society has a responsibility and to that extent we have provided the amendment that would hold them responsible and keep them committed to the responsibilities.

MR. SPEAKER: The Honourable Minister of Consumer and Corporate Affairs.

MR. JORGENSEN: Mr. Speaker, on a point of order. I have just been glancing through the rules relating to the Report Stage of a bill. I find no reference to any provision that permits an amendment to an amendment that has been duly tabled in this House prior to the reaching of the Report Stage. I ask you to take that into consideration because I do not believe that our rules provide that once a notice has been given of amendments at the Report Stage, that it is possible for someone then to, at the last moment, bring in amendments to that amendment. Either the amendment is accepted or rejected. I fail to see

anything in the rules that permits the Honourable Member for Lac du Bonnet to bring in an amendment that to a large extent is negating the amendment that was originally brought in.

MR. SPEAKER: Order please. The Honourable Member for St. Boniface on the point of order.

MR. DESJARDINS: Yes, Mr. Speaker, if there is anything negating anything, the member who introduced his amendment said himself that he was trying to restore the bill to what it was before. So, if anything, if that is the case, he is the one who should vote against the amendment, the bill the way it is.

MR. SPEAKER: I thank all honourable members for their contribution. I would, at this point in time, and I realize the desire of the House to complete its business, and I would ask permission of the House to call the Deputy Speaker to the Chair and carry on with the business while I have a 15 minute consultation with legal counsel, if that is permissible. Is that agreed? (Agreed)

The Honourable Deputy Speaker.

MR. DEPUTY SPEAKER, Abe Kovnats (Radisson): The Honourable Government House Leader.

MR. MERCIER: Mr. Speaker, would you call Bill No. 82.

ADJOURNED DEBATES ON THIRD READING

BILL NO. 82 - AN ACT TO AMEND THE CLEAN ENVIRONMENT ACT

MR. DEPUTY SPEAKER: Bill No. 82, standing in the name of the Honourable Member for Churchill.
The Honourable Member for Churchill.

MR. JAY COWAN: Thank you, Mr. Speaker. I will be brief in my remarks to this bill this evening, which in my instance is sometimes speaking only 35 instead of the full 40 minutes.

There is not much that can be said at this late point, in this particular point during the proceedings of this House. We don't expect any changes to this Act. We have tried diligently throughout both the debate on second reading, throughout the session as a whole, and also throughout the committee, to impress upon the government the need for a stronger environmental bill to be brought forward to deal with some very specific problems that we face as a society and also to deal with some general problems. I, for one, Mr. Speaker, do not believe that this bill fits that particular need. I do not believe that this bill in any way will have any profound impact on the situation that confronts us. I believe that it is an ad hoc piece of legislation that is intended to have very little effect and to in fact come into effect only after an environmental accident has occurred. We argued that point during second reading, we argued that point during the committee hearings, that we should be bringing forward legislation that prevents environmental accidents, that prevents injury to the environment, that prevents insult to the ecosystem,

that protects this universe and this world in which we live. We must do that; that is a need that faces us and confronts us and which we must answer.

So I would hope that the government would use the summer recess, or the fall recess as the case may be now, to examine that situation, to examine the comments that have put on the record, to examine what is happening out there right now, and come back to us next session with environmental legislation that suits itself to the problem, with legislation that will protect the environment. Within the past 48 hours, Mr. Speaker, we have had another incident that shows the precarious position that we all find ourselves in, and I speak directly now to the fire in Portage la Prairie. Thankfully, and for good fortune only, as well as some organization after the fact, we were able to avert a tragedy in that instance, but it has all the makings of a tragic situation.

How many good fortunes do we have left? How many more times will we be able to say that because of good fortune, we have been spared the tragedy. I would suggest that we do not, in fact, have all that much time to act. I would suggest that we will, sooner or later, run up head first against that type of a tragedy and that type of a situation. Mr. Speaker, I would suggest that we will do so even with good environmental legislation that protects, but we will minimize the occurrences, we will minimize the incidents, we will start to bring forward an environmental consciousness that will spread itself throughout society so that every individual who wants to live in a better world, who wants to protect what we have and improve upon what we have, will do so. That includes not only the individual, but that includes the corporate citizen, that includes the business person, that includes the government.

So we have had the type of incidents lately that would point out the need for stronger environmental legislation. It was brought to mind just a couple of days ago in this House, when we talked about the asbestos contamination of our water in the city, and I would suggest that that asbestos contamination is not confined to the city, Mr. Speaker. I would suggest that we have that same sort of contamination in many towns and settlements throughout the province, because asbestos pipes are used in many towns and settlements throughout the province. We have to start to deal with forces that were put into play decades ago. We have to start to be able to deal with forces that are coming into play every day. We have to have stronger environmental legislation.

I for one, Mr. Speaker, am not prepared to vote against the bill that we have before us, but I in no way wish to see my vote for the bill interpreted as a wholesale endorsement of the government's environmental policies, because I don't endorse them. As a matter of fact, I condemn them, because I think they have been weak, I think they have been ill-advised, and I don't believe that they have in any way met the needs that face us.

I will not speak long to this bill, but I intend to speak next session, either on bills that the government brings forward, or, if the government does not bring those bills forward, I intend to speak on private member bills that are brought forward from this side of the House, because one way or

another, Mr. Speaker, we are going to bring this issue to the public. It is obvious that the government on their own is not willing to act. It is obvious that the government on its own lacks the will to face those that they will have to face when they attempt to bring in strong environmental legislation. So we will be doing all that we can to assist them. We will be doing all that we can to encourage them. We will be doing all that is in our power, Mr. Speaker, to bring some sanity into what appears to be a very curious situation, where polluters are allowed to pollute without control, where the environment is being subjected to insult and injury on a daily basis, and where things are getting worse and not getting better. That is all we strive for, is to make things a little bit better for all of us who must inhabit this world.

MR. DEPUTY SPEAKER: The Honourable Member for Roblin.

MR. J. WALLY MCKENZIE: Mr. Speaker, I have been in this Legislature a long long time. I have lived in this province since the last world war, and I recognize the environment, how tender it is, and how all the people of this province basically understand the environment. I became very annoyed by special people who haven't been here very long, coming here and trying to tell us how to run this province. (Interjections)— Just listen. Mr. Speaker, I have listened to this honourable gentleman across the way for . . .

MR. DEPUTY SPEAKER: Order please, order please. The Honourable Member for Inkster on a point of order.

MATTER OF HOUSE PRIVILEGE

MR. GREEN: Mr. Speaker, I rise on a matter of House privilege, and that is that no member has the right to question the credentials of another member of this House and his right to represent a constituency in a manner which I may say, Mr. Speaker, much better than the honourable member represents his.

MR. DEPUTY SPEAKER: Order please, order please. On the matter of House privilege, I think that I was listening to the honourable member fairly closely and I really am not prepared to agree with the Honourable Member for Inkster that there was any accusation made or . . .

The Honourable Member for Inkster.

MR. GREEN: What I heard the honourable member say was words to the effect that he is sick and tired or impatient about hearing people from other places coming here and telling us how to keep our environment. The Honourable Member is the representative for the constituency of Churchill. He is elected by the representatives of Churchill, and it is the voice of Churchill that is speaking in this House. The honourable member has no right to say that his voice is something other than the people of the constituency that he represents. To infer that the Member for Churchill is from another place, coming

here and telling us how to run our affairs — he is one of us, Mr. Speaker.

MR. DEPUTY SPEAKER: The Honourable Member for Fort Rouge on the same House privilege?

MRS. JUNE WESTBURY: Yes, Mr. Speaker, I object to any inference to the effect that any immigrant from another place, of which I am one, is less qualified to act on behalf of his or her constituents in this House than any other person. I have lived in this country for longer than I lived in the land of my origin, and I believe I have served this country as well as I think the Honourable Member for Roblin has. I did not serve in the war, for reasons which may be obvious. At the time that the war was held, women did not serve in the armed forces, not at the age I was, anyway. My husband did, my father-in-law did. Both were wounded in the two world wars.

I come here, Mr. Speaker, as an immigrant, and I deeply resent any suggestion that, as an immigrant who has chosen to become a Canadian, I am in some way less of a Canadian than the honourable member.

MR. DEPUTY SPEAKER: To the honourable members on the House privilege, I would believe that the Honourable Member for Roblin stated that he objected to a particular course of action, or sequence of events. I don't think that there were accusations made to any particular member.

The Honourable Member for Roblin.

MR. MCKENZIE: Mr. Speaker, I apologize if I have touched a tender cell in the Honourable Member for Inkster. The new member of the Legislature who's only been here a few months, and she's going to learn when she's been here a little longer, as long as I've been, that there's no . . . and I apologize to her. First of all, she's of the fairer sex, a beautiful lady, the only Liberal in the caucus. And I apologize to the Honourable Member for Churchill. I have no quarrel about where they come from or who they are. Once you arrive in this Legislature, you have to stand up and defend your own rights.

I am a last world-war veteran; there's veterans all over this place. There's no quarrel about who went where or why. But I am annoyed about somebody from Churchill, who wasn't in this country very long, trying to tell me in Roblin how to look after the environment in Roblin, and I . . . Mr. Speaker, I become very very annoyed with people like him. I have seen them come and I've seen them go for years; I have seen people like him that come into this building, they talk themselves out very quickly in this place and they have come and gone all the years I've been here and those that talk the most are generally the ones that go out the first, especially this Member for Churchill, and I wonder where all these people from Churchill got all this expertise and knowledge to run this province. They can't run their own jurisdiction, and who are they coming down and telling us how to run Roblin constituency.

MR. DEPUTY SPEAKER: Order please. I would hope that the honourable member would be speaking on Bill No. 82, which is An Act to amend The Clean Environment Act.

The Honourable Member for Roblin.

MR. MCKENZIE: Mr. Speaker, to get back to the environment, I suggest that the Member for Churchill come into Roblin constituency tomorrow and see how we are looking after the environment in there before he stands up and makes these broad statements about all the people in this province. It isn't fair, it's not justified and he doesn't understand what he is talking about. Thank you, Sir.

MR. DEPUTY SPEAKER: The Honourable Member for Burrows.

MR. BEN HANUSCHAK: Yes, Mr. Speaker, on a point of order.

MR. DEPUTY SPEAKER: The Honourable Member for Burrows on a point of order.

MR. HANUSCHAK: Yes, the Honourable Member for Roblin made reference to the Honourable Member for Churchill and others like him, I believe he said, who came and went out of this Chamber. Would the honourable member be good enough to identify the other members that he was placing in the same category?

MR. DEPUTY SPEAKER: The Honourable Member for Roblin.

MR. MCKENZIE: If it was not speed-up, I think that question I could answer, but not during speed-up.

MR. DEPUTY SPEAKER: Are you ready for the question? The Honourable Member for St. Boniface.

MR. DESJARDINS: I think we are ready to give leave for the honourable member to answer that question if he wishes.

MR. DEPUTY SPEAKER: Are you ready for the question? Is it the pleasure . . . The Honourable Member for St. Boniface.

MR. DESJARDINS: Mr. Speaker, on a point of privilege. The First Minister just yelled from his house, from his seat — well, he thinks it's his house, he thinks he owns the whole damn thing. Mr. Speaker, he wanted to know why I voted against Bill 31. I wish to tell the Minister that he was so liberal for the first clause . . .

MR. DEPUTY SPEAKER: Order please. Order please.

The Honourable Member for Logan.

MR. WILLIAM JENKINS: Mr. Speaker, I would ask the Honourable Minister of Highways to withdraw the remark that he made accusing the Honourable Member for St. Boniface of being a drunk.

MRS. WESTBURY: That's a joke. That is a joke.

MR. DEPUTY SPEAKER: The Honourable Minister of Highways.

HON. DON ORCHARD (Pembina): Mr. Speaker, I would gladly withdraw any reference that the Member for St. Boniface is a drunk.

MR. DEPUTY SPEAKER: Is it the pleasure of the House to adopt the motion?

The Honourable Member for St. Johns.

MR. CHERNIACK: Mr. Speaker, I want to endorse the comments made by the Member for Churchill on the method in which this government is taking, in a casual way, the question of the environment and its future. I think that amongst the most important matters that we will have to deal with, and generations after us, my children, my grandchildren, your children, your grandchildren, will be very much affected by the way in which the environment is dealt with. Mr. Speaker, I do recognize the fact that problems of the environment are recent and people are becoming more and more aware of the mess that is being created by what in the past was considered normal procedures, and Mr. Speaker, I commend people who show enough concern about the future to care about how the present is dealing with matters of that type.

Mr. Speaker, I am glad that the Member for Churchill spoke on my behalf and on behalf of my constituents, on behalf of my children, on behalf of my grandchildren, to concern himself on our behalf on those matters which should be a matter of great concern for all members in this House. If it has been an indication, through this last session, that much could be done to improve the procedures within government dealing with problems that come about because of the abuses that we human beings create to the environment, then it is well that we be reminded of the need and the burden.

I resent very much any member here casually passing off comments which are made both sincerely and after a great deal of research. That's why, Mr. Speaker, I felt that I ought to indicate on behalf of the constituents of St. Johns the appreciation that I have for the fact that there are a few people who are spending a great deal of time drawing to our attention problems that are created in the environment, of which we were not aware 10, 15, 20 years ago, and many people are not aware today.

So let's not be smug and let's not be glib and, Mr. Speaker, let us be understanding. —(Interjection)— The Minister for Economic Development has a comment to make, I'll be glad to hear it. You see, Mr. Speaker, he interrupts me, he makes snide remarks, but when I invited him to make the comments so I could hear him, he responds with the usual insult. All right, Mr. Speaker, we accept that.

I think it's a serious matter for members of this House to put down other members on the basis of personal abuse and personal attack and to that extent, I want to endorse what was said by the Member for Churchill.

MR. DEPUTY SPEAKER: Are you ready for the question?

The Honourable Member for Transcona.

MR. PARASIUK: Mr. Speaker, I rise on this matter because of the comments of the Member for Roblin. I was especially shocked by his comments that the

people of Churchill don't know how to run their own affairs. We have a child in the front bench now, Mr. Speaker, who calls himself the Minister of Finance. I would like him to get up and start defending this government's record with respect to pollution in the Red River. I would like to get him to stand up and talk about MacGregor. Let him get up off his seat. Come on, get up off your seat if you are going to do that. Don't sit like a little boy in your chair like that.

MR. SPEAKER: Order please. We are dealing with Bill No. 82.

The Honourable Member for Transcona.

MR. PARASIUK: Mr. Speaker, we are near the end of the session, obviously those people there, their minds aren't working particularly well and they are starting now to hurl personal abuse, which I find rather disgusting, especially the comment about the people of Churchill not being able to handle their affairs. The people of Churchill are, in fact, concerned about the environment. They have raised environmental issues over and over again.

MR. SPEAKER: Order please, order please. We're discussing Bill No. 82. The Honourable Member for Transcona.

MR. PARASIUK: Mr. Speaker, point of order, I am in fact debating. I am referring to the comments made by the Member for Roblin. You never at that time rose on a point of order, or questioned the Member for Roblin when he raised those points about the people of Churchill. I am now participating in debate, commenting on the comments, the ill-advised comments of the Member for Roblin. I think they were rather stupid. They were terrible comments, and I just want to point out that this government has done very little to protect the environment. They've been very blase about points like PCBs. When they've been raised by members on this side of the House, the government members just sit there, blase.

MacGregor — we had the Minister of Consumer affairs go down to MacGregor and grandstand, come back and have a press conference and say, everything is fine, I've been there, I've looked at it and everything is . . .

