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KILDONAN	James T. Mills	142 Larchdale Crescent, Winnipeg 15
LAC DU BONNET	Oscar F. Bjornson	Lac du Bonnet, Man.
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RADISSON	Russell Paulley	435 Yale Ave. W., Transcona 25, Man.
RHINELAND	J. M. Froese	Winkler, Man.
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ST. MATTHEWS	W. G. Martin	924 Palmerston Ave., Winnipeg 10
ST. VITAL	Fred Groves	3 Kingston Row, St. Vital, Winnipeg 8
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SELKIRK	T. P. Hillhouse, Q. C.	Dominion Bank Bldg., Selkirk, Man.
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SOURIS-LANSDOWNE	M. E. McKellar	Nesbitt, Man.
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THE LEGISLATIVE ASSEMBLY OF MANITOBA
2:30 o'clock, Monday, March 16, 1964.

Opening Prayer by Madam Speaker.

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

MR. M. E. McKELLAR (Souris-Lansdowne) introduced Bill No. 97, an Act to establish Riverside Cemetery Board for the operation of a Cemetery serving the Rural Municipality of Dauphin and the Town of Dauphin.

HON. GEORGE HUTTON (Minister of Agriculture) (Rockwood-Iberville) introduced Bill No. 98, an Act to amend The Credit Unions Act.

MADAM SPEAKER: Before the Orders of the Day, I would like to attract your attention to the gallery where there are seated some 33 Grade 8 to 11 students from St. Benedict Academy under the direction of their teachers, Sister Lioba and Sister Gregory. This school is situated in the constituency of the Honourable the Minister of Agriculture. We welcome you here this afternoon. We hope that all that you see and hear in this Legislative Assembly will be of help to you in your studies. May this visit be an inspiration to you and stimulate your interest in provincial affairs. Come back and visit us again.

Orders of the Day.

MR. T. P. HILLHOUSE (Selkirk): Madam Speaker, before the Orders of the Day, I beg leave to move, seconded by the Honourable Member for Lakeside, that this House do now adjourn for the purpose of discussing a matter of urgent public importance; namely, the action of the Attorney-General in writing letters to the Chief Justice of Manitoba and the Chief Justice of the Court of Queen's Bench, Manitoba, for an opinion as to whether or no there had been any impropriety in the Department of Attorney-General and law officers of the Crown in respect of the conduct of five recent murder cases.

HON. DUFF ROBLIN (Premier) (Wolseley): Madam Speaker, I see that you are reading the motion. Perhaps I may speak to the point of order with respect to urgency that is involved in it. I would point out that there was an opportunity to discuss this matter in the Committee of Supply, as the information that the resolution is based on was tabled in the House some time ago when the estimates of the Attorney-General was before the House. I also ask you to consider whether it is in fact an urgent matter that should be dealt with in this way. It seems to me that if the members opposite wish to debate this matter they could introduce a substantive motion and deal with it in the regular course of events rather than dealing with it as a matter of urgency. In view of the fact that no one is expecting an immediate reply from the judges of the courts involved, I think this matter could well be dealt with as a substantive motion in the regular way rather than as a matter of urgency as it has been put forth at the moment.

MR. HILLHOUSE: Madam, I submit that the question of urgency is the question of the importance of the resolution, not in respect of time but importance.

MR. ROBLIN: Of course, Madam Speaker, it flies in the face of the federal regulations on this point that we follow.

MR. GILDAS MOLGAT (Leader of the Opposition) (Ste. Rose): Madam Speaker, if I may on the point of order, it seems to me that when the First Minister says that the member could have brought this matter up previously, I think if you will check you will find that there was really no opportunity for him to speak on this subject after -- have been able to see the Hansard statements of the Minister because we were not supplied with copies of the Minister's statement, so the first opportunity he has had since receiving the Hansard has been today. There was no previous opportunity. I think the matter is of exceedingly great importance. This is the most urgent part of it, that it has a great deal of importance and if the action is improper, as I believe it is, then it is urgent that it be discussed now and not at a later date.

MR. DOUGLAS L. CAMPBELL (Lakeside): Madam Speaker, if I may while you are engaged in looking at the rule yourself, if I might say a word it would be simply this -- and I see that you have our own rule book there -- that there is a tendency on this point of order to confuse the question of urgency with the question of importance. I rather gather that the First Minister

(Mr. Campbell, cont'd)... in referring to the urgency and the fact that he thought the honourable member had an opportunity to bring this up on another occasion is really confusing this with privilege.

I know that you have the rule book before you and I would simply read from page 13 where the rules are given regarding the matter of urgent public importance. "The member" -- this is the middle of the page, subsection (2) -- "The member desiring to make such a motion shall rise in his place, ask leave to move the adjournment of the House for the purpose of discussing a definite matter of urgent public importance and state the matter." I think everyone would agree that has been done. "The member shall then hand a written statement of the matter proposed to be discussed to Madam Speaker, who, if she thinks it is in order and of urgent public importance, shall read it out and ask whether the member has leave of the House to proceed. (4) Where objection is taken, Madam Speaker shall request those members who support the motion to rise in their places and the three members rise accordingly, and Madam Speaker shall call upon the member who has asked for leave." Now I would suggest that this is perfectly clear, that the matter is of urgent public importance and that the rule has been completely followed in this regard.

MR. ROBLIN: Madam Speaker, if I may continue the discussion on this point of order, I refer you to Paragraph 100 of Beuchesne which is to be found on Page 89. In sub-paragraph (2) of 100, you will find the question of urgent public importance defined in these words, and I quote: "The definite matter of urgent public importance for the discussion of which the adjournment of the House may be moved under Standing Order No. 26 must be so pressing that the public interest will suffer if it is not given immediate attention."

Then I refer you to the following page where you will see sub-paragraph (3), and it further deals with this point in the following language, and I quote: "Urgency within this rule does not apply to the matter itself, but it means urgency of debate, when the ordinary opportunities provided by the rules of the House do not permit the subject to be brought on early enough and public interest demands that discussion take place immediately"

Now I think that the point that you have to decide, Madam, is whether it coincides with those definitions of urgency. I have expressed my opinion that this matter can be presented to the Legislature in the next day or two by a substantive motion, and that there is no urgency in this connection that cannot be dealt with if the matter is presented in accordance with our regular rules.

MR. HILLHOUSE: I must submit, with all due deference to the Honourable First Minister, that my motion comes entirely within the meaning of that section just read by him.

MR. MOLGAT: Madam Speaker, I would emphasize exactly the statement made by the First Minister when he read the rule, sub rule (2), that the matter must be so pressing that public interest will suffer if it is not given immediate attention. Madam Speaker, I submit that this matter is that pressing, because this action in my opinion is not the proper action for the government to take and corrective steps must be taken immediately. This can only be done by having a debate on the subject immediately.

MR. ROBLIN: It can be dealt with in the regular way.

MADAM SPEAKER: In my opinion, I believe that the matter can be brought up under a substantive motion. I quote Beuchesne, Citation No. 100 (3): "Urgency within the rule does not apply to the matter itself but it means the urgency of debate, when the ordinary opportunity as provided by the rules of the House do not permit the subject to be brought on early enough and public interest demands that discussion take place immediately." Therefore, I declare the motion out of order.

MR. HILLHOUSE: Madam, with reluctance, I wish to challenge your ruling.

MADAM SPEAKER: Shall the ruling of the Chair be sustained?

Madam Speaker put the question and after a voice vote declared the motion carried.

MR. MOLGAT: Yeas and nays, Madam Speaker.

MADAM SPEAKER: Call in the members. The question before the House is shall the ruling of the Chair be sustained?

A standing vote was taken, the result being as follows:

Yeas: Messrs. Baizley, Bilton, Carroll, Cherniack, Cowan, Evans, Gray, Groves, Hamilton, Harrison, Hutton, Jeannotte, Johnson, Klym, Lissaman, McDonald, McGregor,

(Yeas, cont'd)...

McKellar, McLean, Martin, Mills, Moeller, Paulley, Peters, Roblin, Schreyer, Seaborn, Smellie, Stanes, Steinkopf, Strickland, Weir, Witney, Wright, and Mrs. Morrison.

Nays: Messrs. Barkman, Campbell, Desjardins, Froese, Guttormson, Hillhouse, Hryhorczuk, Johnston, Molgat, Patrick, Smerchanski, Vielfaure.

MR. CLERK: Yeas, 35; Nays, 12.

MADAM SPEAKER: I declare the motion carried. Orders of the Day.

MR. HILLHOUSE: Before the Orders of the Day, Madam, I'd like to address a question to the Honourable the Attorney-General. Would the Honourable the Attorney-General tell me by what constitutional authority he was able to write these letters, or permitted to write these letters to the Chief Justice of Manitoba and the Chief Justice of the Court of Queen's Bench last Thursday regarding whether or no there had been any impropriety on the part of his department or in respect of the law officers of the Crown in the handling of these recent murder cases.

HON. STEWART E. McLEAN (Attorney-General) (Dauphin): The only constitutional or legal authority is that of the Attorney-General with respect to the administration of justice.

MR. HILLHOUSE: A supplementary question, Madam. If the answer which the Attorney-General receives from either the Chief Justice of Manitoba or the Chief Justice of the Court of Queen's Bench is unfavourable, is it the intention of the Honourable the Attorney-General to resign?

MR. McLEAN: I don't answer hypothetical questions.

MR. MOLGAT: Madam Speaker, I'd like to address a question to the First Minister. It is my understanding that an agreement has been signed between TCA personnel and the company whereby arrangements are being made for the phase-out of the Winnipeg base. This is contrary to our understanding of the Federal Government's undertaking. I would like to know what action the government has taken in this regard and what action it proposes to take. Will the First Minister telephone the Minister of Transport or the Prime Minister, and will he be calling together the delegation that went to Ottawa?

MR. ROBLIN: Madam Speaker, the information has only recently come to my colleague the Minister of Industry and Commerce that tends to substantiate the statement made by the honourable gentleman. We have no first-hand information on it as yet ourselves. My colleague, however, has started the action in motion to find out from the authorities at Ottawa just exactly what has transpired. If what we have heard is literally correct, then it appears to be a very unusual interpretation of the pledge given to us by the Prime Minister of Canada with respect to the TCA base. But I think that in all fairness and courtesy, we ought to allow that gentleman to give us his answer before we proceed in the manner that's suggested by my honourable friend.

MR. MOLGAT: Madam Speaker, a supplementary question. Will the First Minister be prepared to phone the Prime Minister on this subject if it turns out that the situation is as I have described it?

MR. ROBLIN: Madam Speaker, my colleague the Minister of Industry and Commerce has already taken the proper steps in this connection.

MR. MOLGAT: I wonder, Madam Speaker, if the Minister could indicate to us what the proper steps are? This is a matter of vital importance to Manitoba.

MR. ROBLIN: I've already given that statement.

MR. RUSSELL PAULLEY (Leader of the New Democratic Party) (Radisson): Madam Speaker, a further supplementary question, although it was asked of the First Minister, no answer was forthcoming. I raised the question a few days ago about the advisability of calling together those delegates which went to Ottawa on a couple of occasions. The Minister's answer hasn't been satisfactory — or rather evasive. What now is the situation in regard to the calling together of the delegation which went to Ottawa on behalf of Manitoba for the retention of TCA?

MR. ROBLIN: I think the position of the government is, according to the information given me by my colleague, that as soon as we have something concrete that they feel that the calling together of this group of people can deal with, then we will certainly take the necessary steps, but we're unfortunately in a bit of a fog at the moment because of the fact that we have not got factual information, and that's what we're looking for.

MR. PAULLEY: That's a good question, Madam Speaker. Is not the condensed or abridged copy of the Dixon-Speas Report which we have received from Ottawa sufficient in order to base

(Mr. Paulley, cont'd)... the calling of such a meeting of delegates on it?

MR. ROBLIN: Well in answer to that, I would say to my honourable friend if we understood it, yes; but that report must be subject to a considerable analysis to find out what it really implies, what has been left out and what questions we ought to ask in order to illicit further information on it. It provides the basis and we're studying it, and as soon as we have something that can be usefully dealt with by calling together the people that have been so laudably interested in this matter, we'll do so.

MR. PAULLEY: May I respectfully ask my honourable friend to intensify the study on that report?

MR. ROBLIN: I'm grateful for the encouragement. We'll do our best.

MR. MOLGAT: Madam Speaker, possibly the information was previously given, but have copies of the condensed report been sent to the members who had been on the delegation?

HON. GURNEY EVANS (Minister of Industry and Commerce) (Fort Rouge): Copies are being sent out today.

HON. WALTER WEIR (Minister of Public Works) (Minnedosa): Madam Speaker, before the Orders of the Day, I'd like to lay on the table the Return to an Order of the House No. 4, standing in the name of the Honourable Member for St. John's.

MR. HUTTON: Madam Speaker, before the Orders of the Day, I would like to table a Return to an Order of the House No. 32, on a motion of the Honourable Member for St. George, March 6, 1964.

MR. J. M. FROESE (Rhineland): Madam Speaker, I'd like to direct a question to the Honourable the Minister of Agriculture. Has the government received any requests re purchase of seed grains and, if so, what is being offered in the way of assistance?

MR. ELMAN GUTTORMSON (St. George): Madam Speaker, I'd like to direct a question to the Minister of Labour. Does the government intend to enforce the law on TV repairmen's licensing legislation which was passed ten months ago?

HON. OBIE BAZLEY (Minister of Labour) (Osborne): Madam Speaker, in this particular area there have been a few people who have seen fit to object strenuously. I have been attempting to bring these people together to review the legislation and, in view of the newspaper reports the other day, I will have to give further consideration to what action we will take.

MR. MOLGAT: Madam Speaker, it is my impression that this matter has been in contention for several months and that the law has not been applied for several months. Is it not the Minister's intention to take some action?

MR. FROESE: Madam Speaker, I would still like an answer to my question whether the government has received any requests for assistance in the matter of purchasing seed grains and, if so, what assistance is being offered?

MR. HUTTON: Madam Speaker, I don't know exactly -- the question put isn't too clear-- but I have had one delegation to my office to explore the possibilities of providing seed grains. We have an established program under The Municipal Act whereby the seed grain is --provisions in that Act set out the procedure for the municipalities to provide seed grain where it is needed by the residents, and the procedure is also set out for the provincial government to assist them to do so if they need that assistance.

MR. MOLGAT: Madam Speaker, I'd like to ask a supplementary question of the Minister of Labour because he didn't answer my last question. Is it not correct, Madam Speaker, that the Minister of Labour made an amendment to The Electrician's Act last year to do certain things in the field of radio and TV repair, and is it not correct that there were infractions of that Act and have been over a period of some months? Is it not correct that the Minister has taken no action on these infractions?

MADAM SPEAKER: The point -- you are not allowed to preamble your questions.

MR. MOLGAT: Well, those are my questions, Madam Speaker. Those are three questions that I've asked the Minister.

MR. BAZLEY: Madam Speaker, I wonder if the Honourable Leader of the Opposition would file an Order for Return.

MR. GUTTORMSON: Madam Speaker, a subsequent question. Are we to believe then that the legislation passed by this government has no meaning?

MADAM SPEAKER: Order for Return.

MR. MOLGAT: Madam Speaker, before the Orders of the Day, I'd like to address a question to -- I suppose it has to be the First Minister because it may cover a number of departments. Are there negotiations going on presently between the province and any of its departments and the federal government with regard to the property at the RCAF Station at Macdonald, Manitoba.

MR. ROBLIN: Yes, Madam Speaker, there are negotiations going on in respect of that piece of property.

MR. MOLGAT: Could the Minister indicate whether the municipalities in that area will be allowed to purchase some of the equipment or buildings or land connected with the Macdonald Air Station?

MR. ROBLIN: Madam Speaker, that matter cannot be considered until the present negotiations are finalized one way or another.

MR. MOLGAT: Madam Speaker, a subsequent question. Has the government received any requests from municipalities for such purchase?

MR. ROBLIN: There may well have been such requests received. I'm not familiar with them.

MADAM SPEAKER: Order for Return standing in the name of the Honourable the Member for Portage la Prairie.

MR. STEVE PATRICK (Assiniboia): Madam Speaker, the Honourable Member for Portage has informed me that he's waiting for further information from the Honourable Minister of Mines and Natural Resources and I see the two of them are absent at the moment. I beg leave of the House to have this matter stand.

MADAM SPEAKER: Agreed. The Honourable the Minister of Labour.

MR. BAIZLEY: Madam Speaker, I beg to move, seconded by the Honourable the Minister of Public Works, that Madam Speaker do now leave the Chair and the House resolve itself into a Committee of the Whole to consider the following Bill: Bill No. 29, an Act respecting the Wages and Hours of Work of Persons employed in the Construction Industry.

Madam Speaker presented the motion and after a voice vote declared the motion carried and the House resolved itself into a Committee of the Whole with the Honourable Member for St. Matthews in the Chair.

Bill No. 29 - sections 1 to 4 (b) were read clause by clause and passed.

MR. FROESE: Mr. Chairman, these amendments are not proposed as singularly in committee here and we have no vote on these, and I would like to record my vote as opposed to amending 4 (c).

Bill No. 29 - Sections 4 (c) to 5 (1) (b) were read clause by clause and passed.

MR. R. O. LISSAMAN (Brandon): Mr. Chairman, I'd like to say a word on (c). I have no strong feelings on this but why I didn't raise the objection on 3 and 4 was due to the fact that in the case of the Greater Winnipeg area everyone was in favour of reducing this three public representatives to one, who would be the chairman. On the other hand, all the rural people who were at committee that morning were in favour of retaining three people from the public at large and I think there would be good merit in -- a great deal of merit in allowing it to stand at three members on the rural board to see how it works out. Now the objection was raised in committee when I raised this point that there must be uniformity. Well, in my opinion, there's no need of any uniformity whatever. If it were something which governed the relationship between employer and employee or hours or things like that I would agree that there might be some desire for uniformity, but in simply a matter of setting up a board, whether it have six, eight or ten, twelve members, I can see no need for uniformity. So I'd ask the committee to reconsider this matter, in the rural committee, of leaving it as set out in the original bill as printed.

MR. FROESE: Mr. Chairman, I would agree and endorse what the member for Brandon has said. I feel that the bill as it originally was worded was better than the amendment that is being proposed. I feel that to have three independent people on this committee is of value and certainly was endorsed by the representatives that appeared before law amendments. So I'm opposed to the amendment.

MR. PAULLEY: Mr. Chairman, all the members of the committee have given due consideration to these points and during the deliberations at the committee I think it was established that the principle of uniformity was essential insofar as labour management relations

(Mr. Paulley, cont'd). . . were concerned in the Province of Manitoba, and I suggest that the -- I don't know whether it was a formal motion or not, but the suggestion of my honourable friend from Brandon be not adopted.

MR. CHAIRMAN: Now we're dealing with section 5 (1) (c) as amended.

Mr. Chairman put the question and after a voice vote declared the section passed.

The remainder of Bill No. 29 was read section by section and passed.

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

Madam Speaker, the Committee of the Whole has considered Bill No. 29, directed me to report the same without amendment and ask leave to sit again.

MR. W. G. MARTIN (St. Matthews): Madam Speaker, I beg to move, seconded by the Honourable Member for Springfield, that the report of the Committee be received.

Madam Speaker presented the motion and after a voice vote declared the motion carried.

Bill No. 29 was read a third time and passed.

MADAM SPEAKER: The adjourned debate on the proposed Bill No. 38. The Honourable the Member for Burrows.

MR. MARK G. SMERCHANSKI (Burrows): Madam Speaker, I adjourned the debate on this bill on behalf of the Leader of the Opposition.

MADAM SPEAKER: The Honourable the Leader of the Opposition.

MR. MOLGAT: Madam Speaker, we have spoken on these two bills, the Telephone one and the Hydro one, and explained the position of our group on a number of occasions. We have done this, Madam Speaker, because we believe that this bill and the one that has already passed the House do in fact strike at the institution here in the responsibilities of Ministers for their departments and any agencies that come under the departments in their responsibilities to this House. If you couple the statements made by the Minister in the House -- and here I differ completely from the party to my left who say that these statements can be divorced -- I say that they cannot because inevitably what will happen in the future when the government refuses to answer a question asked by this side of the House, the Minister will say: "I told you so before this bill was passed. I explained what the position was and that's it. You'll have to ask your question in the committee." I can foresee this coming because the statements of the Minister certainly were very blunt and plain and nothing that was said subsequently by other speakers on the other side, including the First Minister, changes the statement made by the Minister of Public Utilities on the introduction of this bill.

There are other weaknesses, Madam Speaker, in proceeding to discuss Public Utilities only in the committee. I submit that one of the great weaknesses is that there is no Hansard in committee; there is no means at the committee stage of getting exactly down in black and white the replies made by people at that committee, and this is extremely important because a good deal of the questions that are asked should be on record. This is the only way that you can, in the future, follow through any discussions that have gone on from year to year. We've had this experience before in committee where some very important matters come up but there's no record of them. There's no court recorder there, there's no recording system as we have here and it is simply lost beyond that point, and I say to the House that it's important that these things be down on the record. That's the purpose of setting up a Hansard. That's why it was done in the first place. To remove the discussion from this arena into another is going against this very idea of having the Hansard.

Madam Speaker, there can be no more eloquent proof that this bill is not needed, that it's an unnecessary bill, than the actions of the government itself, because look what happened. A week ago Wednesday we passed in this House the companion bill to this, Bill No. 37, The Manitoba Telephone Act. It was passed here on Wednesday the 11th of March. The bill that we're discussing now, No. 38, The Hydro Act, was not passed on that day. It was stood, -- still not passed. A meeting of the committee was called for Thursday morning last, the 12th of March, and note what happened at that committee meeting, Madam Speaker.