MR. SPEAKER: Order please, order please. We are discussing Bill No. 82, An Act to amend The Clean Environment Act. I would hope honourable members confine their remarks to the subject matter at hand.

The Honourable Member for Transcona, please.

MR. PARASIUK: What I'm talking about is the fact that this Act doesn't go far enough, and it reflect the government's attitude with respect to the environment. They haven't cared at all. Whenever people on this side of the House raise questions about the environment, people on that side of the House pooh-pooh it; they say it's not important. They completely sweep those issues under the carpet and they rear their ugly heads. I've had my colleague, the Member for Ste. Rose, raise points about chemical spraying, especially about spraying on northern roads. I've had the Member for Rupertsland raise questions about that, I've had the Member for

Churchill raise questions about that, the Member for St. George raise valid questions which the government has not been able to answer. We've raised questions about pollution in the Red River. We've raised questions indicating that we're concerned about the fact that people cannot safely swim in the Red River, that the Red River, when it comes into Winnipeg, is in fact safe enough to swim in, clean enough to swim in, but when it leaves Winnipeg, it isn't. That's a concern. This government laughs about that matter; they say it's not an important matter. (Interjection)— I raised that three years ago when I first got in the House. That's right.

The point is, I quite enjoy when these people obviously don't know what they're talking about. They don't know what they're talking about, Mr. Speaker. They like to speak from their seats. All I would ask the First Minister to do, Mr. Speaker . . .

MR. SPEAKER: Order please, order please. We can only have one speaker at a time and maintain some semblance of order and decorum in debate. I would hope that all members remember that we can only have one member at a time speaking.

At this time I recognize the Honourable Member for Transcona.

MR. PARASIUK: Thank you, Mr. Speaker. This government has a very negative attitude towards the environment. With their laissez-faire attitude, they're not concerned with protecting the environment at all. They've taken that position consistently for almost three years now. When questions were raised about the quality of the Red River, they said, frankly, it's too expensive, we won't even look at the matter. And now we find, two-and-a-half years later, that the matter is a lot worse. It's a lot worse, Mr. Speaker, and this bill, which reflects the attitude of this government towards the environment, does nothing to alleviate that at all.

The whole MacGregor spill, again reflected this government's attitude towards the environment. When people raised questions about MacGregor, this government didn't turn around and try and investigate what took place, they tried to impact those people who raised those questions in the first place, as if somehow they were doing this province an injustice by raising concerns about a spill which was terribly handled by this government, was terribly handled by the chemical companies, and was terribly handled by the federal government and the railways.

But if you raise questions about the environment, Mr. Speaker, if you raise those questions, you are attacked. Just as that speaker was attacked tonight by the government members. They aren't prepared to look at the substantive questions regarding the environment. They want to attack personalities, they want to try and hide their neglect of the environment underneath a coating of abuse of people who raise questions about the environment, as if somehow raising questions about the environment is not a legitimate concern of this Legislature. Let me tell you, it is a very legitimate concern of this Legislature. We have raised it over the last two and a half years, we will continue to raise it over the course of the next year, and the people of Manitoba, Mr. Speaker, indeed will support our position because they realize

that through this Act it reflects your attitude towards the environment. You just don't care, Mr. Speaker, and the people will judge you on that.

MR. SPEAKER: The Honourable Member for Wellington.

MR. BRIAN CORRIN: Mr. Speaker, I, too, have been moved by the remarks made by the Member for Roblin and now wish to participate in this debate. I presume, Mr. Speaker, that a great many people have been moved by those remarks and may wish to now speak for the record in this regard. What might have gone by as a rather innocuous moment in the history of the Legislature will now be very much protracted.

Mr. Speaker, we're talking in this bill about a natural heritage that we all take pride in sharing. It seems to me, Mr. Speaker, that there are other forms of heritage which we also should covet and take pride in. Amongst members of this House, past and present, I would imagine part of our heritage is that which we experience through political camaraderie. I thought that those who participated in the formation of political and public policy did so in a spirit of tempered enthusiasm. I thought that generally we abated our prejudices somewhat in preconceptions about the order of society in our philosophies, realizing that we were engaging in a necessary and important exercise, but also knowing that we're all citizens, we're all people of the province, and we're all citizens of the world.

I'm very disappointed, Mr. Speaker, that this view apparently is not all the time shared by all the members. For the record, I would like to think that my grandparents, for instance, who came from eastern Europe, and who didn't speak very good English, were as good Manitobans as anyone else. And if they would have run in an election and would have been successful, as the Member for Point Douglas has, I would like to think that they could take their place here with some degree of pride and would not be subject to that sort of vitriolic attack as has been levelled against the Member for Churchill tonight.

Mr. Speaker, having said . . .

MR. SPEAKER: Order, order please. The Honourable Member for Rock Lake.

MR. HENRY J. EINARSON: I rise on a point of order, Mr. Speaker, and would hope that the Member for Wellington would get back to the bill before us, which is the environment of this province.

MR. CORRIN: Mr. Speaker, I will now address myself to the question of the natural environment, having dealt with the cultural environment of this House.

Mr. Speaker, there are certain things I think that this government well should consider in the intercession and prior to the next election. They should indeed, rather than respond so viciously and so intemperately, consider their record with respect to several items. They should have consideration for the absence of policy that created . . .

MR. SPEAKER: Order, order please. There is a general understanding that the Chair does afford the widest field for debate, but there is also a responsibility on the person speaking to make his comments germane to the subject matter at hand.

The Honourable Member for Wellington.

MR. CORRIN: Thank you for your admonition, Mr. Speaker.

MR. SPEAKER: The Honourable Member for Lac du Bonnet.

MR. USKIW: A point of order. We are discussing Bill 82, which has to do with the environment. I suggest to you that because of the comments of the Member for Roblin, the environment has much to be desired here this evening. We are discussing the environment. The Member for Roblin has caused a great deal of pollution tonight, verbal pollution, and I think that the Member for Wellington is absolutely correct in the remarks that he is making.

MR. SPEAKER: Order please, order please. I have recognized the Honourable Member for Wellington. He may proceed.

Order please. The Honourable Member for Roblin on a point of order.

MR. MCKENZIE: Mr. Speaker, the Member for Lac du Bonnet says that the factor was — what did he say, noise? Verbal. I say that he can also look at the Act and see that noise is also included in the Act.

MR. SPEAKER: There is no point of order. The Honourable Member for Wellington.

MR. CORRIN: Thank you, Mr. Speaker. The Act may indeed well deal with the problem that emanates from our honourable friend opposite. Mr. Speaker, this particular piece of legislation did nothing to help us with respect to the problem of polar bears who were subjected to torture, did nothing to deal with the problems of a tormented urban environment and the lack of action on the part of the Cabinet opposite in dealing with matters such as the removal of the main line trackage of the Canadian Pacific Railway in the inner city of Winnipeg. Did nothing, Mr. Speaker, and will do nothing to help us to cleanse the river and free it of pollution, that we have heard debated so many times in this House. Mr. Speaker, it did nothing to purify the roadways and rights-of-way of our provincial highways in order that 2-4-5-T not be allowed to be sprayed in those areas and locales. Most certainly, Mr. Speaker, it does nothing to address the problems of MacGregor and all the attendant difficulties which that situation precipitated.

So, Mr. Speaker, there is much that the government opposite can look to if they wish to deal with the question of the environment, and we suggest that the obfuscation, the purposeful obscuration of this very important matter by the Member for Roblin, is seen for what it is, nothing but a guilt-ridden smoke screen. Mr. Speaker, perhaps members on this side, particularly the Member for Churchill, was cutting very close to the bone in his remarks, and perhaps that induced the intemperate remarks of the Member for Roblin. But on this side

of the House we can assure the member that there is much to be desired with respect to the environmental policy to be established by this government, and we'll look very closely and scrutinize the affairs and direction of that government very closely in the days following this debate.

MR. SPEAKER: The Honourable Member for Roblin with a question.

MR. MCKENZIE: Mr. Speaker, did I not suggest to the Honourable Member for Wellington the other night, until you know this place, you know the rules and you understand them, you're better off to sit around and listen? And did I not suggest that to the Member for Churchill?

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

MR. DESJARDINS: Mr. Chairman, on a point of order. Could you rule to see if the member, who has been here so long, had a point of order when he spoke?

MR. SPEAKER: Order please, order please. The honourable member did not rise on a point of order, he rose to ask a question.

The Honourable Member for Transcona on a point of order.

MR. PARASIUKE: Whenever any of us have risen to ask a question, you've always said that we have to ask a question in relation to what the person talked about. Did the Member for Roblin raise the question on the substance of what the Member for Wellington talked about in his speech?

MR. SPEAKER: Order please. I have now recognized the Leader of the Opposition. The Honourable Leader of the Opposition.

MR. HOWARD PAWLEY (Selkirk): Mr. Speaker, last March, information was revealed in the Legislature that PCBs were being stored at the J.W. Werier warehouse. Apparently that information had been in possession of the government since November of 1979. There had been a delay of some four months, four to five months, prior to that information being revealed, as a result of it being revealed in this Chamber, Mr. Speaker.

Mr. Speaker, one of the increasing problems pertaining to environment is the existence of PCBs. There is an increasing number of PCBs that are available, unfortunately, through each and every part of Canada, and certainly Manitoba is no exception to that, and the situation pertaining to PCBs in the province of Manitoba is likely to worsen rather than to improve.

Mr. Speaker, pertaining to the bill itself, there are provisions pertaining to the removal of hazardous material from the location, the disposal of hazardous material in accordance with the regulations, and the taking of special precautions. Mr. Speaker, this looks fine in print. It appears now that the Minister who is now pleading that he was unable to deal with this hazardous substance within the heart of the city of

Winnipeg, a substance which in fact can be cancer-producing, is now saying, "I am requesting legislative authority in order to deal with the existence of PCBs wherever they be in the province of Manitoba."

But, Mr. Speaker, the problem that the Minister is confronted with, and we would look forward to his comments — and, Mr. Speaker, I cannot help but say that I hope that the Member for Roblin doesn't undertake to respond; we have heard as to his pearls of wisdom pertaining to this — I would like to hear from the Minister, Mr. Speaker, pertaining to what will be done in order to ensure the destruction of PCBs in Manitoba. It is my understanding that there is one facility that was in existence in Mississauga, Ontario for the destruction of PCBs. It is my understanding that as a result of municipal bylaw, the PCBs can no longer be destroyed in respect to that facility in Mississauga in Peel County, Ontario. It is my understanding, Mr. Speaker, that there are restrictions that have been imposed in regard to the transportation of PCBs across the American/Canadian border.

So that, Mr. Speaker, I am not aware, though the Minister of the Environment may be able to inform us, as to whether or not there exists anywhere in Canada at the present time the facilities — I believe it is referred to as gamma facility — to ensure the destruction of PCBs. I happen to know, Mr. Speaker, that there indeed could be some in Manitoba that would be interested, in the private sector, in developing the facility in order to bring about the destruction of PCBs but I believe, Mr. Speaker, up to this point they have not received the necessary support pertaining to same.

So, Mr. Speaker, it is misleading to have legislation and to make it appear that, by way of an excuse that the Minister is now exercising, that he has been unable to deal with the existence of PCBs in the warehouse because he hasn't had the legislative authority to do so. My question to the Minister is now that he has that legislative authority, and I don't know, the Minister may inform us that he has moved those PCBs to Gimli — I'm not sure whether they are still in Winnipeg or whether they have been moved to storage in Gimli, Manitoba — but whatever it be, Mr. Speaker, there is no point having legislation on the books pertaining to the removal of hazardous material upon notice being given if indeed there is no place that that hazardous material can be removed to in order to ensure the proper destruction of that hazardous material.

I would like to feel, Mr. Speaker, that the Minister of the Environment would be able to respond as to what will be done pertaining to the PCBs that are known to be in existence now in Manitoba, as well as future PCBs that may indeed be revealed to be in existence in Manitoba.

Mr. Speaker, if the Minister indicates that the province of Manitoba does not have the appropriate facility in order to bring about the destruction of PCBs, then I would like some advice from the Minister as to whether or not, in consultation with his fellow Ministers of Environment, whether or not there is any effort being undertaken in order to ensure that there is one central location in Canada that PCBs can be located and preferably can be destroyed, and in such a way, Mr. Speaker, that it will not come in conflict with the municipal bylaws, which I

understand to be the case, as I mentioned earlier, in Mississauga.

Mr. Speaker, these are areas of concern. I could talk about McGregor, but that has been dealt with earlier this evening. I could speak in terms of the Red River and the pollution of same, but that has been dealt with earlier. Other matters have been dealt with pertaining to the environment. Mr. Speaker, I hope that it is only a very very small minority in this Chamber that are not deeply concerned as to the environment of the province of Manitoba. It goes without saying, Mr. Speaker, that the environment must be one of the most important subjects that we as legislators must deal with. It is not a matter that should be shuffled aside. It is not a matter which those that speak about the environment are considered some sort of nut; it is a matter of fundamental importance, I believe, to the quality of life in Manitoba.

Mr. Speaker, let me serve notice that the opposition in the next session and sessions after that, and hopefully when the opposition becomes the government of the province of Manitoba, commits itself to placing the environment and matters pertaining to the environment as a matter of top priority, not a matter of bottom priority but a matter of top priority in the interests of the improvement of the quality of life for all Manitobans.

MR. SPEAKER: The Honourable Member for Roblin.

MR. McKENZIE: Mr. Speaker, could I ask the Honourable Leader of the Opposition a question? Can I ask you a question, sir?

In that small minority in this House that are not concerned about the environment of this province, are you including me, the Member for Roblin?

MR. SPEAKER: The Honourable Leader of the Opposition.

MR. PAWLEY: Mr. Speaker, I think that Hansard will very well demonstrate, on the basis of the speeches that has been made in this Chamber, the members that form a part of that minority that have little interest in the environment, and if the Member for Roblin wants to count himself in, let him count himself in.

MR. SPEAKER: The Honourable Member for Roblin with another question.

MR. McKENZIE: I like the way the Leader of the Opposition has now learned how to skate around questions. I am asking him personally, as the leader of his party, did he include me in that small minority that are not concerned about the environment of the people in this province?

MR. SPEAKER: The Honourable Member for St. Boniface on a point of order.

MR. DESJARDINS: Mr. Chairman, I believe that the Honourable Member for Roblin has already spoken in this debate.

MR. SPEAKER: The Honourable Member for Roblin.

MR. McKENZIE: Mr. Speaker, I was on a question, with the leave of the House. —(Interjection)— I suggest to the Honourable Member for St. Boniface that that's up to the Speaker. I suggest he didn't. I ask him again, the Leader of the Opposition, as a staunch, well-known politician of this province, did he include me, the Member for Roblin, in his statement?

MR. SPEAKER: Order please.

The Honourable Member for St. Boniface.

MR. DESJARDINS: Mr. Speaker, there is no doubt that when I got up this morning, I never thought for a minute that I would speaking in this debate. I started with all intentions of co-operating. After all, this session has been long enough and quite candidly, Mr. Speaker, I am not much of an expert on environment and pollution, although I have seen an awful lot of pollution, especially these last few days.

Mr. Speaker, I want to rise as an eighth-generation Canadian on one side and a seventh on the other side, and I want to stand and congratulate and thank, for Manitobans and for my constituents, the Member for Churchill, who hasn't been here very long. Mr. Speaker, somebody said — what was the word — "Christ almighty" or something, I don't know what is coming out from the other end, Mr. Speaker, but I think that we have a debate. This session is not finished and my honourable friend, the Minister of Economic Development, might not be very happy, but I can't say that I think he's the greatest speaker either. It is very difficult for me to listen when he speaks, and often I leave the Chamber, so maybe he would like to do the same thing.

Mr. Speaker, the same member talked about assumption, referring to one of the things that were said, and he said, "Give us facts." I'm not just standing here mostly at this time to chastise the government. I am mostly to, as I say, thank the member who has gone out of his way to really work at this, to inform himself and, I think, who knows an awful lot more than most of the members of this House. It was said that maybe we should have done something when we were in power. Maybe, Mr. Speaker, if we had somebody for this topic that served as the conscience of the House, like the Member for Churchill, maybe if we had somebody in opposition in those days that would have reminded us, maybe we would have done a better job.

Mr. Speaker, I think that there is another point, and unfortunately I think you missed part of that; you were out of the Chair for a little while, but it is time that this thing be brought to a head. I want to know if there is any member, if you have to be here 20 years or 24 years before you can speak, or if you are duly-elected, and if you are a Canadian citizen, if you have any less right if you haven't been in this province as long. Mr. Speaker, the Member for Churchill, I think, is doing the people of this province a service by acting as the conscience. He can't always — you know, if it was after the fact — the Minister of Economic Development says tell us facts. What would fact be? When somebody is poisoned? When people die of cancer? Then what will they say if this is brought up? "Oh, this is easy. You're a Monday morning quarterback. It is very easy to talk."

This Member for Churchill has worked long hours and I think, as I said, that he is trying to give constructive criticism. You know, it is so easy in these days, when progress seems to be everything, everything in the way of progress, streamroll everything, and we are destroying this country, destroying our water, our rivers, and the beauty of this country in the name of progress. I don't want to chastise the Minister. I think maybe he could have done more or maybe we should have done more. But I am certainly offended when some member insinuates or suggests that because a member hasn't been here for as many years, that he shouldn't say anything. I didn't hear the member start getting up and saying, "I want the people of Roblin to do that." He spoke as a duly-elected member of this House, a recognized member of this House and he said what he thought; he expressed his concerns, and I think he has reasons to be concerned.

This is a complicated subject and there are not too many people interested in that. There was a big play a little while ago: "Are you suggesting," the Member for Roblin said, "that I am in the minority of those not concerned?" I think we are all concerned, but to what degree, Mr. Churchill?

The Member for Churchill knows a little more about that. He has read an awful lot more about that, and he has a constituency that could be affected maybe more than Roblin, and I thank him in the name of Manitobans, in the name of my constituency, for his attention and for being the conscience of this House. It is unfortunate, when we are trying to wind up this session, that there should be some kind of remarks that certainly seem to prejudice, if nothing else, and to suggest that some members are second-degree or second-class members of this House, Mr. Speaker. I resent that very much.

I think that you are pointing at the bill, but as I said, Mr. Speaker, I think continuity is your problem, not mine, and you were out of the House for a while, out of that Chair, and the Member for Roblin made some accusation and he was allowed to discuss that, and I think that once that goes, we are certainly allowed to answer that member.

There are so many problems that are going now in the environment, the noise, the pollution. Not too long ago, there was something at McGregor and I think — what did my colleague do? He talked to somebody who happened to be here, because he knew that person, who was interested, who is an expert in this field, and what did he do? He didn't make a big thing, a big announcement in the House. With my Leader, they called on the Minister responsible and they introduced him to that person. They were not invited in and they left. They were trying to help the Minister and I think the Minister recognized that and thanked them.

As I say, Mr. Speaker, this is less of a criticism of the government; I don't know enough about the subject, I confess. But it is a criticism of a speaker who was allowed to speak and suggest that some members in this House, because they are new members, because they haven't been citizens of this province long enough, should not be heard and in fact should be very quiet and sit in the back seat. Sir, as a person who was here a few years more than the Member for Roblin, that I challenge him to think

that he is more than an eighth or ninth generation Canadian that I am. I welcome this new generation Manitoban who will help us to make Manitoba a better place to live.

MR. SPEAKER: The Honourable Member for Rossmere.

MR. VIC SCHROEDER: Thank you, Mr. Speaker. I, like the previous speaker, had not intended to speak this morning, but as the evening wore on, I became more convinced that people on this side should stand up and speak for the environment.

I have looked at Bill 82. I do not wish to speak on the matters that it contains but rather the matters that it does not contain. One specific area that I would commend to the government to seriously consider if you are concerned about our environment and if you are concerned about pollution and maybe do it next year, let's start doing something about smoking.

MR. SPEAKER: Order please. I think it is perhaps only fair of the Chair to point out to the honourable member, that when you are dealing in debate on third reading, the limitations on debate are somewhat more restricted than they are on second debate and I would ask the honourable member to confine his remarks to the subject matter of the bill, rather than talk about what the bill does not contain.

The Honourable Member for Rossmere.

MR. SCHROEDER: Yes, Mr. Speaker. Section 2, specifically, of the bill, deals with hazardous material, and I believe that Section 2 should include something dealing with burning nicotine, and especially in this Chamber. Let's leave the rest of it out. Let's show other people that we are concerned, if nothing else. I have here a document entitled, "Risks for a Second-Hand Smoker, or Smoking Against your Will." Unfortunately, during these sessions of the Legislature, many of us who are non-smokers, on both sides of the House, are in fact smoking against our will.

MR. SPEAKER: I would suggest that the honourable member stick to the content matter of the bill.

The Honourable Member for Rossmere.

MR. SCHROEDER: Mr. Speaker, I am dealing with hazardous material, from Section 2 of the bill. It would seem to me that it is a very valid area to be discussing at this time in the session, when we are talking about improving the environment of the province. As the Member for St. Boniface had earlier suggested, had the opposition, when the NDP were in government, been more concerned about the environment, possibly there would have been better legislation passed at that time. We are now trying, as a good opposition, to make sure that this government passes better legislation. Bill 82 is not a piece of that legislation; it does very little. It doesn't do anything, as members previously have said, about river pollution, about air pollution, about many other forms of pollution in the province, and we are concerned about that.

We hear the Honourable Member for Roblin saying that somehow if there is pollution, that it is not coming from Roblin. I would suggest that he, as a smoker, is one of those in this province who in fact is contributing to air pollution, to cancer, to other people, to emphysema and various other maladies that other innocent people have to suffer in this province.

We think that this Legislature — at least some of us think that this Legislature should be looking at some of these things. —(Interjections)— I hear a lot of mumbling in the back benches from the smoking crowd — even the front benches — benches which have the decency not to be smoking while Mr. Speaker is in the House. But the minute Mr. Speaker leaves and we are in Committee, you see a bunch of blue smoke all over the place here, damaging the lungs of those of us who are not smoking, or supposedly not smoking, as well as those of you who are, and a lot of us resent that and we think that something should be done about it. I would hope that the government would consider doing something about it for the next time around.

MR. SPEAKER: The Honourable Member for Rupertsland.

MR. HARVEY BOSTROM: Thank you, Mr. Speaker. Mr. Speaker, the comments that we have heard tonight on the basis of the bill that is before us, if we want to talk about the kinds of debate that we have heard tonight, particularly from the other side of the House, and particularly from the First Minister from his seat, it seems to represent the kind of attitude that the Progressive Conservative Government has towards environment in this province. It is an arrogant, uncaring attitude, which is made obvious by the great applause that the Member for Roblin receives when he gets up in the House and makes the kind of comments that he makes, the kind of shameful comments that he makes, the kind of comments that no one should applaud, Mr. Speaker, and yet the Progressive Conservatives, and particularly the First Minister, rises to his defence and applauds him the loudest and longest.

Mr. Speaker, that is the kind of attitude that I think the people of Manitoba resent. I think they find it indecent in a government. I think that they will reject it and I think that this government will find that rejection just as soon as they can have the courage to call an election in this province.

Mr. Speaker, we hear them say things like the people of Churchill don't know how to run their own affairs with respect to comments about the environment. Mr. Speaker, the area represented by the Honourable Member for Churchill is one of those areas of Manitoba that is the most fragile of this province and the people who live in that area are Canada's first citizens. The native people of Canada, of Manitoba, live in Churchill. Mr. Speaker, those people are acutely aware of the environment and the kinds of things that are done to hurt that environment. It is to the Honourable Member for Churchill's credit that he takes environment on as a special concern and a special issue which he decides to bring before this Legislature.

Mr. Speaker, I am proud to say, as the Honourable Member for Rupertsland, that the Honourable

Member for Churchill speaks for my constituents when he talks about the environment, as the environmental critic for the New Democratic Party. Mr. Speaker, he stands us proud, in the way in which he researches and the way in which he presents the material to this Legislature. And for any member on the other side, including the First Minister, including MacGregor, Mr. Speaker, the way in which the honourable member researches his material and presents it to this House . . .

MR. SPEAKER: Order please. I have allowed a great deal of latitude. If the honourable member would care to get back to the subject matter of the debate, I would appreciate it.

MR. BOSTROM: Mr. Speaker, I am speaking on the environmental comments made by the Honourable Member for Churchill and as replied to by the official spokesman for the Progressive Conservative Party, the Honourable Member for Roblin. I would think, Mr. Speaker, that most things discussed within that context would be legal for debate.

I especially want to comment on the Honourable Member for Roblin's statement that he resents people coming from Churchill and telling the Legislature how to protect the environment.

MR. SPEAKER: Order please. Once more, I must ask the honourable member to stick to the subject matter of the debate.

The Honourable Member for Rupertsland.

MR. BOSTROM: Mr. Speaker, in every sentence I use the word "environment," so I am speaking about the environment.

Mr. Speaker, the people of Churchill saw it as their responsibility to choose someone who could ably represent them in discussions before this Legislature in matters pertaining to the environment. Mr. Speaker, it appears as though the Honourable Member for Roblin and the Progressive Conservative Government give very short shrift to anything which resembles environmental matters, and when members of the New Democratic Party, such as the member for Churchill, raise concerns, all we hear is the laughter, the giggles from the First Minister, and when all else fails, they rise to attack personalities. Mr. Speaker, this demonstrates the cavalier, arrogant way in which they wish to deal with environmental matters and ways in which they choose to govern and I think it's very shameful.

MR. SPEAKER: The Honourable Minister of Consumer and Corporate Affairs.

MR. JORGENSON: Mr. Speaker, I cannot allow this opportunity to go by without rising in defence, I think, of a very dedicated group of people, the people who are involved in the protection of the environment of this province. Dr. Bowen and his staff have demonstrated to me, and I'm sure to the previous administration as well, because they are essentially the same people, that their concern for the environment is such that their efforts should be commended, rather than condemned and criticized, as I have heard here this evening.

Mr. Speaker, there has been a lot of posturing on the other side tonight on this question, and particularly by the Leader of the Opposition, who attempted to convey the impression that nothing is being done. This bill, in essence, is an attempt to do something about the subject that he spoke so lengthily about, PCBs. It is an effort on the part of government to provide to our Environmental people the opportunity to do those things that they were not able to do before. My honourable friend knows that. He knew full well that in spite of the fact that we were aware of the presence of PCBs at the J. Werier Company, there was nothing that we could do about it. They were his and there was no authority that we had to remove them, nor was there any authority on the part of the city. If my honourable friend is trying to create the impression that we weren't concerned about it, or that we never tried to do anything about it, then he is sadly mistaken. This bill will give us that authority. I might add, for the benefit of my honourable friends opposite, that the PCBs that were located at the J. Werier Company, have now left the province.

The Leader of the Opposition spoke about dealing with the whole matter of PCBs and their destruction. He was mistaken when he assumed that there was a facility in Mississauga that could deal with it. That just happened to be a cement kiln that they wanted to use to test, to see if it was possible to dispose of PCBs through that kiln. The county of Mississauga refused to allow them to do so and apparently they had the authority within the provincial legislation to stop the testing of the destruction of PCBs by that method.

In Alberta, there is a private company that has applied for a licence to build a plant, based on models that are used in Europe for the destruction not only of PCBs but all hazardous materials. That is one of the problems. The cost of building such a plant runs upwards of 30 million. There aren't sufficient quantities of PCBs or other hazardous materials in Canada to warrant the construction of one of those plants in each of the provinces, so we have approached it on a regional basis. I attended a meeting in Edmonton earlier this year to attempt to determine how we could best deal with this particular problem. I want to advise my honourable friends that the destruction of hazardous materials is only part of the whole question of the removal of waste materials in this country, which contribute to the kinds of pollution that my honourable friends are talking about, the river pollution, the air pollution and all other types of pollution.

The Environmental Protection Agency in the province of Alberta have conducted a long series of meetings, first of all to attempt to acquaint the public of that province with the need to do something about the removal of these hazardous materials. I think long before any action is taken by any government to deal with this problem, must come the understanding of the public themselves, because they contribute to the problem.

It is not a problem that can be dealt with on a provincial basis, on a municipal basis, on an individual basis, or an industry basis, or a Canada-wide basis. It requires the active co-operation and understanding of all parties to be dealt with successfully. Unless we take that first step in

attempting to acquaint our people with the dangers that do face us by the uncontrolled disposal of waste — when I speak of waste, I speak of all waste, not just hazardous waste. Hazardous wastes are just one facet of the entire control program, albeit perhaps the most sensitive one and the most critical one.

I don't know, I'm not in a position to say whether or not the Environmental Protection Agency will be allowing Kinetic Contaminants to build that plant in Alberta. But if they do, then it is their intention to build regional storage areas in each of the provinces and then, on a regular basis, pick up all of the hazardous materials that are collected there during the course of a period of time, taken to the plant and disposed of. So in that way, we dispose of them under controlled conditions, under the supervision of a government, and in such a way as to ensure that there are no hazardous materials distributed through the atmosphere by the very disposal of those hazardous wastes.

Countries in Europe — Germany, France, England — all have such systems in place at the present time. They pose no hazard to the environment in their destruction. I know that there other systems — my honourable friend mentioned one this evening — of destruction of PCBs, plasmic rays, but one of the difficulties is that it will destroy only that one hazardous waste. What is required is a system that can destroy all of the hazardous wastes, and there are many. PCBs are but one of several hundreds of hazardous materials that have to be disposed of from time to time. Our hospitals, our schools, generate hazardous wastes on a daily basis that have to be disposed of at one time or another.

We are using the plant at Gimli for temporary storage until such time as they can be picked up and moved to areas where they can be disposed of, but in Canada today we do not have one single disposal plant. All that Kinetic Contaminants are doing is picking the wastes up from the various provinces, hauling them into Alberta, and putting them into storage there in the hope that they're eventually going to get a licence to build a plant to destroy them. I hope they do. I hope that the province of Alberta does grant that licence, so that in Canada we will have the assurance that there is one place that we can dispose of hazardous materials on a regular basis.

But that is only the beginning of the whole problem. It requires, as I said earlier, the understanding and the co-operation of every single individual in this province. The littering of our countryside with agricultural chemical cans is a problem. The littering of our countryside with plastic coke bottles, etc., is a problem. But these things can all be dealt with. Some of these materials can be dealt with by recycling. Some can be dealt with by simply destroying, by burning. Some can be dealt with by using them as a fuel, as was demonstrated last winter in one of the schools in St. Vital. Tremendous savings were achieved in the heating bills of the particular school by the installation of equipment that could burn waste paper and waste materials. There is no reason why much of the waste material that is collected on a daily basis cannot be used as a fuel.