The first thing we did, as normal in committees, was to elect a chairman, then we settled on what our quorum was, and lo and behold do you -- would you think, Madam Speaker, that we would start off then by discussing the Telephone report, the bill for which we had just passed the day before? Not at all. We never even got to the telephone report, Madam Speaker. The first thing that came up, on motion of my honourable friends opposite, was the Hydro report, and this

(Mr. Molgat, cont'd). . . bill had still not been passed. It still hasn't passed this House, and yet the first action that they took the first questions that were asked were on the Hydro report.

Well, Madam Speaker, why do you need a bill? My honourable friends have said themselves by their very action that this report can be discussed completely and thoroughly in committee because they did so. The first question that was asked in fact was by my honourable friend the Premier, who suggested that the Chairman of the Hydro Commission stand at the end of the table and explain to us the activities of the Hydro and what was in this report. The next statement was I believe also -- no, I think it was by the chairman of the committee -- that we should go through this report page by page, Madam Speaker, and that's exactly what we proceeded to do.

There were no ends of questions asked at that time about the difference in commercial accounts, the numbers against last year; about the rates; different areas served by diesel and those served by line service; the higher costs, comparison with other provinces; DBS figures for domestic and farm rates; and for industrial power, the overall costs, the review of rates in other provinces, Grand Rapids, and so on. I haven't got notes of it all unfortunately, but those were the matters discussed, Madam Speaker, all matters of Hydro, page by page through this report, and the bill wasn't even passed this House. Now how can the government sit there and ask us to pass the bill when they have just proven themselves by their action that they don't need this bill at all to do the things that they say they want to do.

Madam Speaker, I have no objections at all to having gentlemen from the Hydro and the Telephone system at the committee. I think it's good. No objections to it, but I do object, Madam Speaker, to any step taken by this government to prevent members of this House from asking questions and getting answers in this House, and I submit that that is the only purpose of this legislation. There can be no other purpose, because the government has just proven that they don't need this bill to do the things they said they would be doing.

I say, Madam Speaker, let us continue as we have in the past. Let the Minister withdraw this bill; let him not ask for the telephone bill to be put into force; and let us continue as we have in the past with the Minister standing in this House responsible for the actions of the public utilities. We can have all the discussions in committee as they have proven that we have done.

MR. ROBLIN: Do you want to ask a question?

MR. E. R. SCHREYER (Brokenhead): Yes, merely a question. I wanted to ask the Leader of the Opposition if he thought that the Telephone Bill had been passed? Did I understand him to say that the Telephone Bill had been passed and not the Hydro Bill? Well I want to ask the Honourable Leader, since when does second reading pass a bill in this Legislature?

MR. MOLGAT: I said that it was passed, Madam Speaker. I meant passed second reading, acceptance in principle, referred to the committee. I might suggest that the Bill was never discussed in the committee, Madam Speaker.

MR. ROBLIN: Well, Madam Speaker, I think it's almost unnecessary for me to make any speech at all, because the question that's been raised by the Honourable Member for Brokenhead just pulled the legs out from underneath the Leader of the Opposition in his eloquent address to the Chamber.

But regardless of all that, it is quite apparent that my honourable friend just simply refuses to believe the evidence of his ears, as recorded in the statements made by this side of the House. In other words, he doesn't believe us. Well, I can't say that I have any right to compel him to believe anything that's said on this side of the House. I can only say that our actions must stand in justification of our words.

Now what we have said all along is not that we will refuse to answer questions in the Chamber. Have we not accepted them already on all points that have been brought before us that were questions under the regular understanding of questions in the House? We have. And when we come to the estimates of the Minister, either for current or capital, when we discuss the affairs of these utilities, we will still endeavour to do our best to get any answers to questions that members want to ask, but we say that in addition to that, in order to get first-hand opportunities to question the people who are carrying out the function of administering these utilities, that we will provide for this opportunity in the committee.

Now I pass over this argument about whether or not the recordings -- the proceedings in the committee are recorded in Hansard. They are not. No committee's proceedings are

(Mr. Roblin, cont'd)... recorded in Hansard and that's part of our regular proceedings. But there is simply nothing, simply nothing to prevent members of the opposition from repeating the debates in committee in the House if they want to, as they do in regular cases in matters of this sort, and putting on the Hansard record any points that they feel are worthy of that attention in the Legislative Chamber.

Now what earthly difference does it make that we've called the Hydro or the Telephones first or second in the committee, because although Hydro has been approved in principle, we all know that doesn't mean the Bill is actually passed. That comes later. I already gave notice in the House previously that we intended to do this so that nobody was under any false impressions about it. But, says the Leader of the Opposition, the mere fact that you could do this undermines the whole of your position on this Bill. But that precisely is what it does not do, because for since time immemorial, since these corporations were established, it would have been possible on the motion of anybody to produce the public statements, the accounts, the reports of these commissions before the Utilities Commission and discuss them. It would have been possible because it was allowed and provided for. With that there is no argument whatsoever. But the plain fact is that to the best of my recollection and memory, this is the first time since I have been in this Legislature that we have ever opened the annual report of the Hydro -- and we propose to do the Telephones -- we have ever opened the annual report of these utilities before that committee as we did the other day and proceed through those reports page by page, like we do the public accounts, in order to ventilate any matter of importance that members wish to raise and in order to give an opportunity to ask directly questions which members might have in respect of this matter.

Now that is precisely why we are proposing these amendments, because we want in the future that this should be a matter of our procedure, that every year these accounts be produced and gone over page by page which they have now been done this time for the first time in my recollection. There may be other members here who can remember occasions when we did this before. We've always had the right to do it but we've never done it. That's why we want it put in the statute because we think it is a healthy thing to do it and a necessary thing to do it, so that this matter will not become a question of somebody's whim on the issue of the moment but will become a standing procedure of the House. That is the purpose of these amendments. That is what we propose; that is what we are doing; and we put aside in no way whatsoever the regular procedures of this House for questions nor the responsibility of the government for the creatures that it creates under the Legislature of this province.

So let the matter be clear. I think that the members opposite can vote for this with a good conscience in that we are merely trying to make more readily available a public examination by members of these two utilities in this formal way that I have suggested than we have done in the past, and we in no way seek to minimize in any way or to change the responsibilities that are rightfully ours.

Madam Speaker put the question and after a voice vote declared the motion carried.

MR. ROBLIN: Yeas and Nays please, Madam Speaker.

MR. MOLGAT: Yeas and Nays, Madam Speaker.

MADAM SPEAKER: Call in the members. The question before the House is the proposed motion of the Second Reading of Bill No. 38.

A standing vote was taken, the result being as follows:

YEAS: Messrs. Alexander, Baizley, Bilton, Bjornson, Carroll, Cherniack, Evans, Gray, Groves, Hamilton, Harrison, Hutton, Jeannotte, Johnson (Gimli), Klym, Lissaman, McDonald, McGregor, McKellar, McLean, Martin, Mills, Moeller, Paulley, Peters, Roblin, Schreyer, Seaborn, Smellie, Stanes, Steinkopf, Strickland, Weir, Witney, Wright and Mrs. Morrison.

NAYS: Messrs. Barkman, Campbell, Desjardins, Guttormson, Hillhouse, Hryhorczuk, Johnston, Molgat, Patrick, Shoemaker, Smerchanski, and Vielfaure.

MR. CLERK: Yeas, 36; Nays, 12.

MADAM SPEAKER: I declare the motion carried. The adjourned debate on the second reading of Bill No. 50. The Honourable the Member for St. George.

MR. GUTTORMSON: Madam Speaker, I rise to support this Bill. I was one of those that supported the Bill last year which attempted to get much the same legislation passed in Manitoba. It's surprising to me though how it was wrong a year ago and right this year. I was

(Mr. Guttormson, cont'd)... absolutely astonished by the speech that was made by the Member for St. Matthews the other day. I recall reading his speeches on this subject last year and the principle was -- he was so opposed to any of the legislation on a matter of principle -- it was wrong. He said he didn't want to take a "holier than thou" attitude, but he went to great lengths to say how this was the "thin edge of the wedge" and felt that this was the ruination of the Lord's Day. Then the other day, after a lengthy speech -- I must confess I at first had difficulty understanding which side he was on -- but after a question he admitted he was for the Bill, and yet a year ago this was totally unacceptable to allow movies on Sunday, even if the people of Winnipeg had voted this way.

MR. MARTIN: Would the honourable member permit a question? Perhaps the member for St. George may have forgotten that last year when I spoke on this thing, I said the only fair way of dealing with this would be by an amendment to The Lord's Day Act.

MR. GUTTORMSON: Madam Speaker, the member forgets that he dealt quite at length with the principle of the matter. It seems to me that we were very wrong in this Legislature for turning down the legislation last year which would permit bowling and movies, when in Winnipeg last year the people had shown clearly that this was their wish. To me, it doesn't make any difference to watch a movie in a theatre or watch a movie in our own home on a television screen. For this reason, I think that we were very wrong in this Legislature for turning this down. I'm very happy to see that the government is bringing this legislation this year and I hope that it will pass this year. I'm sure it must because it's a government bill, but I'm looking forward to hearing an explanation from the Attorney-General and the Minister of Industry and Commerce and the Minister of Municipal Affairs who opposed the legislation last year so vigorously on a matter of principle.

So I would urge the members of the House to support this bill even if it is a belated effort, because this legislation should have been enacted a long time ago.

MR. RICHARD SEABORN (Wellington): Madam Speaker, I certainly do not intend spending too much time discussing a matter that has been as far as I am concerned fought and lost. Being a government bill, it is assured of passage, but I have no intention of straddling any fence because I am persuaded that such a course can only lead to embarrassment.

I have never been able to understand our sudden concern for the wishes of the people, for in my opinion the 1962 referendum was in many ways inconclusive when we compare it to other referendums that have taken place. Consider the referendum on margarine in 1951 for example. The citizens of Winnipeg went out and voted for the colouring of margarine by a whopping majority of over 40,000 votes, but did we take any notice of this? Of course not. And yet commercial sport squeaks through with less than 400 votes and we fall all over ourselves trying to appear democratic. Not only that, but we overlooked the majority vote of some 20,000 for bowling, and made the situation worse than before. Again, what about the 25,000 people who voted that they wanted the City Hall on Broadway? Here we had a majority of nearly 10,000, but we took no notice of it. We face another referendum on Metro which will probably be even more decisive, but what happens after the people do vote?

This leads me to a very important point. Why should Winnipeg be permitted to have a referendum when the city can do nothing about them? After the 1962 referendum was considered by us, why should this bill grant a special dispensation to wipe out the decisions of last year and permit certain activities we agreed should not be recognized? It is my contention that Winnipeg should not be granted a special privilege. Because it is an entirely new bill enabling the municipal councils to enact their own legislation, I feel another referendum should be held. It certainly would not interfere with the privileges the city enjoys at present, and according to a recent newspaper article, it seems that the City Solicitor would not be reluctant to hold another referendum if necessary, and it certainly would remove any basis of misunderstanding.

To consider the bill itself, I would like to offer some suggestions which I trust the Minister will take into consideration. According to the proposed Act, the petition must be presented a full sixty days in advance of a plebiscite. That is revealed in Section 5, Subsection (d). But in the very next section we have only thirty days between the time of advertising and the actual date of voting. I submit that this time is far too short and works at a distinct disadvantage to those who may wish to register their opposition. To make it more equitable, I would like to see both the 45 days and the 30 days enlarged in Section 6.