Other materials, the Japanese, I understand, recycle the plastic coke bottles and make hydro

poles out of them. They can be shredded, pelletized and then recycled into another form. There are other types of waste material - used oil. Now it has become practical for, I believe, Shell Oil Company that has built a recycling plant in Toronto. Prior to a few years ago, it was not practical, it was not economically possible, to recycle oil. Now it is. Technology now is developing to the point where we can recycle many of those materials that are considered waste and hazardous

So these things are coming now into focus, but I ask my honourable friends not to be too impatient. The provincial government, in the unlikely event that they may have the opportunity of being the government, are going to find that they are not going to be able to do it by themselves, that it will require the co-operation of the municipalities, who will have to build the landfill sites to destroy those things that can be destroyed on the municipal level. It will require a collection agency that will sort these things out and distribute them into the areas where they can be utilized, where they can be recycled, where they can be reclaimed. So there's a tremendous job in this whole question of the disposal of hazardous waste and the disposal of all wastes. But to suggest for one minute that the provincial government, simply by an edict or a decree or a statute, can solve this problem, is a mistake, because it will not be done that way. It will be done by the continued education of the people of this province as to the need for some measure to deal with this whole question — not deal with it on a piecemeal basis, but in the whole question of the disposal of wastes.

It is to that end that we are working. It is to that end that this bill is before this House today, to deal . . . My honourable friends say it is a very small measure. All right, I'll let them be the judge of that. But even in a small way, it is intended to begin to deal with that particular problem. I hope that rather than condemn the efforts of those who are working so diligently, people in the environmental branch who have dedicated themselves — and they are dedicated men — that my honourable friends will at least give them an opportunity to do the job that is before them, and a job that they know they must do. I am convinced that they are attempting to do the very best they can, and that they will continue to do so. There are problems, and we hope that we can deal with them.

I would like to believe my honourable friends are sincere enough about this particular problem that we can have their co-operation — and I don't mind the criticism. That is part and parcel of this whole operation. But I would hope that they would refrain from criticizing those who are not here to defend themselves and who, in my view, are doing an excellent job in their efforts to clear this province up from what is a very serious problem.

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

MR. A.R. (Pete) ADAM: Mr. Speaker, I intend to be brief. In fact, it wasn't my intention to get into this debate, but I feel it necessary at least to make a few comments. The Minister responsible for the environment has stood up and got involved into the debate in a very mild-mannered way, even apologetic

in the way he made his presentation. In fact, he gave us some compliments and commended the opposition for our concern.

Mr. Speaker, this is not a new matter that we are discussing, although it has come into the limelight more so now than in the past. The environment, in my opinion is extremely important, what we are doing to the environment. It was only a few years ago that I raised matters of concern, and I was questioning, Mr. Speaker, what was the ramifications of spraying along highways and our roadways. I was questioning what effect this kind of spraying would have on wildlife, whether it be upland game or other species of wildlife. It was under the previous administration, Mr. Speaker, that I was putting forth those questions expressing my concern on whether this was the proper way to proceed. Mr. Speaker, lo and behold, who was I chastised by? I was chastised very severely for questioning whether or not we should spray our roadways. It was none other than the Minister who is now responsible for the environment. And the comments that he made, and he was sitting up here, I believe the first chair in the second row, and I may only paraphrase, but the answer I received from the Member for Morris was that I didn't know what I was talking about and that spraying along the roads, as far as the chemicals that were used, that you could use it for mix in our drinks.

The Minister nods his head. He remembers those comments that he made. He nods his head in agreement, Mr. Speaker. He said, the Member for Ste. Rose should know that you could mix this with your drinks. I ask the Minister to do that, give us a demonstration, if he wants to do that.

MR. SPEAKER: Order please. The honourable member well knows that exhibits in this Chamber are not allowed.

The Honourable Member for Ste. Rose.

MR. ADAM: Mr. Speaker, I'm sure there are occasions where we can find that we could bring the mix in for him. Mr. Speaker, you can hardly drive throughout the province without finding some empty container along our highways — an empty container of chemical that's been thrown there carelessly to pollute the environment. And this year the Minister of Highways has undertaken a spraying program. I'm not sure what areas it was undertaken in, Mr. Speaker, but after spraying these roadways, then he made the announcement that he was not going to clean up the highways. We were not going to mow down the roads. That we were going to let the farmers go in and cut the hay for feed.

I am told that the chemicals now used are harmful and could be harmful. This is the attitude that we have been getting from this government. But I rose specifically to point out the fact that the Minister who is now responsible for the environment believes it is possible to use 2,4-D and that kind of chemical in your drinks as mixers. I say that that is a very very stupid way of addressing ourselves to the problem of the environment, Mr. Speaker.

MR. SPEAKER: The Honourable Member for Flin Flon.

MR. BARROW: Mr. Speaker, I didn't think I'd get in this debate, but I don't see how I could not get into it. I think you should be very proud of yourself tonight, Mr. Speaker. You left the House for 15 minutes, a riot takes place. I don't know whether it's the members or the Member for Radisson that causes these things. (Interjection)— Oh, he was Speaker.

Mr. Speaker, the Member for Roblin seemed to take great delight in being an old member of this House. In the first year, I took him as my example of a politician, what should be done. The most times he used the expression, day after day after day, at least ten times in a session, and he would say, "Lay it on the table, lay it on the table." He changed that the second year, Mr. Speaker, and he'd use . . .

MR. SPEAKER: Order please. The subject before the House at the present time is Bill No. 82. Will the honourable member confine his remarks to Bill No. 82?

MR. BARROW: Anyway, Mr. Speaker, I'll finish on this note. There's a certain time when you get too old to cut the mustard. In baseball they send them down, in hockey they lay them off, and football — and he and I both run third base. I think we both should be thinking very seriously of letting someone young, with more energy, more interest, like the Member for Churchill, take our places. And I, for one, will do that.

But let's get back to pollution. Mr. Speaker, I've been subjected to pollution all my life as a miner. A coal miner has pollution every day — methane gas. He lives with it. I don't know whether you get used to it, or it finally wears you down, or whether it kills you, but it has some effect on your system. I worked as a hard-rock miner and had the same thing. The Member for Thompson is not here, but he will bear me out. There is no one in mines that doesn't run into pollution, smoke, dust, gas. With all the precautions that they have taken, and they have modern methods now, you still have this, you still have pollution. But it can be cut down to a minimum.

Flin Flon was a good example of pollution. Mr. Speaker, on a wet day with not much wind, the town would be in a shade or a shadow with pollution, sulphur dioxide. People who had lung troubles, emphysema, asthma, didn't go uptown. The Member for Minnedosa will bear me out. Now, election after election, this was brought up to the MLA and Whitney, at that time, when I became interested in pollution, was the Minister. He said, and I'll remember this to the day I die, "You can't get meat without bone, coal without stone, and you can't get away without pollution. A certain amount of pollution," he said, "is good for you." He actually had people believing that pollution was good for them.

Then we had a Liberal Minister and I won't mention his name but it starts with Bud Jobin. When we had a hearing in Flin Flon, Mr. Speaker, to do something about this smoke, this pollution, he represented the town, he represented the mayor. I'll quote him. He said, "I don't know of anyone that has died from pollution in this town. I don't know anyone that has been crippled or sick from pollution. I don't know of any trees it has destroyed." And he ended

his speech, and I'll quote him again, Mr. Speaker — there's a lot in the middle but I'll quote these last words — he said, "This great company, this great HBM and S, there's so much blood, and I want my share." And that was the Minister, the Liberal Minister. I have never voted Liberal since.

To put it another way, Mr. Speaker, I said when I campaigned in 1969 as a raw rookie that I would do something or try to do something about pollution. At that time, my very good friend, Rene Toupin, was the Minister and I put enormous pressure on him, and he put pressure on the company, so they were going to build a 350-foot stack. I asked a question in the House to Rene, to Mr. Toupin, I said, "What if it doesn't succeed in curing it, it doesn't come below the limits, or if it is not feasible?" "Simple," he said, "we'll shut them down until they build a better stack." Only that stack went from 350 to 820 1/2 feet, and the pollution is not cured but it made a hell of a big difference.

Mr. Speaker, when you take a look at this government and how they think, we can't expect any better. We can't expect to have anything done on pollution, really, because when you look at the minimum wage for firefighters, one of the answers we got, "We pay the wage of the fire." My God, how do you rationalize that kind of thinking?

2,4,5-T, where a young Minister takes it in his own hands to spread this poisonous stuff on northern roads. Mr. Speaker, I could go on and on and on and give you some good examples of the utter disregard they have for people. Thank you.

MR. SPEAKER: The Honourable Member for Radisson.

MR. KOVNATS: Thank you, Mr. Speaker. At this point, Mr. Speaker, I don't know whether I am speaking on a point of order, a point of privilege, of a point of House privilege or what, but I'm going to have my say.

MR. SPEAKER: Order please. Does the honourable member rise on a point of privilege?

MR. KOVNATS: Pardon me, Mr. Speaker.

MR. SPEAKER: Are you rising on a point of privilege or are you speaking to the debate?

MR. KOVNATS: I think I'll speak on the bill, Mr. Speaker. It does concern environment but it will be also what had proceeded while you were not in the Chair.

While you were not in the Chair, while we were discussing environment, I was accused of allowing things to happen that almost caused a riot. The word that I remember the Honourable Member for Roblin using was, "I resent," which to me sounds like, "I don't like," or "I disagree." In my opinion, there was never any word of accusation. I feel very strongly concerning the Member for Churchill and his ability to speak on environment and I will defend that right that he has to represent his constituency here in the House. I don't care what happened prior to him coming into the House. But while I was in the Chair, I did not take offence to the remarks made by the Honourable Member for Roblin, inasmuch as I have

heard many disagreements from both sides of the House and, in my opinion, the words, "I resent" is just that, a disagreement. I don't feel that you should be accused of allowing things to happen in the House while you were out of the House and I just wanted to set the record straight that, when this all came about, I was in the Chair and not you, Sir.

I am not apologizing to anybody for allowing this to happen because, again, I repeat, concerning the environment, "I resent," to me sounds like, "I don't like", and that's perfectly acceptable to me, Sir.

MR. SPEAKER: The Honourable Member for Burrows.

MR. HANUSCHAK: Mr. Speaker, firstly, I wish to indicate to you that my credentials or authority with which I speak do not compare with those of the Honourable Member for Roblin. I am not of his age; I am a bit younger than he is. But even though I am a bit younger, I still feel that I am entitled to and qualified to make my contribution to the debate on this bill, as many others whose qualifications in terms of residence, service in the House and whatever else may have been even less than mine, and that is what the history of the Legislative Assembly in Manitoba is all about. There have been many in addition to the Honourable Member for Churchill who have come to this country, met the residency requirements and all the other . . .

MR. SPEAKER: Order please. We are dealing with Bill No. 82. I wish the honourable member would get to the subject matter of the bill.

MR. HANUSCHAK: Yes. Mr. Speaker, as I had indicated to you, I simply wanted to indicate to you that I feel qualified to make my contribution to the bill and there were members, because this, Mr. Speaker, for your information — I don't fault you for it — while you were absent from the Chair attending to another matter which required your attention, there was comment made by the Honourable Member for Roblin. The question was raised as to the qualifications of an honourable colleague of mine to participate in a debate of this issue. So I want to indicate to him that I consider him to be qualified; I consider myself to be qualified; and I consider the comments made by the Honourable Member for Roblin to be a slur upon many of our honourable colleagues who have served in this House over the 110 years that our province has been in existence. As I have indicated to you, Mr. Speaker, many of whom, shortly after meeting the residence and citizenship requirements, chose to seek election to this House where they could make a contribution.

MR. SPEAKER: Order please, order please. If the member persists in not paying attention to the bill before him, I will have to call him out of order.

The Honourable Member for Burrows.

MR. HANUSCHAK: I have just indicated to you, getting down to Bill 82, which deals with contaminants, you know, I was at one point, Mr. Speaker, tempted to call the Honourable Member for Roblin a son of a bitch.

MR. SPEAKER: Order please. Order please. Order please, order please. I will warn the member once more, if he persists in refusing to follow the wishes of the Speaker, he will be ruled out of order.

The Honourable Member for Burrows. — (Interjections)— Is the honourable member prepared to withdraw those remarks?

MR. HANUSCHAK: Yes, Mr. Speaker, as I am about to explain to you. The honourable member will recall —(Interjections)

MR. SPEAKER: Order please. Order please. The Honourable Member for Burrows.

MR. HANUSCHAK: Mr. Speaker, I am sure that you will recall that I did not call the Honourable Member for Roblin a son of a bitch. I was simply telling you the temptation that I am fighting and wrestling with. Up to this point, I am overcoming it; how much longer, I can't assure you, Mr. Speaker, but up to this point I have not called the honourable member a son or a bitch, although the urge is there.

MR. SPEAKER: Order please, order please. Order please. It is not a question of calling a member any particular name; it is using unparliamentary language. The honourable member did use unparliamentary language; the Chair is asking him to withdraw it.

MR. HANUSCHAK: Yes, Mr. Speaker, to comply with the rules of the House, I will withdraw the remark, but I simply indicated to you, you know, the urge that I felt within me, although I suppose, Mr. Speaker, I could call the honourable member a contaminant and this, Mr. Speaker, I want to refer you to the bill . . .

MR. SPEAKER: Order please, order please. I rule the honourable member out of order.

QUESTION put, MOTION carried.

SPEAKER'S RULING

MR. SPEAKER: Order please. Prior to the debate on Bill No. 82, I took under advisement Bill No. 57, an amendment moved by the Honourable Member for Minnedosa and a sub-amendment moved by the Honourable Member for Lac du Bonnet. At that particular time, I was not aware of the subject matter of the debate that had occurred in Committee. I have been assured by legislative counsel that the amendment moved by the Honourable Member for Minnedosa is in order and the sub-amendment moved by the Honourable Member for Lac du Bonnet is also in order.

That puts us in the position where we are now dealing with the sub-amendment which was moved by the Honourable Member for Lac du Bonnet.

The Honourable Member for St. Johns.

MR. CHERNIACK: Mr. Speaker, I am just wondering. It seems to me the Member for Lac du Bonnet . . .

MR. SPEAKER: Here is the Honourable Member for Lac du Bonnet.

REPORT STAGE (Cont'd)

**BILL NO. 57
AN ACT FOR THE RELIEF OF
INGIBJORG ELIZABETH ALDA HAWES
AND GEORGE WILFRED HAWES (Cont'd)**

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

MR. CHERNIACK: Mr. Speaker, the Member for Lac du Bonnet has stated that he had completed his remarks, therefore I would like to speak on this bill.

Mr. Speaker, the question of removal of statute of limitations has come before us time and time again in the many years that I have been a Member of the Legislature. I recall debates time and again and I recall the First Minister, when he was Attorney-General, and on various opportunities, who strongly opposed any attempt to remove the limitation period in cases where there had been a lapse in the proceedings so that the limitation period took effect.

Mr. Speaker, I suppose, as a lawyer, I was in agreement with the thought that if we had a law, we should expect people to comply with the law and if we were going to vary the law in cases of individual distress, then it was the law that should be changed and not to assist any one individual who had the ability or the support, the sophistication to be able to come into this, which is considered the highest court of the province, to ask for relief. Because there are very many people, I am sure, who suffer by the fact that the limitation period had gone by and who didn't know their procedure or know how to come here to get the law changed as a matter of relief for them.

Mr. Speaker, time and again, I believe, I was opposed to the principle of removing the limitation period and yet I do recall that there were special instances, and my impression is that there was one exceptional one of a case dealing with a surgical pad that was left in the body of, call her a victim, for many many years and was not discovered for many years. That was an occasion, a matter that had come to the attention of the claimant many years after she had suffered the damage. So, Mr. Speaker, there have been times when the Legislature has been more lenient but the Legislature has not been consistent and, unfortunately, it has a lot to do with the kind of questions that are put on by lobby groups, by various people interested on behalf of the petitioner or interested on behalf of the defendant.

We changed the limitation period from one year to two years in the hope that two years would be sufficient and I am pleased to know that there have been insurance companies which made a point of reminding the lawyers of claimants that the limitation was about to expire. In this particular case, I believe it has been established that the Public Insurance Corporation did indeed remind the lawyer for Hawes that the limitation period was running out, but nothing was done and, as a result, the time ran out and therefore the MPIC was, I believe, by law, unable to make any settlement, to make any payment. The claimant was unable to go to court and that was the situation that occurs and would justify either the removal of the limitation period, the further extension

of the limitation period, or continued application of the limitation period.

At this session, we have made some changes in the limitation law to take into account the circumstances under which people who do not have the legal right to make the decision to sue have their time extended over a considerable period of time.

Dealing with the Hawes case, the bill which was brought, was it last year, was brought here in the same form, I believe, as it was brought here this year, saying that whereas the Hawes lost out on the limitation period, they should be allowed to sue the defendants, the drivers of the vehicles, and through them, of course, involve the Manitoba Public Insurance Corporation, in spite of the limitation period. In other words, remove the limitation period.

The reason for the delay was that their lawyer was negligible, and the argument in the House was that the Hawes couple had not used their legal right to go after the person who was really at fault, and that was the lawyer, and they should go after the lawyer. This they did. They got a judgment; there was a trial, there was a hearing. The court adjudicated and awarded approximately 65,000 as the damages suffered by Mr. and Mrs. Hawes, and ordered it to be paid by the lawyer, Szewczyk. Now, apparently, the lawyer, Szewczyk, not only had no assets but he, who had been insured through the Law Society compulsory plan, apparently did not comply with the requirement to give notice of the potential action against him in sufficient time, and that left the Law Society and its insurer off the hook. So the MPIC, and with full justification, said the limitation period had run out. The Law Society and its insurer, with full legal justification, said that the time had run out, and there were Mr. and Mrs. Hawes still without compensation for the damages suffered, although they now had a judgment for some 65,000 against the lawyer.

Mr. Speaker, when this bill came before us, some of us started to ask where Mr. Szewczyk stood in this matter and we were told, well, he's broke. We also learned that he is practising law at this very time, Mr. Speaker. We also said, where is the Law Society in this? If the MPIC is compelled to make payment in spite of the law, then why is the Law Society free from any obligation to pay, because it has relied on a very similar defence as does the MPIC. —(Interjection)— Mr. Speaker, I am sure the Member for Wolseley wants to make a speech and I am sure you will recognize him in time, Mr. Speaker.

Mr. Speaker, the question then arose as to why the Law Society was left free and why it was that the person who brought in the bill ignored the Law Society and put the entire burden on the Manitoba Public Insurance Corporation, which was no more guilty and no less guiltless in this situation than was the Law Society.

So, Mr. Speaker, at committee an amendment was brought in, and I moved it, which said that instead of putting the Hawes to entirely starting afresh with a new trial, a new hearing, new examinations, new evidence, the whole procedure, subject to appeal all the way up to the Supreme Court, that a judgment having determined the amount of damage, that that judgment should be accepted as being the amount of the loss, the amount of the damage, and that it

should be shared equally between the MPIC and the Law Society.

Mr. Speaker, as a member of the Law Society, I was very distressed to find these following circumstances: Firstly, the Law Society had come here in this very session and asked for enlarged powers for it to investigate and to act on incompetence amongst its members, a power it had not had before. We in the Legislature granted them that power and they thereby became more than ever obligated to stand back and to say, well, this is one of our members, we insure him; he is compelled to pay an insurance premium, as is every other member of the Law Society, and we are responsible to the public for the performance of our members. Now we find that the Law Society, of which I am a member, is using a legal excuse, which is justifiable in law, of saying, "We're not obligated. Why? Not because Hawes failed to give notice, but because Szewczyk failed to give notice to the Law Society that he was in jeopardy and therefore would get after them."

To me, Mr. Speaker, it was not related, but I could not ignore the fact that the Law Society compounded its position, in my eyes, and I say it's not related to the Hawes situation at all, but we discovered, all of us, the members of the committee, discovered that the Law Society had permitted Szewczyk on three occasions to offend against The Law Society Act. As I say, it had nothing to do with Szewczyk, but remember, there was negligence on his part in connection with the Hawes case.

Mr. Speaker, The Law Society Act provides that a lawyer, a practising lawyer, must have a certificate to practise granted to him every year. I believe it is on the first of April. It doesn't matter, whatever date. The Law Society Act provides that a month prior to that time a certificate must be filed by that lawyer, certified by, signed by an accountant to the effect that the accountant has checked the bookkeeping records affecting the trust account of the lawyer and finds that they were in order and all moneys received in trust were paid out in trust or were in the bank in the trust account. That's a requirement the Law Society had and I know every notice I got every year saying file that certificate, carried with it the information that failure to file would be followed by failure to receive a certificate. Apparently Szewczyk, on three consecutive years, failed to file that certificate and, in the same three consecutive years, received a certificate enabling him to practice. As I say, it has nothing whatsoever to do with the Hawes case but, Mr. Speaker, it is an indication of the negligence of the lawyer insofar as his own Society is concerned and, apparently, the Society overlooked three consecutive years in a row the fact that there was failure of this lawyer in a form of which was really incompetence and failure to comply with the requirements that his fellow lawyers were required to pay.

On that basis, Mr. Speaker, I felt, for one, as did obviously other members — the vote was five to four on this amendment — that the Law Society should not be relieved of a participation in payment of the damages suffered by Mrs. Hawes.

Now, some might say it should not have been the full one-half of the 65,000, because apparently, under the Law Society insurance scheme, the lawyer is accountable for the first 2,000, self-insured, the Law

Society is accountable out of its funds for this purpose for 23,000, and its insurer is entitled to any excess.

So under the law as it is, had Szewczyk made his proper notice to the Law Society, it would have been liable for 23,000.00. In spite of the fact that it was only 23,000, I, for one, felt that in all fairness, the Law Society, of which I am a member, should be accountable for one-half. I thought this was pretty fair.

Mr. Speaker, the lawyer who appeared on behalf of Mrs. Hawes said that he had called her and asked her to come to that meeting of Private Bills' Committee but she had suffered so much trauma in the past from all that went behind her that she did not really have the ability, the strength to come before the committee and have another hearing.

MR. SPEAKER: The honourable member has five minutes.

MR. CHERNIACK: Oh, I'm in trouble, Mr. Speaker. I'll do my best to speed it up.

Mr. Speaker, she had gone through a great deal of pain and anguish and I thought, with this amendment, that accepting the judgment of the court, which assessed some 65,000 as being the amount of damage she suffered, that that should be payable, not by going through a trial and the whole procedure of discovery examinations and appeals, but apparently this Legislature has the power to declare an amount payable and it should declare that amount payable, it being a judgment assessed by the court.

Mr. Speaker, at that stage we were told that it was learned recently that the damages she suffered were greater than was presented to the court at that time and therefore what was desired is a new go on the basis of present knowledge of her damages. That is where I stop, Mr. Speaker, because it seems to me that had Szewczyk sued in time, the award would have based on the evidence that had been available at the time. When the judgment was given against Szewczyk, the award was made by a court, presumably for the damages suffered to that time.

I think that it would be unfair and puts MPIC in jeopardy to now say to it that the delays caused by Hawes' lawyer are such that will put the MPIC at the expense of the total amount of damages. For that reason, Mr. Speaker, and rather than to have a whole new trial all over again, I believe that it is right that the amendment that was accepted by the committee and reported here should be allowed to stand. Following that, the Member for Minnedosa wants to reverse it back to releasing the Law Society, having the MPIC exposed for the full amount all over again; I think that's wrong.

The Member for Lac du Bonnet proposed that that 23,000 portion should first be paid by the Law Society. I don't see the sense to that, Mr. Speaker. If we are going for the whole amount, then that's the way the bill is. I am opposed to both the amendment and the sub-amendment. I feel that to save the Hawes the trouble of going through an entire trial and to give them what is just — and I think what is just is what the court found to be the damages suffered — and to relieve them from further obligations, that the proposal we made was just.

One point only, Mr. Speaker, it was suggested that the Law Society might not accept this judgment on the basis that it was unconstitutional. I don't believe it can. I believe this Legislature has the right to pass this kind of law and there is no trial available for the Law Society except to challenge the constitutionality and I don't think it can succeed, nor do I think it ought to try.

MR. SPEAKER: The Honourable Member for Inkster.

MR. GREEN: Mr. Speaker, I have indicated to the House some of my problems with respect to this type of legislation. The Member for St. Johns has indicated similar problems. I think the only difference is that I persistently, Mr. Speaker, did not vote for bills that changed limitation periods on the basis that one person should not be able to find a remedy that is not available to every other person.

Mr. Speaker, the debate tonight, and all of the ramifications of that debate, sort of convince me that my previous course was probably right. Having said that, Mr. Speaker, I can't in this case imagine this woman being left in the position that she's in. Unfortunately, there are eight different views — perhaps more than that, because we haven't heard from everybody yet — as to just what should happen as a result of it. That's why it's not good to have laws affecting one person.

I tell the member that he needn't worry about what I'm saying, because as hard as I am making it, I am ultimately going to come out and say that the woman should be able to recover something. But, Mr. Speaker, my problem is that everybody has a different idea as to how it should work. I would think that the neatest way of doing it — and it's not going to be done this way, but just to show you — the neatest way is that Mrs. Hawes has recovered a judgment. Somebody is not paying that judgment. There is an insurer who is complaining about something which is far less of a problem than what the Manitoba Public Insurance Company is complaining about.

The Manitoba Public Insurance Corporation has a statutory limitation which says that after two years you cannot sue us. They warned this person and the person didn't proceed. The woman went ahead and got a judgment against Szewczyk for 63,000.00. The Law Society has got, in my opinion, not nearly as strong a defence as has the Manitoba Public Insurance Corporation. I'm not talking about legal defence; I'm talking about equitable defence. Their defence is only contractual, that they were not notified within a period of two years, and I'm not sure that it would stand up.

The problem is, Mr. Speaker, that Szewczyk won't sue; and the worst problem is that, if he does sue, there may be other people who will get the 63,000.00. Because Mrs. Hawes has a judgment against Szewczyk, Szewczyk's money doesn't necessarily belong to Mrs. Hawes. Some people here would say it should be first for payment of wages, other people for payment of other things. The rank of priority will not permit Mrs. Hawes to recover from Szewczyk, even if Szewczyk recovered from the Law Society. Because I don't know what's going to happen to that money if Szewczyk proceeded, and I

don't think Szewczyk will proceed, because one thing a person doesn't do is proceed where he's not going to get anything, and Szewczyk won't get anything out of this judgment. So the chances are he won't do anything.

Now, Mr. Speaker, what would be the simplest way to start from here? There is a judgment recovered. The simplest thing to do would be to put Mrs. Hawes into the position of being entitled to everything that Szewczyk is entitled to; in other words, to assign Szewczyk's right to sue his insurer to Mrs. Hawes and to say that anything that comes from it shall not be in the priority of any other creditor but will be the entitlement of Mrs. Hawes, and to remove any limitation from the Law Society, to say that when Mrs. Hawes goes to recover — Hawes takes Szewczyk's judgment and seeks to recover from the insurer — that the insurer shall not be able to defend on the basis that there was no notification. Because they have been in no way prejudiced, Mr. Speaker. One thing that we can be sure of, and that is that the insurer has not been put to any disadvantage by the fact that Szewczyk didn't report, because the evidence of negligence is so barefaced that they would have to pay that claim.

Mr. Speaker, I don't wish to stand here as showing that my idea is better than anybody else's idea. All I'm indicating is that when you start to go into these things, that there are 100 different ways of trying to recover. We are talking about it in a position where you cannot re-amend and redo the legislation and perhaps each one of us — and I include myself in that — should have paid a little more attention to how it was going to work in the first place, and the ramifications of it. But the way in which it is now, in its present form, and the amendment by the Member for Lac du Bonnet, is objectionable, Mr. Speaker, in my opinion. I criticize nobody, because everybody is trying to do the same thing.

It is objectionable because it says that the Legislature is going to put a judgment on somebody. Well, Mr. Speaker, I don't criticize the people. I criticize the Minister of Economic Development, who sits here and says, that's right, without trying to have found out what is the right thing to do. Because, Mr. Speaker, the right thing to do is not to say that someone is entitled to somebody else's money, and by legislative Act. The right thing to do — and I will share responsibility for not having suggested it and maybe it wouldn't have come up until everybody had canvassed it out, because I too think that the insurer, the Law Society, should be responsible. But they should have the same right as the MPIC does. The MPIC has got a right to put in a defence. They still have to be sued. And what we should do is give the MPIC the right to sue Szewczyk and Sirs for the amount.

Now, Mr. Speaker, let me come to where I want to get. I believe that we have to go with the amendment of the Member for Minnedosa. If I had time, and if we could do it this session, Mr. Speaker, I would also change that bill and give the Manitoba Public Insurance Corporation the right to subrogate themselves to Szewczyk's judgment, to go after the Szewczyk insurers, and that Szewczyk insurers will not have a defence available to them saying that they weren't notified. Mr. Speaker, I firmly say that I would like to hear the Member for Minnedosa say

that next year he will come to the Legislature with a further Act in the matter of the name of these two people, that that further Act will give the MPIC the right to indemnify itself for 50 percent of any judgment by having Szewczyk's right to sue his insurer and the insurer shall not be able to put in a defence saying that they weren't notified by Szewczyk. That way, Mr. Speaker, both insurers will share responsibility for this and the Legislature will be doing, in the case of each insurer, exactly the same thing.

As a matter of fact, what we will be doing in terms of the insurers of Szewczyk is far less objectionable than what we are doing with regard to the insurers of the drivers. With regard to the insurers of the drivers, we're actually changing a statute. With regard to the insurers of Szewczyk, we're merely saying that they will not have available to it a defence, which defence really, in my view, is in no way prejudiced — the removal of that defence will in no way have removed any prejudice as to what would have happened if they were originally notified.

Mr. Speaker, I'm left here, I'm left doing something I don't want to do. No matter what I do, I don't want to do it. If I was as cold and callous a person as I think I am, I would vote against everything and say I've stuck to what I said. But, sometimes you see that sticking to what your position was doesn't always work, and in this case it doesn't work. It doesn't work because when I voted against the Hawes bill, I expected she would be able to sue her lawyer and that her lawyer should have a perfect right to get money from his insurance company. He pays money in every year. Maybe this fellow didn't do it, because they said they never had his certificate. But, Mr. Speaker, we pay money in every year and nobody's perfect. We are going to make mistakes. The Member for Wolsley is the only perfect one here. The rest of us are going to make mistakes. And if we make mistakes, we buy an insurance policy, and to me it's specious for that insurer to say, you didn't notify me in time. My God, I got three notices of a limitation period and I didn't file a Statement of Claim. What difference would it have been if I had notified you immediately . . . Is there any question you would have had to make an investigation to see if I was negligent or not, because that's the reason for immediate notification.