(Mr. Seaborn, cont'd)...

I am particularly critical of Section 8. It gives permission to conduct a vote at any time within the first year and makes no reference for any provision to give proper public notice and again would not allow for any opposition to be organized against it. I know that there are requirements spelled out in other parts of the bill, but I think it should be written in here as well.

In section 10, which contains the prohibitions regarding Lord's Day, I would like to see a phrase inserted to the effect that only exhibitions designed to foster trade or business cannot be held on this day, because I am sure that we would not want to prevent exhibitions of art. In some areas, I understand, some exhibitions, particularly animal shows, have been advertised for the specific purpose of acquainting prospective buyers of stock in what was available for purchase. I think some precaution against this sort of thing would be helpful.

We now come to Section 11, and particularly subsection (2), and this deals with a petition asking for the repeal of the By-law governing the Lord's Day in a certain municipality. Well, we have all the necessary requirements for a petition asking for a plebiscite in Section 5. This part does not tell us who is entitled to sign, the members who must sign, when the signing must be done and when the petition must be presented. Perhaps it is the intention of the Minister that the same requirements as before shall apply, but I feel this section should precisely say so.

Finally, I must say I am a little disturbed by Section 13, and not being a lawyer I'm not very sure of my ground, but it seems to me that this part has the appearance of invalidating earlier precautionary provisions of the bill. I would like to see the committee really consider and investigate the true meaning of Section 13 and make sure it does not jeopardize the rest of the Act.

Now that I have made my suggestions, Madam Speaker, I really do not have too much else to say except perhaps to comment that it is not only difficult to stand on a question of principle but it is a stand that is apparently most likely to be misunderstood. Last time we had this question before us, I was included in that select group described by one newspaper as "sanctimonious", an honesty threatened with an election in the future. The movie industry also took a very dim view of my stand for they cancelled all their advertising at my place of employment and thus placed my position in jeopardy.

But the strange thing about it all is the fact that I believe the Lord's Day was instituted by Divine decree and that our scriptures instruct us in what manner it should be observed. As a result of that belief, the matter as far as I am personally concerned is closed and there can be no argument. I'm in a position that it would be impossible to compromise my principles no matter what the cost may be, and I certainly agree with the Honourable Member for Ethelbert-Plains in his suggestion that The Lord's Day Act should be repealed. It may be the only way we will awake to the cost involved, the price we will eventually have to pay. Certainly he has taken the issue correctly when he said we will find out those in the House who believe in our way of life, the freedoms we enjoy and the sanctity of a day originally instituted by God, The Sabbath or the Lord's Day.

MR. FROESE: Madam Speaker, I'd like to move, seconded by the Honourable Member for Brokenhead, that the debate be adjourned.

Madam Speaker presented the motion.

MR. SCHREYER: May I have the permission to say a few words on the bill?

MADAM SPEAKER: The Honourable Member for Brokenhead.

MR. SCHREYER: Thank you, Madam Speaker, I merely wanted to say that I find myself in complete accord with the intention of this bill. Last year I was not in such a fortunate position when the matter of activity on Sunday came before the Legislature, because I felt at that time that it was wrong to ask us in this Assembly to allow to one particular municipality the option to do this or that, to allow Sunday sport on Sunday, while expressly forbidding or prohibiting other municipalities from exercising that same kind of option. Therefore, last year I voted against the bill until the eleventh hour, and it was only at the last moment that I did change my vote because I felt that upon full analysis it was still really not right to vote against that bill because I felt in agreement with the provision, it's just I was opposed to the way it was being put before us. This year we have a bill before us that really meets all of the objections which I voiced at that time.

I feel that the purpose and the intent of Bill 50 can be summed up in two points; first of all

(Mr. Schreyer, cont'd)... it allows to other municipalities the same discretionary power or option as was given to the City of Winnipeg; and point 2, it provides for the widening of allowable activities on a Sunday to include, not just the commercial sports but also cultural activities such as theatrical performances and so on, and I would presume that one of the objections made by the member for Wellington, namely that there be allowance made for artistic exhibitions, I would presume it can be very easily read into the bill in Section 3, Sub-clause 2.

I do want to say that in Section 5 it seems to me that we are still being a little bit too demanding as to the prerequisite which a municipal authority has to go through in order to pass a by-law providing for this extended activity on Sunday, because I notice that it says: "that there shall be a petition signed by not fewer than 20 percent of the resident electors." It seems to me that this, merely as a device for initiating a referendum is accepted, but only a device for initiating it, it would seem to me that some token number such as 10 percent should suffice. So I would hope that someone in Law Amendments Committee, which committee I'm not on, will find it agreeable to sponsor such an amendment in Law Amendments Committee and I would hope that members on that committee would find it within themselves to support and to pass.

I don't wish to say much more, Madam Speaker, except to point out that some members are going to justify support of this bill for the reason that the majority want it and therefore it should be passed. Now there's nothing particularly offensive about that but I certainly don't support it on that basis. I support it on the basis that my own judgment and conscience in the matter tells me that it is the right thing to do. To do otherwise would be to admit that we are here not as representatives but as delegates, and when you take that to its extreme you end up merely truckling to the multitude and that's not the purpose of members in this Assembly either. But certainly if one can find it within himself to support this bill only for the reason that the majority want it, well while I disagree with that sort of reasoning, I suppose in a democracy it's still completely justified to vote on that basis.

I wish to conclude, Madam Speaker, by saying that I find Bill 50 to be entirely, but entirely acceptable, and I would be very surprised that anyone here can object with any amount of emphasis to it.

Madam Speaker put the question on the adjournment and after a voice vote declared the motion carried.

HON. MAITLAND B. STEINKOPF (Minister of Public Utilities) (River Heights) presented Bill No. 40, an Act requiring the Registration of Real Estate Brokers and Real Estate Salesmen, for second reading.

Madam Speaker presented the motion.

MR. STEINKOPF: Madam Speaker, I'd like to recommend to the House that after this bill has received its second reading that it be referred to the Committee on Statutory Regulations for further study. The bill is a complete revision of the present Real Estate Agents Act and has many routine changes as well as some completely new provisions. In this manner I think it will receive the complete study and proper airing that a bill of this size and importance deserves.

MR. MORRIS A. GRAY (Inkster): May I direct a question to the Minister? A real estate agent is nothing but a messenger boy between the purchaser and the seller. What good, outside of selling the piece of property, finding the customer and finding who wants to sell the real estate, what good or bad can he do in order to have a bill for it? Why is he so much honoured?

MR. CAMPBELL: Madam Speaker, I'd also like to ask the Honourable Minister a question that arises out of his remarks to have this bill referred to the Committee on Statutory Regulations. I would just like him to tell us why he would send it there rather than to the usual committee of law amendments for this type of -- I recognize what he has said but I would like to have a further explanation.

MR. ROBLIN: Madam Speaker, at the risk of exhausting my opportunity to speak in this debate, I would like to answer the question because it affects not only the bill that my honourable friend is proposing now but some others he is to introduce and one which I intend to introduce. The one which I'm introducing is the one on portable pensions. There are a number of bills to be proposed in this general field of company legislation and law and pension portability which are exceedingly complicated pieces of legislation. It is our feeling that in the usual procedure before the Law Amendments Committee we might not have sufficient time and leisure to deal

(Mr. Roblin, cont'd)... with the very complicated points that are involved in the way that we should like. We also want to provide an enlarged opportunity for members of the commercial fraternity to study these bills and to appear, so our hope would be that it would meet with the wish of the Assembly to place those before the Committee on Statutory Regulations and -- whatever their full title is.

This committee meets after the session and our intention would be to have this committee deal with it after the session so that these would not be proceeded with necessarily this session, but that they should be placed in committee for study over the period and then we would deal with them again after they had that thorough scrutiny. I hope this supplies the information members were seeking.

MR. PAULLEY: Speaking to the point for clarification purposes. I was happy with what the First Minister said right up until he sort of made a slight reservation. He mentioned the fact that the reason for this being referred to the Standing Committee on Statutory Regulations was that it would give them an opportunity to meet in between sessions and hear the representations. At that point I was agreeable and it seemed to me as though that was what we were going to do. We would give second reading to this and refer it to that committee without it being considered further at this session. And then my honourable friend sort of qualified it a little by saying "if we can't do it at this session" or words to that effect.

Now I think, as far as I'm concerned, I think without the qualification or reservation, that because of the points raised by the Honourable the First Minister we should have the agreement or understanding that this is what is actually going to happen. As we are well aware, the Committee on Statutory Regulations only have a comparatively few members on it whereas the 47 I believe it is in law amendments, might have 47 different opinions, but if it goes to the smaller committee first where they hear public representations and then eventually comes back say at the next session of the House, I think that it would be more agreeable, at least as far as I'm concerned that this be done on the understanding that this will happen without the reservation, as I say, made by my honourable friend. In that manner we'll be able to forget -- those of us who are not on the statutory regulations committee -- would be able to forget it at least for the duration of this session.

MR. ROBLIN: If I may have the permission of the House, Madam, I would like to just answer that by saying that what my honourable friend has said is what we intend to do. We don't intend that it should come back at this session for the reasons he stated. The reason it goes to the statutory committee is because it's such a learned and illustrious body specifically qualified to deal with these matters, so we feel they can do a good job of it. I might say that neither my honourable friend nor I are on that committee, which probably is one reason why they get along so very well.

MR. CAMPBELL: Madam Speaker, somebody told me that I'd been put on it this year. I don't think I qualify.

MR. PATRICK: Madam Speaker, I rise not to object to the bill; I rise to support the bill. I think it's a very important bill because it deals with the general public and I think that the bill itself will go a long ways in the protection of the general public as a whole. I would like to congratulate at this time the people or the architects of the bill because I read it through and I find it very important and a very good bill. I hope that everybody will see fit to support it and I would like to see the bill go through.

Madam Speaker put the question and after a voice vote declared the motion carried.

HON. J. B. CARROLL (Minister of Welfare) (The Pas) presented Bill No. 69, an Act to amend the Blind Persons' Allowances Act, for second reading.

Madam Speaker presented the motion.

MR. CARROLL: Madam Speaker, this bill has been explained I think seven times -- the principle behind it has been explained seven times so far. It just enables us to make retroactive regulations with respect to The Blind Persons' Allowances Act.

Madam Speaker put the question and after a voice vote declared the motion carried.

MR. HUTTON presented Bill No. 76, an Act respecting the Transportation, Storage, Selling and Marketing of Natural Products by Producers thereof, for second reading.

Madam Speaker presented the motion.