Therefore, Mr. Speaker, it makes it difficult for me. The Member for Lac du Bonnet has certainly got the right intentions, and I got up and expressed those intentions. The amendments that were put by the Member for St. Johns also have the right intention. But it rubs against the grain to say that one person is going to pay another person's judgment. We do not say the MPIC will pay Mrs. Hawes' 63,000.00, we say that Mrs. Hawes will have a right to sue. Those are the usual relief-type of cases. Now, what the Law Society is trying to do, and the reason they can do it, and the only reason they can do it, is that Szewczyk won't sue. If Szewczyk would sue, I don't think a court would permit that defence, under the circumstances, but don't take me as gospel for what a court will or will not do, because they often do exactly the opposite of what I think they will do.

What I am suggesting, Mr. Speaker, is that the Legislature — and don't forget, we're protecting the interests of all of the people of the province of

Manitoba. All of the people who pay automobile insurance are going to have to pay an additional 63,000 if it stays at 63,000.00. If it goes up, we'll have to pay more. And another insurer, who was supposed to pay something, is getting out of it. Mr. Speaker, I have a financial interest in this matter, and I guess we have to declare it, those of us who practice. We have to declare it, because if there is more paid by our insurers, our premium goes up. And our premium will stay lower if the Law Society doesn't pay, and therefore maybe I should be arguing that the insurer of Szewczyk should not pay, but I don't so argue.

I argue that the insurers of Szewczyk should pay, but I don't want to pass a law saying that they should pay. I want to have them put in the same position as the MPIC is being put in. I will take a defence away from them, a defence which is a slip, which they should never have in the first place, but I don't see how I can do it tonight. If what I've said makes sense and the bill could be brought in tomorrow and given three readings, I would do it. If what I say makes sense but we have to proceed with the Member for Minnedosa's amendment, then I would like to hear the Member for Minnedosa — indeed, Mr. Speaker, I would like to hear the Attorney-General — say that if this bill is passed, we will see to it that similar legislation is passed so that the MPIC can subrogate themselves to Szewczyk, that there are no other creditors who can attach Szewczyk's claim, that the MPIC will be able to take Szewczyk's action against his own insurer, that his own insurer will also have the defence taken away from them of the failure for notification. Then this unfortunate incident will be equally divided, and I think really inequitably. I think the insurers of Szewczyk, in this case, should be the main payers, but I'm not going to quibble about it. At least it will be paid 50 percent by the automobile drivers of the province of Manitoba, who are now having something taken away from them.

It's the same thing as passing a law. The Minister of Economic Affairs who says, that's right, you are now passing a law taking away from 300,000 drivers in the province of Manitoba, money, and giving it to somebody else, but you say you can't do it to the Law Society. Mr. Speaker, he says you can do it to the drivers, but you can't do it to the Law Society. (Interjection)— You don't think the bill should be passed at all. If you vote that way, that the bill should not be passed at all . . . Well, Mr. Speaker, I don't know what he's saying. If he's going to vote for this bill, if he's going to vote for the amendment from the Member for Minnedosa, then he is taking away from all of the drivers in the province of Manitoba money, and giving it to Mrs. Hawes. And he is doing it through a procedure which is probably more acceptable, I will admit, but the suggestion that the Law Society be put in the same position, Mr. Speaker, is just as accurate, and I would urge the member . . .

MR. SPEAKER: The honourable member has five minutes.

MR. GREEN: I would urge somebody on the other side, I would urge the Attorney-General, to give me an additional reason for voting for the Member for

Minnedosa's amendment. I would ask almost that the members in this House conscientiously resolve that Szewczyk's claim will be able to be pursued by the drivers of the province of Manitoba who have to put up this money, that they will be able to pursue it and that they will be able to get 50 percent from the insurer, if they can establish that there was a policy; that there was negligence; that Szewczyk would have been able to recover under this policy; that we do not have to have Szewczyk being the one who pursues it, we can have it pursued by the person who is going to get the money, and, Mr. Speaker, that the defence that this insurer was not given notification will be taken away from the insurer of the lawyer, the same way as the defence of the statute of limitation is going to be taken away from — how many drivers are there in Manitoba? — 400,000 people in the province of Manitoba, because that's what is being taken away.

I didn't wish to do it before but I'm going to do it this time. But I do, Mr. Speaker, want somebody to figure a way in which the insurers will be placed, with integrity, with honour, not an arbitrary act of the Legislature merely saying that they will pay the money, because Szewczyk will still have to establish that a policy existed. He will still have to establish that the policy would have insured his wrongful conduct. But the money shouldn't go to Szewczyk, because that way I think it is liable to go to the Income Tax Department, if he owes money. They might make a first claim against it, and if that's the case, Mr. Speaker, I'm not really that worried. But if we can establish a priority that the MPIC will be able to subrogate Szewczyk's claim and that the money that they will recover, as if they recovered on the negligence action and that the defence will be taken away, is a similar defence except in contract rather than by statute, Mr. Speaker, I would think that of all the solutions offered — and I say that this is the last one and maybe it's grown on the others — that it would be the most satisfactory to me. I'm not saying that means that it would be the most satisfactory to other members of the House, but it would enable me to feel that we have tried our best to see to it that justice was done.

MR. SPEAKER: The Honourable Member for St. Johns on a point of order.

MR. CHERNIACK: Yes, Mr. Speaker, and no longer in my defence but possibly the defence of the Member for Inkster, but certainly for other speakers, I did not think, Mr. Speaker, that I had spoken for 40 minutes, no, but I am wondering why you are limiting us to 20 minutes, when I read Rule 33(3) which says, "Notwithstanding sub-rules (1) and (2), speeches during the Private Members' Hour shall be limited to 20 minutes." I thought we were speaking on government business.

MR. SPEAKER: Order, order please. May I point out to the honourable member, Rule 88(9): "When debate is permitted on an amendment, no member shall speak more than once, or longer than 20 minutes."

MR. CHERNIACK: Thank you.

MR. SPEAKER: The Honourable Member for Wooseley.

MR. ROBERT G. WILSON: Thank you, Mr. Speaker. Two years ago we had a chance to deal with this bill when we sat on Private Bills, the Member for Ste. Rose, myself and others. At that time, I wasn't aware of the Oath of Allegiance that the Cabinet took, in which they were sort of given a promise to deal with all matters before them without fear of favor and I guess maybe the matter of the Hawes matter had not been dealt with in such a way that they could apply their knowledge and ability to make a rational decision. What the Member for St. Johns and the Member for Inkster have done is further raise some doubts in my mind and have raised some very valid concerns.

The Member for Inkster talked about paying money in by the lawyers, but at the same time he talked about — are we talking about 63,000.00? Is this bill before us for 63,000, or because of modern times and accident settlements, are we talking about 300,000 or 400,000.00?

The member talked about taking the money away from the drivers of Manitoba versus taking it away from the Law Society, and I thank him for his comments in that regard.

I do feel, in passing this bill, that maybe next year the member would look at the possibility of the government, namely MPIC, getting an assignment, because judgments are good for 10 years and Mr. Szewczyk may resolve his personal problems and get back into the marketplace and begin to make some money to pay off his just obligations.

The Minister of Government Services talked about his stand on the Szewczyk matter and the 63,000 and, in quoting from him, he claimed that the private insurers were to blame and that the lawyers were to blame and he didn't want the MPIC, namely the drivers of the province, to pay any of this money. But he couldn't find any way to force the Law Society to pay that debt.

Well, in dealing with Mrs. Hawes, after today's television program and having followed the case for two years, one has to look at the pictures of the accident, hear about the days of suffering of this woman and the strength to appear again and again trying to get her day in court. I think that it is sort of mind-boggling that members of the Cabinet, who are members of the legal profession, and other members of the Opposition, could not lobby within that elitist club to show the Society that in this one case they were being very dumb, because for 63,000 they have now focussed public attention on what is going to be, I am very much afraid, the beginning of the end of the closed door of the Law Society of Manitoba, because you are going to have the public demanding a window into the activities of the Law Society of Manitoba. Why? Because they have a set of rules and it's written up, April, 1974, Page 13: "Any lawyer that has a judgment against him is not to be given a certificate." But Mr. Szewczyk, according to the Member for St. Johns, was given a certificate, at least on three different occasions, despite the judgment.

There are other matters on which the Law Society puts out a report every year and on Page 10 of the last report, they say, considered complaints against

at least 30 members, covering negligence, improper this, improper that, failure this, surrender this, improper that, failure to honour, failure to honour trust conditions, and changing excessive fees.

But that's the whitewash and the intention of this bill is to draw attention to Mrs. Hawes' plight in dealing with that system. So if these people aren't going to save themselves, the public is going to demand a window and why has the public got a right to demand a window? Very simply, Mr. Speaker, because we give them a grant of 271,511 each year and, according to the annual report, they have the paltry sum of 1 million, or should I say 977,520, in the bank. But they haven't got the brains to pay Mrs. Hawes her 63,000, so I am very pleased to stand up in Mrs. Hawes' case, deciding whether I am going to vote for her or against her, saying, well, maybe in this case, these people who answer to no one have outsmarted themselves because this so-called educational grant is a bit of a hoax. Because when you read what the money is spent for, it is far from educational. They spend money on salaries, 95,000; rent 49,000 on that wall-to-wall carpeted office over in Lakeview Square. They have their luncheons; their cocktail parties; a 10,000 grant to the Canadian Bar Association; furniture and fixtures 15,722.00. Hardly anything in this entire budget relates to education. Travel and entertainment 12,502 . . .

MR. SPEAKER: Order, order please. We are dealing with a bill before the House; I would hope the honourable member would stick to the subject matter of the bill.

MR. WILSON: Thank you for redirecting my attention, Mr. Speaker, because occasionally . . . I am trying to protect the taxpayers' purse and in doing so in Mrs. Hawes' case, I am saying that we should give her a chance. I hope we are only talking about 63,000, but we are letting off the hook an establishment that will find a way, if we don't support the Member for Minnedosa, they will find a way to get it out of us anyway. —(Interjection)— The Member for St. Johns is right. We are taking them off the hook, but we have no choice because we do not have the direction of the former government, we do not have the direction of this government in dealing with the Law Society. Only the media, who is controlled by them, who will not print anything that is against them, will not permit the Member for St. George or anybody else to be able to deal rightly.

Look what happened to this poor judge in Vancouver who got himself in hot water . . .

MR. SPEAKER: Order please, order please. The honourable member will stick to the subject matter of the bill.

MR. WILSON: In dealing with Mrs. Hawes, she has the same problem with Mr. Szewczyk that a Mrs. Erkstein has with the fellow named Simms, who whipped her for 20,000 in the Pizza Hut scandal.

But there are so many cases, you could go on and on. They have a way of getting it out of us and in dealing with Mrs. Hawes' 63,000, this, called the Law Society Suitsors Trust Account with 2.1 million. Members on this side look back and why this bill is now before us for the second time, because nobody

has been able to get a window or convince or lobby the Law Society to do what is right and come up with the money. They are willing to deal with members of their own group from time to time who are declared mentally incapable or have an alcoholic problem, but in matters dealing with sleight of hand, matters dealing with a lot of questionable activity, they simply file in the report 30 members. Thirty members came before the committee. Their names passed by us in between coffee or drinks or whatever. They passed by us and we had to get rid of the agenda. I'm saying that's not good enough. We need a window to protect the Mrs. Haweses of the world.

This member, Mr. Szewczyk, paid in. They were happy to have him part of this club, this group, but Mr. Szewczyk, like others, proved to be a hooded cobra and the black robes are supposed to be a robe that should be a type of thing that gains respect. Justice Dixon deals with it in great length in his addresses to the graduating class, but some members wear that black cloak like the KKK wear the white ones. They are the hooded cobras you have got to watch because they are the ones that give all other members a bad name. I'm saying that we have to be able to force a window into this elitist group because any person who is a young lawyer coming up that has the nerve to criticize them, you read very quickly that he's moving to another province. We, like sheep to slaughter, have given them additional powers . . .

MR. SPEAKER: Order, order please. I'll warn the member once more that the subject matter of the bill is the subject of debate. If he would debate the issue before us, the Honourable Member for Wolseley.

MR. WILSON: Thank you, Mr. Speaker. I would like to think that Mr. Vic Grant, who wrote a column that said clients shouldn't suffer for lawyers' errors, and Mr. Matas, who wrote an article, and others, were attempting in some way to ask the Legislature to deal with this problem. The Member for St. George is so absolutely right but, Mr. Speaker, are you going to rule him out of order, as well? The problem is, Mr. Speaker, they can only do so much to a person and then that person has to retaliate. I would hope that my few words that I put on the record this session will be the type of thing that will pry the lid off, that will cause a look into this elitist society, for my family and for everyone and all my friends, I give you this present . . .

MR. SPEAKER: Order, order please. If the honourable member persists, I will have to rule him out of order.

The Honourable Member for Wolseley.

MR. WILSON: Mr. Speaker, the present that I am giving the law society is that I am going to support the Member for Minnedosa in the bill that he's bringing forward, because I am a type of person who believes the Mrs. Hawes and her suffering come paramount to the backroom dealings that go on, the annual grant we give the richest members of society when we have no money for a policeman in Wolseley. And they don't have, out of the million dollars they've got in the till, 63,000 for Mrs. Hawes. So

that's fine. A higher court than I will judge them. I'll deal with Mrs. Hawes tonight. I'll support Mrs. Hawes tonight. I'll vote against the amendment to the members opposite, and not for political reasons. I'm voting for Mrs. Hawes, because this bill that I envision is a bill to affect a person who, through no fault of her own, has no money, is suffering. It's an absolute known fact; there have been many pearls of wisdom written about it.

I would suggest, Mr. Speaker, that maybe the Hawes case is so important from the fact that by talking about Mrs. Hawes we have brought to light the untouchables who to this date no government has been able to deal with, no media reporter has been able to get past their editorial staff, and I think that's important. Even the Leader of the Opposition went on record, I believe — I think I have it quoted here somewhere in one of the articles — as even saying that they were rather incredible, their actions. That was really encouraging, to hear the Member for St. Johns and the Leader of the Opposition, and even the Member for Inkster, stand up and say and agree, possibly with my type of thinking, that that 63,000 is going to cost that establishment one heck of a lot of bad publicity.

MR. SPEAKER: The Honourable Leader of the Opposition.

MR. PAWLEY: Mr. Speaker, I would like to say a few words in support of the amendment as proposed by the Member for Lac du Bonnet. I know that the matter before us is one that gives us all a great deal of concern as to what is the proper route to proceed. I think it's quite clear that insofar as both Mrs. Hawes and MPIC, that in a way both parties have been prejudiced by what has happened over the last five years. If action had taken place in the normal manner, then indeed the situation, as we see it today, would be quite different from what we are faced with.

It appears, Mr. Speaker, that when the judgment indeed was obtained, that the medical report, the assessment of physical injuries involving Mrs. Hawes was not complete, and indeed, Mrs. Speaker, it was contemplated at that time that Mrs. Hawes would continue to enjoy employment until the year of her retirement, age 65. She is now 56 years of age. Mrs. Hawes, from the judgment, was one that was of stoic posture and one that was very reluctant to complain. It is only in the last little while that, as a result of medical assessments, she has been forced to discontinue her employment. Now, Mr. Speaker, if Mrs. Hawes had indeed had representation of legal counsel proceeding to sue the case, I think it's very possible that judgment would not have been obtained when it was obtained, that indeed it could be that the medical assessments would be undertaken prior to the obtaining of judgment.

This matter came before the Legislature some two years ago, and the basis for the defeat at that time of the bill that was introduced for the relief of Mrs. Hawes was on the basis that the lawyer ought to be sued, a judgment should be obtained as against that lawyer. That indeed was done, but a judgment obtained on the basis of the situation as it then existed, in October of 1979. I know that there is a legitimate argument, as was presented by the

Member for St. Johns, that we ought not to re-open a judgment. But I think the circumstances pertaining to this particular case are abnormal; they did not flow along the usual pattern that wise legal counsel would have proceeded with. Instead, the legal counsel in the case at hand missed the Statute of Limitations, and there has been a great deal of difficulty resulting therefrom.