MR. HUTTON: Madam Speaker, I take some satisfaction in recommending this bill to the

(Mr. Hutton, cont'd)... House and the principles involved in the new Act. We have an existing Act which has been on the books for some -- well almost a quarter of a century -- and it has become evident to us that it needed to be rewritten and revised -- rewritten and revised in the light of present day attitudes and present day marketing conditions. The existing act was written in 1940. It was written at a time just following the depth of depression that the agricultural industry had experienced, and following a period which most people who experienced it look backward on as being rather desperate times. That Act being born of these difficult times provided for a great range of powers and one could, I think, argue with the fact that they were ever necessary to meet the situations they were designed to deal with, but certainly I think they must be considered inappropriate today. I think the best evidence of the fact that these powers that could be vested in producer marketing boards is unacceptable is the very fact that only one board was established in almost a quarter of a century, and that was the Honey Producers Marketing Board. The existing act and the powers it provides in producer marketing boards I believe is repugnant and offensive, not only to people other than producers, but I believe it is repugnant and offensive to the producers themselves.

This revised act introduces an entirely new concept to the operations and marketing plan. That of vesting with producer boards only such authority as is required to successfully operate the business of marketing their product. The main powers of regulations and all of the powers of enforcing and policing regulations is vested with the Manitoba Marketing Board which is a public utility type of board and responsible through the government to all of the people of Manitoba.

The Manitoba Marketing Board, a board with a vaguely defined advisory function in the past, will, under this new Act -- and it's provided in Part 1 -- be a strong board with the following responsibilities: to advise the Ministers of Agriculture and Conservation and of Mines and Natural Resources on matters relating to the act; to charge with the responsibility to supervise the operation of producer boards and marketing commissions; to enforce the regulations through a staff of inspectors as required; to conduct votes and referendums; and to serve as an appeal board for any producer who feels that he has been wronged by the board that handled his product.

Part 2 of the new Act outlines the powers of producer boards. The existing act provides for powers to be granted to producer boards for controlling price and sale of products right through all phases of marketing right to the retail outlet, and for policing their own regulations through seizing of the product and other such dreadful powers. The new act provides that the producer board may control its product only to the first receiver. It may operate a business for the purpose of selling its product. Specifically, it may set minimum or maximum prices at which a producer may sell the regulated product -- that is just the producer. It may determine the time and place at which the regulated product is marketed. It may appoint agents to act on its behalf. It may determine the quantity, quality, variety, grade or class of the product which is marketed at a given time or place. It may process the product to make it more suitable for marketing. It may impose approved fees and charges to cover its cost of operation. It is important to observe that the only producer marketing board operating today, the Honey Marketing Board, while they were granted wider powers than those that could be granted under this new act, have never used them.

Part 3 of the Act introduces the authority for the establishment of marketing commissions. Marketing commissions are agencies, if established would presumably operate under public utility type boards. This has been added to provide for flexibility in marketing schemes. Such marketing commissions might from time to time provide a better means of marketing natural products than producer boards. The powers granted to marketing commissions are basically the same as those granted to producer boards.

Part 4 of the act, the general part, provides among other things for the definition of who may vote on a plebiscite. This Legislature should decide who may vote. As a starting point we have suggested that any producer who marketed \$500 worth of the product in a 12-month period, ending within the 12-month period immediately prior to the vote, shall have a right to vote. And I want to say here and now that this \$500 figure that we put in the act is one to stimulate discussion on this point. We are not taking an intransigent position on it nor being dogmatic about it. It is a very worrisome decision to have to make and we reserve the right to make it after

(Mr. Hutton, cont'd)... we have heard the evidence in this Assembly and the evidence which inevitably will be brought to bear when this reaches the committee stage.

Part 4 also provides for the pooling of the price and the proceeds of a regulated product. It outlines the powers of inspectors appointed by the Manitoba Marketing Board. We think that this is a vastly improved Natural Product Marketing Act, relieving the producers of the headaches and the heartaches of enforcing and policing regulations affecting themselves and their neighbours and allowing them to direct their energies to the business of marketing their product, and leaving the policing enforcement to the Manitoba Marketing Board which has been fortified with the necessary powers to do the job.

The Manitoba Marketing Board is responsible not to a group of producers with a vested interest, but to the entire community of Manitoba. If it can be argued that orderly marketing is in the best interests of the total community, surely it follows that such orderly marketing schemes should be subject to a continuing scrutiny and supervision of representatives of the total community.

MR. CAMPBELL: Madam Speaker, I'd like to ask the Honourable the Minister a question. Has this act been considered with other provincial bodies and in conjunction with their marketing act?

MR. PAULLEY: Madam Speaker, I wonder if the Minister is going to answer the question of the Honourable Member for Lakeside now -- interjection -- No, you won't close the debate, you can be assured of that. You don't necessarily close the debate may I suggest simply by answering a direct question pertaining to a point such as the . . .

MADAM SPEAKER: Does any other member wish to speak? The Honourable the Leader of the New Democratic Party.

MR. PAULLEY: No, Madam Speaker, it is my intention to adjourn the debate after the Minister has answered the question, if he is going to answer the question.

MADAM SPEAKER: The Honourable Member for Portage.

MR. GORDON E. JOHNSTON (Portage la Prairie): Madam Speaker, I'd like to ask the Honourable Minister if this bill takes into consideration the interests of the growers, that is the contract growers and the canning companies. Would there be a danger of placing the canning companies in an unfavourable position selling their product in other provinces? Has this aspect been considered? The canning companies who are large employers of labour in certain areas of Manitoba -- has it been talked over at all with them?

MR. HUTTON: Madam Speaker the answer to the Honourable Member for Lakeside is that there were not any direct consultations between provincial bodies, but this matter was taken into consideration.

MR. CAMPBELL: Madam Speaker, if the honourable member prefers, he could answer this question when he closes the debate and I realize that isn't going to be immediately, but I would like if he would consider the question: is it not advantageous in legislation of this kind, which is admittedly open to a good bit of difference of opinion, to follow the procedure that the Attorney-General's department follows with quite a bit of our legislation and try to get a certain degree of uniformity between various provincial statutes?

MADAM SPEAKER: Are you ready for the question?

MR. PAULLEY: Madam Speaker, I beg to move, seconded by the Honourable Member for Logan, that the debate be adjourned -- Excuse me, Elmwood.

Madam Speaker presented the motion and after a voice vote declared the motion carried.

MR. STEINKOPF presented Bill No. 39, an Act respecting Joint Stock Companies and Other Corporations, for second reading.

Madam Speaker presented the motion.

MR. STEINKOPF: Madam Speaker, I hope for the same future for this bill as Bill No. 40, the Bill requiring the registration of Real Estate Brokers and Real Estate Agents, and after second reading that the bill be referred to the Committee on Statutory Regulations and Orders for further study. The Companies Act is a rather complicated act. The Committee on Uniform Company Law of the Canadian Bar Association has been meeting for many years on this subject, and a complete revision of our Act has been held up in the past pending a decision from the Uniform Companies Committee. But during the last six months we have proceeded on the latest report of the Uniform Committee and have had a great deal of assistance by Manitoba

(Mr. Steinkopf, cont'd)... barristers and members of the Manitoba Chartered Accountants Association, and have been able to put together this rather large bill of some 139 pages. We've also received a great deal of help from our own people, and I would particularly like to mention Mr. Charland Prudhomme, Mr. Snider, Mr. Bill Johnson, Mr. Fisher, Mr. Rutherford, Mr. Tallin and Mr. Swaine, who have all devoted one or two nights every week and worked rather late during the last few months in helping us draft this bill. The Act as it now stands is approximately 98 percent of that that was recommended by the Uniform Committees Act. It is a type of Act that is highly technical, but there's hardly a page that doesn't require thorough study. I had hoped that we would be able to have it passed at this session, but because of the importance of the bill and the importance of it to the whole economy of the province, I think it is better that it not be rushed through at this session and be given the same type of treatment that was suggested by our Premier in connection with The Real Estate Brokers Act.

Madam Speaker put the question and after a voice vote declared the motion carried.

..... Continued on next page.

MR. ROBLIN: Madam Speaker, I wonder if you would please call the Order on the Ways and Means Committee.

MADAM SPEAKER: The adjourned debate on the proposed motion of the Honourable the First Minister and the proposed amendment of the Honourable the Leader of the Opposition, and the proposed amendment to the amendment by the Honourable the Member for Brokenhead. The Honourable the Leader of the New Democratic Party.

MR. PAULLEY: Madam Speaker, it's always a privilege for one to take part in a debate of the importance of the one before us, namely that Madam Speaker do not leave the Chair and go into the House in Committee of Ways and Means, which of course deals with how the administration intend to raise the monies necessary to carry out their program. Thus far in this debate we have had an interesting contribution by the Leader of the Opposition, the Member for Ste. Rose. We had a very interesting contribution by the Member for Brokenhead, who laid before this House in general the policy of the New Democratic Party in respect of the progress of Manitoba. The Member for Rhineland who is the lone Social Creditor in this House likewise made a contribution which I presume was the thoughts of the Social Credit Party of the Province of Manitoba. So here we had, Madam Speaker, contributions by the three parties in opposition, but not one word from across the House as yet in rebuttal to the points raised from this side of the House. My honourable friend the First Minister states that he wants to stick with tradition and close the debate when the main motion is back once again before us. I think the situation though, Madam Speaker, is not that my honourable friend wants to continue in what he thinks is tradition, but he doesn't want to utter another word in respect of the budget and his proposals for the next ensuing year for fear of one of us on this side being able to rebut back to him once again. There was a time, Madam Speaker, that my honourable friend was willing and ready at all times to enter into a debate in this House, but I think maybe it's the weight of years or the weight of responsibility has changed my honourable friend. He just loves to get the last word in now when nobody else can reply to him. He has used the 11 o'clock closing hour at least on three occasions this year to do so, and talked the clock out at 11 o'clock so that we could not reply because he immediately rises and says the House shall adjourn and the committee shall adjourn and thereby cutting us off of having a real debate with my honourable friend. And I don't blame him. I don't blame.....(Interjection) Yes, that's right, what a hope, because there are, thank goodness, ways and means in the operation of government where we're enabled to say a few things in rebuttal. It would be far better, however, if we were able to do it under the basis of a real debate.

But I don't blame my honourable friend for doing this, Madam Speaker. It's perfectly understandable, and if we were on that side of the House and proposing such measures as they are, I'd be glad for 11 o'clock to come along so that the debates would be ended. I'd be glad to have the opportunity of sitting quietly on my haunches until the last opportunity was exhausted for the Opposition to say anything, and then stand up and speak to them knowing that no rebuttal was possible. So, I don't want to chastise my friend too much. I do say to him -- and I'm sure that he agrees with me, Madam Speaker -- that this is why he's out-waiting us on this side of the House. (Interjection) Pretty cagey.

Now then, I say that this is applying to my honourable friend, the Leader of the House. But, Madam Speaker, thus far in the budget debate, it's equally applicable to his front benches, for not one of them has taken the time at all to stand up and to attempt to defend their respective departments that have been under criticism from this side of the House. During the debates, contributions to the debates of the Leader of the Opposition, my colleague from Brokenhead, likewise that of the Member for Rhineland, different departments have been singled out for severe criticism. I think if I were on that side of the House as a Minister, unless under the rule of thumb you can't do this, if I were a Minister I most assuredly would have engaged in some of the comments that were made by the Honourable the Leader of the Opposition and the Member for Rhineland. I would be most anxious to defend my situation, my position as a member of Cabinet. But, Madam Speaker, this simply hasn't happened, and I wonder why. I wonder why it hasn't happened. Have you no defense for the criticisms that have been offered from this side of the House, I ask you, Mr. Minister? Or are you too afraid of attempting the indefensible in this House? Is this the reason for your silence? Is this the reason why you sit by so smugly while the criticisms are being offered from this side of the House? Or is it

(Mr. Paulley, cont'd.) because you simply have no defense? And I suggest, Madam Speaker, that either there is no defence or there is consent, and that the front bench Ministers are agreeing with the criticisms that are being offered from this side of the House.