Mr. Speaker, if indeed there are parties prejudiced, and I believe that MPIC to some extent at this point has been prejudiced; I believe that Mrs. Hawes has been prejudiced. But if I must choose as to whether MPIC will contribute as a result of prejudice or whether Mrs. Hawes will contribute as a result of prejudice, I will have to favour, in this case, the lady who has suffered as a result of what has happened, rather than the corporation, even though it be that the corporation is one that is financed, as mentioned by the Member for Inkster, by some 300,000 to 400,000 motorists.

So now I have reached that particular point. An argument has been advanced that causes me some concern, as to whether it is proper and right to impose a particular judgment upon any body, corporate or otherwise, in the province of Manitoba, by this particular body, by the Legislative Assembly of Manitoba. Mr. Speaker, I believe, at least from what members are indicating, that everyone accepts the fact that the lawyer and the Law Society specifically should be bearing at least 50 percent of the responsibility. I believe there is not one member in this Chamber that is prepared to defend the action of the Law Society and to indicate that the Law Society ought not to contribute. That is, I believe, the theoretical position that is taken by every member in this House. —(Interjection)— I know it's being said with exception of the Member for Minnedosa. I think the Member for Minnedosa is just trying to find the easiest way to deal with it, thinking that the best way is to simply go after MPIC.

But it's not fair, Mr. Speaker, that the Law Society should be able thus to avoid any responsibility. I'm rather surprised, in view of the fiery speech that the Member for Wolseley made in second reading, that he's now backed away and is not asking the Law Society to contribute. We've heard many fine speeches from the Member for Wolseley about those nasty guys from the Law Society, but when it comes to the crunch, the Member for Wolseley backs away. He runs full retreat, Mr. Speaker, tail between his legs. That's what we have observed from the Member for Wolseley.

Now, Mr. Speaker, I think that it is not without precedent that we do, indeed, impose a declaratory type of judgment in this Chamber. There seems to be some impression that we can't do that. Mr. Speaker, when we open up the Statute of Limitations and say, despite the fact the action was not commenced within the two-hear period, this Legislature finds that the Statute of Limitations can be re-opened, that indeed is a form of judgment, judgment being expressed by members of this Chamber. The Member for Minnedosa, in his bill, has found indeed a method of proclaiming a judgment in this Chamber. Mr. Speaker, when we validate assessments that have been incorrect — and that has taken place in this Chamber — assessments that were done incorrectly, assessments based upon false

information, and this Legislature has received bills to validate, correct assessments, we have been making judgments, and by way of those judgments, we have corrected that which was wrong by way of original assessments that were done in various municipalities in the province. The journals of record will show many such instances where there have been judgments that have been found in this Chamber pertaining to assessments.

Mr. Speaker, I do not believe it is correct to say that we can't do what is being proposed in the amendment proposed by the Member for Lac du Bonnet. I think it would be absolutely wrong if the Law Society is not expected to make a contribution to this judgment. If this is not acceptable, I would like to further examine the approach suggested by the Member for Inkster. What is important is that Mrs. Hawes receive redress and none of us, I think, no one in this Chamber at this stage is going to not support some degree of support for Mrs. Hawes. The problem, as I see it again, is the fact that, because it's easy, a simple way, we're tying in MPIC, and MPIC has statutory defence to that which the Law Society has only a contractual defence. So if anything, the Law Society is more in the wrong. Their case is weaker than MPIC in the case before us.

Mr. Speaker, I hope that members will, first, give Mrs. Hawes another opportunity, in view of the fact that the medical assessments were not fully complete, that there has been evidence since to indicate that she is no longer able to work, therefore I believe the entire matter should be re-opened as per the bill that was introduced by the Member for Minnedosa. But at the same time, Mr. Speaker, equity and fairness, and because each and every member in this House feels the Law Society must bear some responsibility, and because indeed there have been judgments, power of judgment, declaratory judgment, in this Chamber before, Mr. Speaker, I feel that we ought to support the amendment of the Member for Lac du Bonnet. I believe in so doing, we will have achieved principally that which I believe most of us would like to achieve: Mrs. Hawes receiving proper and full redress and the Law Society not being able to duck its fair responsibility for its actions in this case.

MR. SPEAKER: The Honourable Attorney-General.

MR. MERCIER: Mr. Speaker, I must disagree with the position enunciated by the Leader of the Opposition and, I think, agree with the position enunciated by the Member for Inkster.

Mr. Speaker, I think there seems to be, in the minds of some people in the Legislature, some confusion between the Law Society and the Law Society's insurer. It is the insurer of the Law Society who has denied liability on the basis of the — (Interjections)— It is firstly, Mr. Speaker, the insurer of the Law Society who has denied liability on the basis of the notice provision in the insurance contract.

Mr. Speaker, to suggest that the Law Society should be responsible for the errors and omissions of its members is a principle that I don't think has been made applicable to any other professional group in Manitoba. I don't know that in The Nurses Act, or The Licensed Practical Nurses Act, or The

Medical Act that we have before us, that there's any provision in those Acts for those societies to be responsible for the negligence of their members.

Mr. Speaker, the Law Society have taken some steps to attempt to protect the public. As members of the Law Society who are members here know, they require members to take out liability insurance. I am advised that this is the only case, to the knowledge of the Law Society, in which there has been a denial of liability. —(Interjection)— That may very well be, but I'm saying it's the only case that the Law Society is aware of that there has been a denial of liability on the basis of this notice provision.

Mr. Speaker, I believe this is a case where some relief is necessary to be provided to Mr. and Mrs. Hawes, but I think the more appropriate solution, rather than this Legislature making a judgment, which I concede it probably has the power to do but I think is one that should be exercised extremely cautiously and carefully. I'm sure in cases of assessment they have been validated. I think two years ago I myself brought a bill in to validate a municipal assessment for a five-year period. But that's quite different, I think, because it's necessary as a provincial matter to simply be able to provide some order and some certainty in the ability of municipalities to provide services and raise taxes throughout the whole province.

Mr. Speaker, I think these people do deserve some relief and I intend to support the bill, hopefully in its original form, and I would like to, hopefully, be prepared to consider an amendment along the lines suggested by the Member for Inkster. Because I think that is where the responsibility lies. This is a private member's bill, Mr. Speaker. Members opposite are asking me if I'm prepared to bring it in. I don't know what the position of the Member for Minnedosa is, who hasn't spoken yet. We'll hear from him, but I'm certainly prepared to give that serious consideration because I think there's not much difference, as the Member for Inkster pointed out, between the situation of MPIC with their two-year statutory period and the insurer with their defence based on notice in their contract. I think those situations are quite similar but I can't see, as the Member for Inkster can't see, any justification for this Legislature determining almost on a unilateral basis that there is a cause of action against a professional society for the negligence of its members. Its without precedent. I think the Law Society have gone a long way in this whole area by taking the position that liability insurance has to be taken out by their members. That has obviously resolved a lot of the problem and this is the only exception that's ever been brought to my attention and, as I am advised by the Law Society, the only one, it would appear, in the past seven or eight years.

Mr. Speaker, I can't support the amendment from the Member for Lac du Bonnet or the report from the Private Bills Committee, but I expect, those two amendments being defeated, that I will be able to support the bill in its original form.

MR. SPEAKER: The Honourable Member for Wellington.

MR. CORRIN: Mr. Speaker, I just wanted to go on the record in order to deal with what appears now to be, of course, the only difference as between the two factions or sides in the debate. That is the question of whether or not there should be an attempt to impose liability on the Law Society with respect to the claim of Mrs. Hawes. Personally, Mr. Speaker, I feel at this juncture and it took me a lot of soul searching and a lot of time consumed in reviewing the facts and evaluating and assessing the relative merits of both sides of the argument to conclude that the Law Society should be found liable and responsible, at least in this court. Because, Mr. Speaker, they may not be responsible in any other court, not unless very special provisions were made. They should be found liable, in my opinion, Mr. Speaker, for a degree of negligence in the manner in which they have conducted the internal affairs of their offices. I personally feel that the Law Society should have provided insurance in such a way as to assure that this type of situation did not arise or occur. It seems to me that the first interests of the public, in this regard, demand that the society conduct itself in such a manner as to assure that people would be able to make a claim if they had this sort of problem. And in this respect, Mr. Speaker, I would indicate that I regard it also as a problem which pertains to this House, because we could, Mr. Speaker, impose by law a requirement on all professional bodies that comprehensive public liability insurance be carried that would satisfy this particular concern.

During the course of the second reading on each of the professional bills that were introduced or many of the professional bills that were introduced this session, Mr. Speaker, I asked the mover whether or not such a provision was contained in any of those bills, and in all cases the answer was negative. And I believe, Mr. Speaker, that it is our responsibility to protect the consumer of all professional services and we should assume the burden of that responsibility and make such provision in all relevant legislation.

Having said that, I think that the Law Society has fallen down in another area, as well. In this regard, Mr. Speaker, I say this in the full knowledge that, if I am successful in my argument, I am going to be, as another member of the profession who is speaking in support of the sub-amendment, I am going to be a person who is going to have to shoulder the special levy that I presume will have to be put upon all the members of the society in order to make up the 23,000-odd.

Mr. Speaker, we have heard from the solicitor for Mrs. Hawes, and the Member for St. Johns mentioned this, that the Law Society allowed the defalcating solicitor, Mr. Szewczyk, to practice professionally and hold himself out as a solicitor for some three years, in the absence of an accountant's certificate. This, Mr. Speaker, is absolutely abominable. Frankly, it's beyond me how any person in a position of that sort of trust could be allowed by a professional body, charged with reviewing the affairs of that profession, to practice without an accountant's certificate verifying that his trust accounts were in proper order.

This, Mr. Speaker, in itself, is an act of such negligence, in my opinion, as to necessarily require

the review by this House of the affairs of the Society. And I say that, Mr. Speaker, fully aware of the fact that I will be called upon to pay my proportionate share of the special levy that will be imposed if the sub-amendment is successful. But, Mr. Speaker, it seems to me that those two omissions, if you will call them that — one of them partially the responsibility of this House — have to be cured and it seems to me, on that basis, that the Law Society should have to bear its rightful portion of the responsibility for this matter.

Mr. Speaker, in addressing this, I've also had cause to review the impact of limitation periods and their effect. I, Mr. Speaker, am a person who does not believe, as a matter of philosophy, in the rationale for the imposition of limitation periods. I personally believe in a universally, comprehensive, no-fault insurance scheme that would protect all the citizens of Manitoba from this sort of risk. That's where I stand. It's a philosophical belief. We, in this province, still do not have that sort of insurance. There is a prevailing myth that the legislation that brought Autopac into being also brought into existence this broad-based comprehensive no-fault insurance. Well, it doesn't exist, Mr. Speaker. We've come a short way in fulfilling that goal but we haven't travelled to the end of the journey.

It seems to me, Mr. Speaker, that no person should be put at risk simply because they haven't filed a suit within a certain period; leastways, Mr. Speaker, I don't think that such a risk should have to be limited to a two-year limitation period. It seems to me that simply is too short. My own feeling is that limitation periods very often are used by the insurer, whether that entity is private or public, to induce early settlements. I do not believe that, although I recognize the need for cases to go forward on as prompt a basis as possible in order to maintain evidence, in order to assure that matters won't linger and be protracted indefinitely, in order to put the defendant in a position where he, she or it, knows what the consequences of its action will be, I appreciate all those arguments but it seems to me that very often limitation periods are nothing but a protective device provided to the insurer, traditionally the private insurer, in order to limit the nature of claims. And here in the Hawes case we have a classic example. We have a situation where, we're now told, that the 63,000-odd claim that Mrs. Hawes recovered a short time ago is already, apparently, inappropriate. We're told that there have been proven now to be residual disabilities which are now apparently manifesting themselves and if Mrs. Hawes was to go to court today, I am advised by her counsel and other members that it is felt that she would receive a much larger award of damages than she did initially.

So, one has to question, in that regard, Mr. Speaker, the efficacy of limitation periods. In some sense, I think they often induce people to proceed too soon, when the matters are not fully finalized. I know lawyers are supposed to be responsible and they're not supposed to do that, but the truth is, Mr. Speaker, that practical exigencies, the need for money, the need for a settlement, and I'm sure a person in Mrs. Hawes position was in this sort of situation where she felt she had to have some money to subsist. Well, because of those pressures, Mr.

Speaker, very often people are beat into the courts and very often beat into the courts by public insurers, Mr. Speaker. The solicitors for the Public Insurance Corporation have the same sort of instruction as those for the private. They're told, wherever possible, to cut claims short and cut costs. They don't perceive themselves as being representative of a charity. And I think, Mr. Speaker, with respect, that their performance is measured not by the extent of the claims that they settle but rather by the minimization, rather than the maximumization of those claims.

Mr. Speaker, we have a dubious sort of situation and I think that we, in this House, have to protect the interests of everybody. It seems to me that it would be easier to extend the limitation period and allow every Manitoban to pay a slightly higher premium — and I don't know precisely what that would be, but I know it can't be that much because it would be borne by hundreds of thousands of motorists — than have somebody in the position of M's. Hawes receive 63,000 when a rightful claim a year or two later might be to the order of 90,000 or 100,000.00. It just doesn't seem fair, Mr. Speaker. So, this is something I think we will have to look at and consider very seriously in the days to come.

I also might say that I'm not sure that I can feel altogether at ease with the prospect of opening up a judgment. It seems to me and here, Mr. Speaker, I suppose I can only justify it on the basis of my particular feelings, my peculiar feelings about limitation periods and the hardships they impose because, Mr. Speaker, I know that there must be in this province hundreds, if not thousands, of people, who would love to have the Legislature intercede on their behalf in order to open up a court imposed judgment, in order that they can make a residual claim. Some would do it because their lawyers perhaps didn't do the job they might have and they didn't get as money as the claim may well have been worth; some would do it, I suppose, because of disabilities that only made themselves apparent after the time the court case was over. But notwithstanding that, I have a great deal of difficulty in doing that, because I suppose I feel rather like we're all put in the position almost of exercising God-like judgment and discretion and it strikes me that it is an extraordinary position for mere mortals to be in, to be able to take one person's case, draw that one person out of the public and say we are going to offer you special dispensation; we're going to do for you what perhaps we should do for everybody, but you are the lucky person, you've won this grand lottery and you're going to have this.

The Member for Transcona, when we were talking earlier before the debate respecting this matter, said that it was like the days of the grand monarchy, when the king or the queen could prefer dispensation on a subject and change the law with respect to that one person, and that is a fanatastic power for any citizen to be able to wield. It's with some trepidation that I do it, Mr. Speaker, and with some respect, because I appreciate that it's a very onerous responsibility, and I suppose that's why so many of us are rising to participate in the debate because we recognize that it's not something within the realm of the usual; it's something that's quite extraordinary.

In exercising this privilege, Mr. Speaker, I can say that I am going to be down on the side of what I perceived as compassion and humanity; what my friend the Honourable Member for Transcona says, erring on the side of — I think to paraphrase him, he said it much better — the best sort of justice; the highest principles of justice; providing somebody with the relief that they should have been able to have if the world was ideal and everything was perfect. That's a marvelous position to be in on this one occasion, Mr. Speaker, but I don't think I want to be put in this position too often. I don't think I want to exercise this God-like discretion on too many more occasions. From my point of view, Mr. Speaker, once is almost enough.