You remember, Madam Speaker, when this young, youthful, progressive team across the way on the drop of a hat each and every one of them were prepared to jump up to the defence of the Roblin team. (Interjection) Yes, the honourable member behind me has just said: "They've deserted him." And I think there's a lot of truth in just that. I think there's so much fumbling in the backfield that even the quarterback himself cannot get his signals across to the team. This is particularly true -- those gentlemen are not even here now -- of the Ministers of Agriculture and of Industry and Commerce. What has happened to this vigorous, progressive, forward-looking Cabinet? I say, Madam Speaker, they now seem to be a group of bewildered individuals instead of the team we heard so much about. As one observes the actions of the Cabinet from this side of the House, each and every one of the Cabinet appears to be ill-informed as to his departmental responsibility. To some observers it might be felt that this is the result of the shuffle in the Cabinet. I think there is more around than just this, for it appears that in many cases, when the new Minister has gotten himself into a jackpot, the previous Minister in that department does not seem to want or to be able to come to the rescue of his colleague with the proper answers, and the new Minister is left wallowing all by himself in the dark. It is noted that even my friend the First Minister appears to be bewildered as to what is happening in the government of the Province of Manitoba. His attendances at the session are getting to be fewer and further between appearances. It seems to me, Madam Speaker, that the spunk and fire of the Tories has been replaced by sulk and folderol.

What's happening in the ministry opposite -- these people who just over a year ago appealed to the electorate then received a minority support from the electorate on the basis of progressiveness? What's happened to them? Let's look at a few of the happenings in the various departments of government since this session. The Minister of Education -- and I'm talking of the present Minister -- floundering in his department during the examination of his department, when the question -- and I'm only using one illustration or two for each department -- when the question was raised insofar as examination fees of students, the question raised by my honourable friend -- colleague from Seven Oaks was raised, no direct answers. Didn't even know, in effect, as to whether or not there was any exemption of fees for examinations. He said, "Well, we'll look into the matter" and it wasn't until we had pointed out from this corner that the previous member of Education was going to do this a couple of years ago, that he says, "Well, I'll see and try and find out a little bit more." No help to the present Minister of Education from the previous one. Not a bit. My honourable friend, the present Minister of Education, is still carrying on practically speaking the same as the former in respect of the situation in St. Vital. No directive. No response. No courage.

What about the Department of Public Works? What about the Department of Public Works? Here is another Minister of a responsible department who will not even disclose, when asked by the members in opposition, how many cars pass a given point for which a count has been taken. Why? Also because he's floundering in the responsibilities of his own department?

What about my friend the new Attorney-General? We've just gone through a tremendous debate in this House on his department. Questions are asked of my honourable friend and where does he want to get the answers? From the two chief justices of the Province of Manitoba, because he is wallowing and floundering in his own department. What a great lot!

What about the Minister of Health? We've only just started into his estimates, but on two very vital criticisms, or at least initial criticisms, one being the annual report of my honourable friend when we in this corner raised the question as to the type of report that my honourable friend was giving to us in the Legislature and to the public outside, what was his answer? He was honest. "I agree with the honourable member that it wasn't of very much value and we'll change it back next year." Forward looking? Progressive? Active? Sounded all right in election propaganda. Boy, oh boy, sure ain't working around here, Madam Speaker.

What about the Honourable the Minister of Agriculture? Now he's one of the chaps that wasn't changed -- he's not here right now either -- but one of those that has come under the severest criticism from this side of the House. He didn't even know what he was going to get from Ottawa in respect of Floodway contributions, and was saved at least on one occasion by

(Mr. Paulley, cont'd.) . . . the bell at 11 o'clock with a prayer on his lips: "Gee, I hope the Provincial Treasurer's around next time this matter is under surveillance by the committee."

What about the Minister of Welfare? We haven't got to his estimates yet and I will say that my honourable friend has been reasonably quiet thus far but, boy, even though he hasn't said very much in this House so far, he said enough to stick his neck out a mile and have two or three other Cabinet Ministers down his throat when he made reference to a situation up north dealing with the plywood plant.

What about my friend the Minister of Industry and Commerce? Progressive. Forward-looking. Champion of all in Manitoba. Going to make sure that everybody has a job, that we increase our industries, that we don't lose any industries out of the Province of Manitoba. What's happening now with my honourable friend? He's floundering insofar as the activities of government in aiding in trying to have retention of the TCA here in the Province of Manitoba. Now he wants time to study. Madam Speaker, I received a copy of the Dixon-Speas Report, the abridged edition, at the same time or almost the same time as the Minister of Industry and Commerce. This was about a week or so ago, and my honourable friend today says he still wants time to study it, and may I say, Madam Speaker, I've had an opportunity of studying it to some degree and I have to do this while studying other governmental matters as well without a huge research staff at my disposal. My honourable friend even today was not able to answer us and to tell us what he was going to do in respect of the TCA, and I want to say to him, or to his colleagues opposite, the employees, particularly in view of the announcement that was made today, Madam Speaker, are very concerned and they rely on the government to at least assist them, calling groups together to continue to fight for TCA.

What about the Minister of Municipal Affairs? Another bright, charming, progressive forward-looking individual, but even though we haven't got to his department yet, even on one bill that we did have a considerable discussion on it, namely, one dealing with the municipal loans fund, he had to back up a half a dozen times, and he too on a couple of occasions had to rely on the assistance of the quarterback to try and get him back on the straight and narrow. My honourable friend shakes his head. I suggest to him that he just takes a little time out and read Hansard for once and he'll find out the error of his ways.

Now what about the Minister of Mines and Resources? The present Minister. Oh, there's a guy that's surely out. No, he's not even here now either. Boy, there's a fellow who really looks like a duck waddling down Portage and Main. My goodness. He's lost. I don't know why he was changed. Maybe one of these days the Honourable the First Minister will reveal to us as to why he was changed, but I'm sure that my honourable friend the Minister of Mines don't like what happened and it's evident in this House.

What about the Minister of Public Utilities? I can't leave him out. Subject of severe criticism from this side of the House because the quarterback didn't tell him, don't reveal the signs or the plays to the press until you've done it on the playing field in the Legislature. The team has fallen all apart.

What about the Minister of Labour? I'm going to give him a little bit of credit, however, for he did listen to the Opposition in respect of the fair wage of the construction industry's bill. Now I'm going to give him a little credit for that, but having given him credit for that, I want to say to him I don't admire what he's doing, or what I read in the papers of what he is doing or not doing in respect to the licensing of TV mechanics, and he has a situation, if press reports are correct, Madam Speaker, again where individuals are openly flouting the law and no action being taken by the responsible government.

This then, Madam Speaker, is a brief resume of my honourable friends in the Cabinet opposite, but what about them as a whole? What about them as a whole? We've had two or three meetings of committees thus far this year, particularly the Law Amendments Committee. At our first meeting of the Law Amendments Committee what happened? One bill -- I think it was one bill out of about a dozen that were before us -- was passed by the Law Amendments Committee. Well why didn't the others pass? In general, the reason that they didn't pass was because one Minister hadn't spoken to the other Minister of what they meant in their respective bills. The Minister of Agriculture hadn't spoken to the Minister of Health insofar as The Pharmaceutical Act was concerned, so the team had to call to the referee and say, "Please Mr. referee, let's stop the game until we get back into another huddle." But it wasn't a question of

(Mr. Paulley, cont'd.) . . . another huddle, it was a question of 'a' huddle -- the first. Does not this indicate clearly irresponsibility on the part of members of a so-called forward-looking, progressive, determined team? One bill, of twelve. Progress. At least three bills that we had in Law Amendments had to come back so that the Ministers of two different departments concerned with the bills had to have joint consultations in their staffs in order to clarify the provisions of the bill. Forward-looking? Progressive? Historically possibly. If you go back to their first appeal or two to the people of Manitoba. But Madam Speaker, this certainly isn't true today. Certainly isn't true today. I almost was going to say they're a floundering bunch of flounders but I don't know if that would be parliamentary.

So you see, Madam Speaker, things aren't right on little Duffie's team, and I hope and trust that the Ministers -- responsible Ministers -- at least in a Democratic system

MR. ROBLIN: I insist that my honourable friend be parliamentary. All these things go but when he comes to "Duffie" that's unparliamentary.

MR. PAULLEY: Well Madam Speaker, if it hurts my honourable friend I won't call him Duffie -- no, was it Duckie or Duffie?

MR. ROBLIN: I had an old aunt that could call me Duffie but that doesn't apply to you, although you're an old

MR. PAULLEY: I want to assure my honourable friend

MADAM SPEAKER: try to stay to parliamentary terms.

MR. PAULLEY: I think I am too, Madam Speaker, and I want to say to my honourable friend, the First Minister, if the worst that I ever got called was Duffie I'd be perfectly satisfied and I'm sure it's equally true of my honourable friend if the worst he ever gets called is Duffy, even in this House at times, then he should be satisfied likewise. (Interjection) I hope you do too.

However, I do say, Madam Speaker, that this certainly isn't good enough for the people of Manitoba. Now it's not my intention to delve deeply into the epistle of my honourable friend, the Provincial Treasurer, but I do want to say to him that if he were to read his epistle next year he would be able to find severe criticisms of it as well. Because while he referred to many pertinent figures and facts as to what is happening in Manitoba, nowhere within his whole budget address will he find where my honourable friend has indicated any priorities in the expenditure of monies in the Province of Manitoba. I think that it is incumbent on a government to list orders of priority. The other day when we were considering the estimates of the Attorney-General's department we in this corner pointed out a number of recommendations that was made by the D. A. Thompson committee respecting prevention and detention insofar as crime is concerned, and my honourable friend the Attorney-General informed us that to implement all of these things would cost approximately 17 millions of dollars. My honourable friend the Provincial Treasurer reiterated this and gave us an outline of order and said that we were going to do these things ere long only give us time and this progressive forward-looking team of a few years ago will get down to them.

Order of priority? A good example I would suggest, Madam Speaker, of the lack of order of priorities of the government opposite was the spending of three-quarters of a million dollars for a park adjacent to the Legislative Buildings, while across from where that park was built juveniles were being held in detention in an archaic building reminiscent of the 18th century. My honourable friend tells us budget-wise this year that they anticipate spending the sum of 21 millions of dollars and they've set up their budget this way, \$21 million for the building of the floodway -- that's total expenditure. Last year they told us, the Minister of Agriculture told us last year they spent a total of \$2,700,000. My honourable friend the Minister of Treasury, the First Minister, talks of priorities. Seventeen million desired for the corrections and rehabilitations of our youth in the province of Manitoba. My honourable friend the Minister of Agriculture says, well, the weather was against us in the best construction year we've had for years and we could only spend \$2 million seven, and yet this year which is in the laps of the gods as to what the weather is going to be, it's been increased from an overall expenditure estimated from about seven to twenty-one. Order of priority? There is no order of priorities. Just the compilation of figures to make things look a little bit better for the government.

What do I find when we read the budget speech of my honourable friend the First Minister regarding employment? Do we get from him in his budget report any indication of what he is

(Mr. Paulley, cont'd.) . . . going to do regarding reducing unemployment in Manitoba? I know it's nice, Madam Speaker, for him to be able to say, well our unemployment has decreased over a year or so ago, and I join with him in being happy that there is a reduction, but I certainly cannot join with him in his approach to this insofar as his budget is concerned, for what does he say? "Employment in 1963 was at high levels with an average of some 96 percent of the work force gainfully employed over the year, taken as a whole." This means, Madam Speaker, that four percent of the workers in Manitoba were unemployed over the whole year. Then my honourable friend goes on to say, "Manitoba again enjoyed virtually full employment through peak activity for the months of June through to the end of harvest." June, July, August, September -- four months -- four months out of twelve we had virtual full employment, which I would suggest would be around about two percent unemployed. But the average, Madam Speaker, in the words of my honourable friend in his own budget, the average over a year was four percent, so if we had two percent for just a quarter of the year, as my friend says of virtual employment four percent over the year, what was the percentage other, and I ask my honourable friend the Minister of Education to take these figures and give me an answer. Because it would be more in the likelihood of 7 or 7-1/2 percent over the balance of the year. Is this good? I suggest it is no good, and is not worthy of a forward-looking progressive team.

What of the future? Reference is made by my honourable friend in his budget to the COMEF report and challenging implications as listed on page 5 of the report. We read in the third paragraph: "A significant finding was the clear delineation by the Committee of the limits of government activity. The conclusion was a challenge to private enterprise and industry. Government will continue to search for more effective approaches in areas of public responsibility. It is essential, however, that private enterprise pursue diligently every effort to improve efficiency, expand initiative, and extend the necessary co-operation to others working to the same end. I believe that labour and management are ready to accept their responsibilities to meet this challenge."

I say, Madam Speaker, that labour and management appear to be ready to accept their challenge, but I suggest that the very wording of my honourable friend in his budget is an indication that they are not prepared to accept the responsibility of government and are paving the way to say, "It wasn't our fault for the failures in Manitoba. We expected management and labour to pull us out of the hole and they didn't do it so don't blame me. As First Minister of this province blame industry and labour for the failings of the development of our future in the province of Manitoba."

One final note, I must refer to the revenue side of the picture, which to me is not indicative of a forward-looking government, for if it was, the estimates of income in the Department of Mines and Natural Resources would be different. My honourable friend in his budget address on page 6 makes reference to the fact that the total mineral production in 1963 set a new record at a value of \$171 millions. We're proud of the fact that we are advancing insofar as the development of some mines in the province of Manitoba is concerned, but I don't think we can be very proud of the fact that the ratepayer, the taxpayer of the Province of Manitoba is still receiving all too little in return. If one looks at the public accounts for the year ending 1963 the actual received for the fiscal year '62-63 in mineral royalty tax was \$945,207; the estimate for this year is \$1,430,000, an increase of approximately half a million dollars when the total production in mineral wealth is increasing each year by about \$13 millions. In other words, Madam Speaker, \$13 millions on this hand for the exploiters, which we welcome, of our natural resources, but of the taxpayer who owns them a mere increase of \$500,000.

I suggest to my honourable friend that he takes a second look at his budget address. He's stuck with it now because he has presented it to us, but I do suggest to him that were he to read it over again he would say, "By Jove, I think Russ was right," so Madam Speaker, I join with my colleague from Brokenhead when he says that the people of the Province of Manitoba have not received a fair return from their investment, that while we have gone into debt, we take the attitude in this corner as against that to my right that if, in going into this debt, the people of the Province of Manitoba were receiving greater benefits it's all to the well, and we recognize that in order to advance sometimes it is necessary. We suggest that we are

(Mr. Paulley, cont'd.) . . . right when we say in the final phrases of our amendment to the amendment that the government has been unable to provide a consistent framework and program of action that would provide for the effective expenditure of these public funds. I think it's all too true regrettably, Madam Speaker, that while my honourable friends love to use big figures, bring down big figures, their plans for the future are almost nil, and until such times as they do start a little comprehensive and forward-looking planning for the people of Manitoba, our economy is going to be like a teeter-totter, up and down; but more important than even the economy bouncing up and down, unless my honourable friends opposite start scheduling an order of priorities, many of the people still in need in the Province of Manitoba will have to go without while at the same time our provincial debt is increasing.

In conclusion, Madam Speaker, I say to my friend the captain of the team, the quarterback, call your boys into a huddle -- or maybe you'd better call in a coach to talk to them if you're not able to -- call your boys into a huddle on this team that you once had -- and I frankly confess and admit that at one time it did work as a team and have given us evidence in this session that they're no longer a team -- so I say to you, Mr. quarterback, call your boys into a huddle; get your coach, or maybe your trainer, because it may be -- or your psychiatrists or whatever is necessary to rehabilitate your team -- get them all together; if necessary, as the Honourable Member for Gladstone once said, to get out of town in a quiet atmosphere, get your team together because each of you are going four ways. I respectfully suggest to the House that they should support the amendment proposed by my colleague from Brokenhead because at least it has a semblance of sound reasoning and logic for the future development of Manitoba.

MADAM SPEAKER: The Honourable the Attorney-General.

MR. LAURENT DESJARDINS (St. Boniface): Just a question -- may I ask a question? I wanted to ask the Honourable Leader of the NDP if he forgot the Honourable Minister without Portfolio in giving his thumb sketch, because if it's an oversight I'd like to have the whole team for my scrapbook.

MR. PAULLEY: No, I didn't include my honourable friend the Minister without Portfolio, Madam Speaker. I certainly did not wish to slight my friend but I think that as far as the team is concerned he just watches them more or less from the outside. Maybe this is the reason that the team isn't working quite as good, that the Honourable the Minister without Portfolio should, and could, take up about four portfolios that are not being used properly today.

MR. McLEAN: Madam Speaker, about two-thirds, or a little better, way through the address of the Honourable the Leader of the New Democratic Party he said that it was not his intention to delve deeply into the statement made by the Provincial Treasurer when he introduced the budget. That statement by the Honourable the Leader of the New Democratic Party was quite unnecessary. It was pretty obvious to all of us that he had no intention of dealing with the subject matter before the House.

He called on us to take a second look at the budget. Well, I'd like to suggest that he take his first look at it and perhaps endeavour to correct his faulty mathematics with which he endeavoured to buttress a weak case. Now it's a very standard debating technique and one that is hallowed by long tradition, that when you have no case you abuse the opposition, and that is of course the technique which has been adopted by the Honourable the Leader of the New Democratic Party today.

He's greatly concerned by what he calls "the team". Well, that's his term. He's greatly concerned about the changes in Cabinet. I've been interested, Madam Speaker, in the number of members opposite who have been concerned on this matter. One would think, Madam Speaker, that Ministers of the Crown had never been changed before. I'm not too certain whether the honourable members opposite ever take the time or trouble to read British history or Canadian history or Manitoba history. If they do, they would be interested to find that it is quite frequently the case where Ministers of the Crown are changed.

The concept of no change springs of course from that odd kind of approach that is adopted by people of a certain political faith, that of course government is designed to operate and look after every detail of the life of the people for whom they are responsible in providing government and therefore of course the Minister of the Crown is regarded in somewhat the same category as a permanent member of the civil service, which of course is not our tradition. In fact, our whole tradition is that of the collective responsibility and the detachment of Ministers

(Mr. McLean, cont'd.) from the day-to-day detailed work of their respective departments, and in that concept of course the changing of the posting of Ministers of the Crown is not only a good thing, it is indeed highly desirable from the standpoint of good government.

Now he castigates us for no action. He claims we're no longer the progressive team that -- those are his terms -- that he suggests we once were. Well, Madam Speaker, that's of course his whole problem. You see, if it was in fact that there had been no action, then of course he wouldn't have had to indulge in this kind of a debate at public expense in an Assembly which is called together to debate seriously the business of the people of Manitoba. When we are called here, as in this particular debate, to debate the financial policies being followed by this government and his responsibility to suggest alternative financial and fiscal policies for our consideration, surely, Madam Speaker, it is not necessary in this Assembly to take up the time of the Assembly in engaging in personal remarks -- not too serious -- but personal remarks, when we are here to discuss the important business of the people of Manitoba.

No order of priorities, he said -- no order of priorities. Has he not looked -- has he not looked, Madam Speaker, at the estimates? What better evidence of order of priorities than the amounts of money assigned to the respective functions that we are going to perform during the coming fiscal year. Order of priorities? First priority is obviously on the requirements of the Department of Education. Even a casual glance at the estimate book would demonstrate that to the honourable member if he had taken the time to look at it. No order of priorities he says. All through the whole piece, they keep asking and we'd endeavour to answer, and saying what the order of priorities is. It isn't that he's quarrelling with the fact of there being no order of priorities. Perhaps the kindest thing to say is that he doesn't like the order of priorities.

No if that's the case, Madam Speaker, let him say so. Let him say what his order of priorities would be if he were responsible for presenting them to this Assembly, because that is the only basis upon which we are entitled, either here or the public generally, to judge what he is proposing. Of course he won't do that, Madam Speaker, because he knows very well that by and large the order of priorities which we have assigned are the order of priorities which are for the public benefit of the Province of Manitoba and that is the very good reason -- very good reason why he ventures no more and no further than to say, you have no priorities, which is obviously a statement that is not true or correct and has no foundation.

No discussion by the Honourable Leader of the New Democratic Party about our fiscal policy. What does he think about the way in which the finances of the Province of Manitoba are being conducted? His colleague the Honourable the Member for Brokenhead didn't seem to think they were too bad. He said generally that he would have some changes that he would make if he were called upon to do so but that, generally speaking, the fiscal policies were not too serious. He agreed more or less with the policy with respect to those items that ought to be provided from Capital Funds and the necessary money borrowed from them. But what does the Leader of the New Democratic Party say about the fiscal policy? What is his fiscal policy? What policies would he propose to do the things that he thinks ought to be done?

Then he wants to know about plans for the future, and he says of course we have no plans for the future. Well that's easy to make that statement, again proving that he hasn't either read the Speech from the Throne or the budget presentation by the Honourable the Treasurer when the debate began, showing, Madam Speaker, if I may say, not that attention to public business that I think we have the right to expect from people who discuss these matters in this Legislature.

The whole address, Madam Speaker, proves only one thing, that the fiscal policies of the government, the priorities which we have assigned and which are plain for all to see, are indeed for the benefit of the Province of Manitoba and that, in fact, the Honourable the Leader of the New Democratic Party has no basis for criticism and no basis for asking the House to vote for the motion which has been presented and which, in effect, is a non-confidence motion in the government.