I would like to see us work on something that will provide universal no-fault insurance that will protect all consumer and professional services; I would like to see us extend limitation periods; I would like us to extend no-fault insurance as widely as possible. And in do so, Mr. Speaker, I think we'll better the lot of all the Mrs. Hawes who don't have influential friends and supporters, and certainly, Mr. Speaker, will better the lot of our own successors who shouldn't be burdened with this sort of decision. Thank you.

MR. SPEAKER: The Honourable Member for Minnedosa.

MR. BLAKE: Thank you, Mr. Speaker. I may be tempted to say something more than I am going to say, but the hour is late, Bill 57 and the amendments have been debated, I think, fairly thoroughly and I'll only repeat what I said earlier, and when I urge my colleagues to defeat the sub-amendment and support the amendment to get back to the original bill which is an Act praying for the relief of Mrs. Hawes. It's not a get the Law Society Act; it's not a get a lawyer Act; it's not stick MPIC. I think what the Member for Inkster has said has some merit and that could always be taken care of in another session.

The bill has been around for a long time. My anxiety now is as it was in the first instant when there was some indication that this may become involved in a legal entanglement and legal hassles, and we can very well see by the various arguments tonight what can happen with bills of this nature.

Mr. Speaker, I am concerned with the relief of Mrs. Hawes. The fact that she has been denied her day in court and the bill is simply to give her that right that she had not been able to obtain even though she followed all the normal paths in seeking legal advice. I think the Attorney-General may be well advised, as has been suggested by others tonight, to take a look at some of the activities of the Law Society in allowing someone to practise who apparently had not filed a certificate of accountability for some three years. But be that as it may, those things can be discussed later. My prime purpose in presenting the bill is to see the woman receive justice which I think she has been denied through no fault of her own and I am urging my colleagues, Mr. Speaker, to defeat the sub-amendment and support the amendment to the bill, and pass this bill as quickly as possible in order that the case of Mrs. Hawes may proceed to a satisfactory conclusion.

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

MR. URUSKI: Thank you, Mr. Speaker. I will not take too long, Sir. I am prompted to speak this evening, Mr. Speaker, on this legislation primarily based on the comments that the Member for Minnedosa made and the Attorney-General. The tenure of the debate that went on originally when the bill was presented, the explanations that were given to myself and to other members of this House, that what the Legislature was interested in doing is to try and have a judgment that was awarded to Mrs. Hawes paid to her as quickly as possible because she had suffered for so long after she had a legitimate claim which she could not collect originally, after presenting a bill to the Legislature, then suing the lawyer who was negligent in the case, and this piece of legislation would, in effect, provide her with moneys that were owing to her on the basis of the judgment.

But, Mr. Speaker, the Member for Minnedosa, indicates that we should support his amendment and we should forget about Law Society bashing, or lawyer bashing, or anything like that. Mr. Speaker, if ever there was a time that if there was to be any justice, as rough as it might be, and I believe as equitable as it might be, we should have supported and continued to support the amendment that was presented and passed, Mr. Speaker, and passed by committee; a committee of members who had the majority. The Conservative side has the majority; they supported the amendment that was presented by my colleague the Member for St. Johns, Mr. Speaker; they supported the amendment. And the amendment that was presented, Mr. Speaker, which now apparently there is a complete move away from that amendment by the Conservative side, primarily I presume on the basis that there is new medical evidence, Mr. Speaker. And because of new medical evidence now we want the right to re-open the whole case completely.

Mr. Speaker, we are really taking the Law Society off the hook, completely so. The Conservatives, one could call them cream puffs in terms of their position towards the Law Society, Mr. Speaker, especially the Member for Minnedosa. If one could be accused of prejudicing the motorists of Manitoba, the Member for Minnedosa could be accused of that. For he is the member who sits on the board, of which corporation? The Manitoba Public Insurance Corporation. He sits on that very board and he is, in effect, legislating against the corporation and not giving them at least the right to defend themselves, Mr. Speaker. If anyone could be accused of prejudicing the case of the corporation he could be well accused, Mr. Speaker.

I believe, Mr. Speaker, that like members who have spoken, for one thing this is a time that the Legislature should really review the procedures of the Law Society. To allow a lawyer, first of all, to practise and be convicted of a judgment for negligence, we now find that not only is he not back to practising law, Mr. Speaker — and the Member for Inkster mentioned in his talk — it's not in his interests to now sue the insurer. But frankly, I think it is in his interest to sue the insurer. It might keep him half way out of jail, Mr. Speaker, because I gather if he sued

and collected his judgment it would pay maybe half of the fine that has been levied on him, so it might be. It may not help Mrs. Hawes but it will keep him half way out of jail if there is such a thing because it would probably pay for half the fine.

Mr. Speaker, I initially, and I really think we should support the original amendment, my feelings and inclination have turned on the basis that I thought that we were here to assist Mrs. Hawes in receiving a sum of money that she had been wrongly kept away from and she had —(Interjection)— Mr. Speaker, the Member for Minnedosa says read the bill. Mr. Speaker, what it does is it opens the whole thing all over again. She has to go back to court. Mr. Speaker, the amendment that was presented ended it. There was a judgment. While now it is argued that it wasn't the right judgment, but there is a judgment handed out by a court of law. What did the amendment say? It said look, showing that the Law Society has some legal liability in this case because of the simple fact that the lawyer didn't notify them and the law of contract plays a much lesser role in this case than the law of statute in terms of the Limitations of Action.

Mr. Speaker, the amendments that were presented are pretty straightforward. The lawyer who was subject to the deductible of 2,000, was his liability. The Law Society was liable to the next 23,000, Mr. Speaker, and the remainder would be shared equally between MPIC . . .

MR. SPEAKER: Order please. I wonder if I could interrupt the Honourable Member while our recorder changes his tape. The Honourable Member for St. George.

MR. URUSKI: Mr. Speaker, in listening to other members and hearing the discussions on this bill, there were statements being made, whether in the House or outside, to the effect that we will only protract this situation if we tie the Law Society into this Act as being partly liable; what we will do is that the Law Society will go all the way to the Supreme Court of Canada and fight this thing.

Mr. Speaker, if ever that could be argued that this may be, by using that kind of an argument, that this may be a case of intimidation on the highest court of Manitoba, this could be argued in such a way, Mr. Speaker. I don't accept that argument. I believe that the Legislature should be able to tie the Law Society into this thing. I think they are liable on behalf of their, not client but by their members. The members are obliged because they cannot practise law unless they pay that insurance fee to the Law Society and I believe, Mr. Speaker, that if we are to bring in some form of justice, we can — and I was hoping that the Attorney-General was going to indicate in his remarks in answer to the Member for Inkster that he would be prepared to bring in future amendments, even at the next session, to deal with the suggestions the Member for Inkster made, but it didn't go quite that far. It started in the right direction and then it became hope and possible and that was the end of it. We are not sure where the Attorney-General stands in this regard, or members on the other side.

I would hope, Mr. Speaker, that even if we allow this thing to be reopened there is no doubt that the

Law Society has an onus and a responsibility in this case and they should not be totally let off the hook and I would hope, even though I think less of this sub-amendment, as proposed by the Honourable Member for Lac du Bonnet, but I would think that its far better than what was originally proposed and what is being brought back again, even though some Conservative members — it will be interesting to see how they react in the vote on this case. I hope that we would support the sub-amendment on this legislation.

MR. SPEAKER: The Honourable Minister of Health.

HON. L. R. (Bud) SHERMAN (Fort Garry): Mr Speaker, I participated in the committee vote that's been referred to and I was one of those who voted against the amendment proposed by the Honourable Member for St. Johns, although I acknowledge the motives implicit in that amendment and I think that there is cause for examining the responsibilities of the Law Society in situations of this kind. I think that, as a consequence of what's happened in this Legislature and in the committee during the past two weeks, that the Law Society will be addressing that problem in its midst very conscientiously. If it doesn't do that, then it had better be on its guard because I suggest that the evidence of the past two weeks of debate and discussion indicates that it should be a priority responsibility for the society to address itself to that problem in the future and in the immediate future.

But, Mr. Speaker, there seemed to be many on the other side who have suggested in this debate that somebody here is letting the Law Society off the hook. Nobody, Mr. Speaker, in this bill is letting the Law Society off the hook in the sense that it's proffered by commentators from the opposite side of the House, or in the sense in which the Honourable Member for Minnedosa developed and brought forward this bill. Why should Mrs. Hawes be made responsible for ensuring that the Law Society is on the hook? If the Law Society should be on the hook, then there are various ways, subtle and not so subtle, in which that message can be conveyed to the Law Society, and they can be made to recognize the fact that this kind of escape from, or avoidance of, a responsibility is not acceptable, publicly or legislatively, won't be tolerated indefinitely, and that they had best address the problem. But to ask Mrs. Hawes to be the catalyst and the dynamo for conveying that message to the Law Society, I think is grossly unfair.

Mr. Speaker, much of this debate reminds me of a great line of the late Jimmy Durante, "Everybody wants to get into the act", everybody here wants to help Mrs. Hawes get her money, and that is well-intentioned and well-motivated, except that too many cooks can spoil the broth, Mr. Speaker, and there are so many people getting involved in it that Mrs. Hawes is likely to get nothing unless we get on with the job that was developed by the Member for Minnedosa, in consultation with Mrs. Hawes and her husband, undertaken with their consent, with their full knowledge and acquiescence of what they wanted and what was being done, and what was going to be proposed in this legislation. To clutter that process and that procedure now with all these

other well-meaning, well-intentioned, well-motivated arguments and initiatives, I think does a disservice to Mr. and Mrs. Hawes.

The Honourable Member for Minnedosa has come to the conclusion, in talking to the Haweses, and in particularly in talking to Mrs. Hawes, that some relief is needed for her in the immediate future. There is no question, Mr. Speaker, and I am not a lawyer but certainly there is no question in the minds and in the opinions of those of legal training and expertise with whom I've consulted that if anybody in this situation tries to go after the Law Society right now they may well win; they may well win, Mr. Speaker, but it is like the Russian aphorism, "There's not going to be a war, but in the struggle for peace not a stone will be left standing". And that can be applied in this situation, Mr. Speaker. They may well win, but unfortunately, it may be too late to help Mrs. Hawes or Mr. Hawes. They have suffered a long time. They are getting older. They need help. They want an opportunity to re-initiate their action, to pursue the course of action that they would have liked to have done in the first instance. With all those considerations taken into account, the Honourable Member for Minnedosa has developed a piece of legislation that is before the Legislature; that went before the committee; that was very responsibly addressed by the Honourable Member for St. Johns, and they agreed with the motive . . .

MR. SPEAKER: Order please. The Honourable Member for St. George.

MR. URUSKI: Would the honourable minister permit a question, on the basis of the statement he just made?

MR. SHERMAN: I certainly will as soon as I have finished, Mr. Speaker.

A position responsibly developed by the Honourable Member for St. Johns, which was described at the time in committee by some of us who voted against it, as well-meaning and well-intentioned. But it nonetheless clutters and obscures the path available to the Haweses, a path that was designed and devised, as I say, with their concurrence, by the Honourable Member for Minnedosa, and the easiest, most direct and most appreciated route that this Legislature can follow insofar as the Haweses are concerned is to dispense with the other good intentions that have been put in the way and to clear the path for the Haweses to undertake the action that they would like to undertake.

Now, in the future, there certainly are things that can be done, and no doubt should be done, and I would expect that the message from this Chamber and from that Committee room, Room 255, a few days ago, should be conveyed loud and clear to members of the Law Society, but let us not ask Mrs. Hawes to take on the responsibility of ensuring that, in the words of some members of this Chamber, that the Law Society should not be taken off the hook. That's not her responsibility. She knows what she wants; the Member for Minnedosa knows what he wants and thus I voted against the amendment proposed in Committee by the Member for St. Johns and I will vote against it again tonight, and I will be

supporting the bill and the motion brought forward by the Member for Minnedosa, with the caveat on it that I trust that the Law Society will attend to this kind of problem so that it doesn't arise again in the future, or in the future, Mr. Speaker, I would be prepared to consider the kind of action that is proposed in the Honourable Member for St. Johns' amendment. But at this point, I think it would be patently unfair to the Haweses, who are the principals, who stand to suffer by delay and to hopefully gain something by some expedient action.

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

MR. URUSKI: Mr. Speaker, the Minister of Health, during his remarks, indicated that this bill would prevent any delay from Mrs. Hawes receiving any money. Could he tell me how long will it take to have MPIC go through a new court case? How long will it take?

MR. SHERMAN: Mr. Speaker, I can't tell the honourable member that. But I can tell him this, that it will take a long time to get that money out of the Law Society through the legal process; and I can also tell him this, that the Haweses want to proceed in the way laid out in the bill. Why is everybody taking it upon themselves to decide what is best for them? That's what I say, everybody wants to get into the act. Why don't we do it their way? That's the way they want to do it.

QUESTION put on the Sub-Amendment, MOTION defeated.

MR. SPEAKER: Now, the Motion before the House if the Amendment as proposed by the Honourable Member for Minnedosa.

The Honourable Member for Inkster.

MR. GREEN: Mr. Speaker, I heard the Attorney-General say that he would give consideration to the kind of suggestion that I made myself. I heard the Member for Minnedosa say that if this is passed that he sees no objection to the kind of suggestion that the MPIC have a right to subrogate themselves to the Szewczyk claim against his insurers, whoever they may be, and that his insurers would be deprived of the same type of defence, contractually, that the motorists of Manitoba have been deprived of statutorily. And I heard the Minister of Health say that he thinks that kind of thing should happen.

I believe, Mr. Speaker, that there will be a very very good opportunity for the members who spoke, and others who seemed . . . And I have heard not a single objection. The only one who I heard say we can't get anything from the insurers is the Member for Wolseley and I hope that he is wrong that the two insurers here, both of whom would be responsible; as a matter of fact, I would think that if things had taken their normal course, the insurer of the lawyer would have borne a more heavy responsibility than the insurer of the other drivers to the motor vehicle. But I am not insisting on that, Mr. Speaker, I am reminding those members who spoke and those who didn't speak, and the fact that there were no objections, and my impression that this amendment

is going to go through on that basis, that when the subject is dealt with, as I have every reason to believe that it will be in the next session of the Legislature, that they will make good on their undertakings to consider, and I hope, in a very positive way, that . . . —(Interjection)— Excuse me? Mr. Speaker, I am now talking in terms of good faith on the part of members. What I have heard here tonight would indicate to me that members acting in good faith will see to it that the other insurer is treated the same way as the insurer in the Province of Manitoba. And then I am going to play a trick, Mr. Speaker, I am going to do what they do at a wedding. Any member who says otherwise, speak now or forever hold your peace. And vote next year, that's right.

QUESTION put on the Amendment, MOTION carried.

QUESTION put on Report Stage, MOTION carried.

THIRD READING

MR. MERCIER, presented Bill No. 57, by leave, An Act for the Relief of Ingibjorg Elizabeth Alda Hawes and George Wilfred Hawes, for third reading.

MOTION presented and carried.

MR. SPEAKER: The Honourable Government House Leader.

MR. MERCIER: Mr. Speaker, I would like to attempt to deal with two more bills on which I believe there is no disposition to enter into a debate.

Bills No. 61 and 115 were each read a third time and passed.

MR. MERCIER: I move, Mr. Speaker, seconded by the Honourable Minister without Portfolio, that this House do now adjourn.

MOTION presented and carried, and the House adjourned and stands adjourned until 10:00 a.m. (Tuesday).