Madam Speaker, I doubt very much whether there is any public good to be served in this Chamber other than a discussion of policies, either those presented by the government or those that may be offered for consideration by members of the Opposition, and surely we ought to confine ourselves here to important matters of that nature.

MADAM SPEAKER: Are you ready for the question?

MR. JOHN P. TANCHAK (Emerson): Madam Speaker, you didn't hear me. I was up before you called it. Madam Speaker, I move, seconded by the Honourable Member for La Verendrye, that the debate be adjourned.

Madam Speaker presented the motion and after a voice vote declared the motion carried.

MR. ROBLIN: Madam Speaker, I wonder if you would now be good enough to call the resolution standing in my name in connection with education.

MADAM SPEAKER: The proposed resolution standing in the name of the Honourable the First Minister.

MR. ROBLIN: Madam Speaker, I beg to move, seconded by the Honourable Minister of Education, Whereas in Manitoba, constitutional provisions, juridical decisions and political determinations prescribe three general principles of government action in the field of public school education policy, namely: (1) The separation of Church and State as that expression is understood in Manitoba; (2) The dedication of public funds to the support of a single public school system open to all children; (3) The freedom to maintain private schools supported by private funds; and whereas it is in the public interest that all Manitoba children be afforded the maximum educational opportunities in the public schools; and whereas the public schools stand ready to provide 100 percent of their services to private school children at any time; and whereas a child lawfully enrolled in a private school is at present entitled to none of the services offered by his public school, while if there enrolled and attending he would be entitled to all of them; and whereas such a policy of "all or nothing" may be replaced by an open door policy of shared services within the ambit of the said principles and without contravening them; and whereas a program of shared services may entitle a child attending a private school to avail himself at a public school of such of its services as may be desired and which could be provided without detriment to the public school; now therefore be it resolved: That a special committee of 9 members of the Legislature be appointed to consider the advisability of introducing a program of shared services without detriment to the public schools; and be it further resolved that in its consideration of the aforesaid the Committee shall adhere to the principles set out in the first preamble hereof; and be it further resolved: That without limiting the generality of the foregoing the Committee shall consider: (1) The way in which existing private schools may be accredited for shared services and, without interfering with present rights in respect of new private schools or the attendance of pupils thereat, the conditions under which any new private schools may be accredited for shared services at the public schools, taking into account those limitations necessary to assure the integrity of the public school system itself; (2) The specific services at the public school which may be made available to children attending accredited private schools and the ways, means, terms and conditions of their availability at the public schools under the authority of the public schools; (3) The way in which the public schools may obtain provincial grants for shared services provided thereat; and be it further resolved: That the said Committee may hold such public hearings as it may deem advisable and shall report its findings and recommendations.

MADAM SPEAKER: Moved by the First Minister, seconded by the Honourable the Minister of Education

MR. ROBLIN: Madam Speaker, perhaps the House will allow you to dispense with the reading of that resolution. It is a lengthy one and I read it myself deliberately because I feel it should be recorded in its entirety in the Hansard of this Legislature.

Madam Speaker, to understand the meaning and the scope and the direction of the resolution now before the House, it is necessary to have a clear appreciation of the constitution, the law and the political determination from which we derived the present public school education system in Manitoba. It has been said that each province of Canada has its own distinct personality and system in the field of education. This is true. None is quite the same, and some differ profoundly in their fundamental concepts. Each is the product of its own separate history and each has the right to its own system and policy. That this is so should surprise no one, but must be accepted as the inescapable consequence of the federal character of the Canadian nation.

On the creation of this province by The Manitoba Act of 1870, this Legislature was vested with exclusive power to make laws in the field of education. As the Imperial Privy Council was subsequently to confirm, this power is subject only to the conditions laid down in Section 22 of

(Mr. Roblin, cont'd.) . . . that same statute. Section 22 provides under subsection (1) for educational rights and privileges as they existed in 1870. It is under this provision that the constitutional right to maintain private schools is established. Subsection (2) of Section 22 provides for the educational rights and privileges acquired in Manitoba by Protestant and Roman Catholic minorities subsequent to the creation of the province in 1870.

When the present public school system was made law by this Legislature in the 1890's, Section 22 of The Manitoba Act was invoked by Roman Catholic and Anglican citizens who believed that system encroached upon their rights and privileges. The Imperial Privy Council decided that no appeal was justified under Subsection (1) of Section 22, but that an appeal could be entertained by the Governor-General-in-Council, that is to say the Federal Government, under Subsection (2) of Section 22.

It is a fact of history that such an appeal was taken to the Federal Government of the day. Resulting from this, that government introduced into the Federal Parliament a bill to provide for modifications of the Public School Law as enacted by the Legislature of Manitoba. Before this Bill came to a vote the life of the Parliament expired, but the Manitoba school question and the remedial proposals of Sir Charles Tupper became a principal issue of the general election that followed in 1896. The people of Canada at that time rejected the supporters of the remedial proposals and expressed, through the election of Sir Wilfred Laurier, their decision not to interfere by remedial legislation in Manitoba's educational system, but to respect the right of this province to make its own laws in that respect. Subsequently, the Laurier-Greenway agreement conformed to that approach.

In the meantime, in the provincial elections of 1892 and 1896, the people of Manitoba had twice confirmed our present public schools education law. In this manner, both the people of Manitoba in particular and the people of Canada as a whole have ratified our public school educational system that became the law of the province in the 1890's. Since then, no government in Manitoba or in Canada, and no political party, either federal or provincial, has sought or obtained a mandate to alter that situation.

This historical record is therefore the basis of our present public school education system, and elucidates the meaning of the first preamble of the resolution that is before us now, wherein it is stated that "constitutional provisions, juridical decisions and political determinations prescribe three general principles of government action in the field of public school education." The three general principles: (1) The separation of Church and State as that expression is understood in Manitoba; (2) The dedication of public funds to the support of a single public school system open to all children; and (3) The freedom to maintain private schools supported by private funds; in effect crystallize the policy that has been derived from the history that I have just recounted.

Perhaps it may be wise at this point to draw attention to the fact that these principles relate solely to public school education and to public school education in Manitoba. It is a fact that other approaches are adopted in other jurisdictions with respect to public school education. It is also useful to point out that there are other areas where Church and State co-exist and meet in Manitoba, and that different rules govern their association in these different areas. The three principles referred to, however, clearly govern in respect of public school education in this province.

Having thus sketched the broad outline and basis of our public school education, let me reiterate one of the important declarations contained in the statement made here last February 10th. This resolution and the idea of shared services that it embodies is to be considered solely within the ambit of our present public school education and of the three principles upon which it rests. This makes it abundantly clear that it is not proposed to alter the basis of present public school education, nor is it proposed to reopen the old Manitoba school question. To do this would, in our opinion, require the sanction of a general election or some other political determination.

I am aware that the McFarlane Royal Commission on Education did propose public funds for private schools, thus departing from our present public school education policy. This Legislature, however, does not abandon in advance its authority and responsibility to a Royal Commission. Shared services, therefore, are not in any way related to the proposals contained in Chapter 11 of the McFarlane Royal Commission. Private schools therefore will not receive

(Mr. Roblin, cont'd.) . . . public funds.

What is suggested, however, that it is in the public interest that all children in Manitoba, including those in private schools, be afforded maximum educational opportunities at the public schools. To make this possible, the "all or nothing" public school policy that has prevailed to date, in spite of certain exceptions which are more apparent than real and which can be discussed at a later date, may well be exchanged for the policy of the open door and of shared services at the public schools. This means that under shared services, private school children, and therefore their parents, must benefit, as I trust they will, only to the extent that they are willing to accept public school services at the public schools.

The operative sections of the resolution outline the duties entrusted to the Special Committee. I hope that all recognized parties in this House will be represented on it. It will have the responsibility not only to canvass the general principle of shared services, but also to investigate the ways and means by which they may be elaborated for the benefit of our children in offering shared services while maintaining the integrity of the public school system.

In the original presentation made on February 10th, reference was made to a process of affiliation as a means by which private schools may be associated with public schools to receive shared services for private school children. In this resolution the word "accreditation" is substituted for "affiliation" as more accurately reflecting the relationship appropriate for this purpose. Apart from this variation, the statement of February 10th outlines the shared services' proposal.

It is important that those citizens upon whose goodwill, understanding and effort so much will depend in the successful implementation of shared services, should have the opportunity to appear before the Committee and to assist them in their deliberations. I particularly hope that representatives of parents, school trustees, both public and private, teachers and administrators among the many others, will make their views known. Many practical problems respecting the accreditation of private schools and the ways and means and the terms of conditions under which each specific public school service may be made available need careful study. The Committee itself should be allowed to sit during our recess and to make all those enquiries which it deems to be pertinent to the issue. They will then be in a position to report their findings to this House with all deliberate speed. In our discussions of the delicate problems involved in public school education policy, I believe this House and the public at large will maintain the degree of objectivity and of open-minded consideration that the problem deserves.

Madam Speaker, we are leaving the old battlefields behind and we are striking out in a new direction. We must respond to the growing spirit of goodwill and understanding among all our people in this province by seeking those new approaches in this area of public concern that will make Manitoba's present public school system more responsive to the needs of our children and to the requirements of our times.

MADAM SPEAKER: Are you ready for the question?

MR. GUTTORMSON: Madam Speaker, I move, seconded by the Member for Emerson, that the debate be adjourned.

Madam Speaker presented the motion.

MR. SCHREYER: Madam Speaker, I wonder again if I might be allowed to make some comment on the resolution. It's only a matter of question of when, either now or after the Member for St. George.

MADAM SPEAKER: The Honourable Member for Brokenhead.

MR. SCHREYER: Madam Speaker, on a point of order, I wonder if I could ask the First Minister if it's his intention to carry this matter through after the 8 o'clock -- after we come back at 8 o'clock.

MR. ROBLIN: Madam Speaker, if this item is adjourned, we shall not come back to it today, but if my honourable friend wishes to speak now and he carries over the 5:30 break, we'll certainly be listening to him at 8 o'clock, if that's the point he's making.

MR. SCHREYER: Yes, that's right. Madam Speaker, in that case, I would like to say something at this time, and I would like to begin by saying that the more one considers this matter the more one is inclined to question whether or not anything worthwhile or practicable can be achieved by any protracted debate here in this Assembly. Because it is true that historically, for the past sixty years and more, it has been an issue which has seemed to be

(Mr. Schreyer, cont'd.) incapable of resolution in any direct way. On the other hand, it has evoked the strongest of passions and prejudices, perhaps on both sides but I'm rather inclined to think on the part of one side, and as I proceed I would like to give some reason or some justification for making that remark. But I do feel, Madam Speaker, that we must address ourselves to the problem, to the issue, and speak forthrightly in trying to plumb the depths of just why it is that in the Province of Manitoba it has been found necessary to treat the existence of parochial and private schools in a way that is different from the other eight provinces. I feel, as for myself, that what is involved here bears directly on one of the most elemental of civil rights. It is a fundamental civil right to have freedom of religion, and one may ask, well what does this have to do with the parochial school issue, and I intend to show that there is a connection as between the existence of parochial schools as to whether or not they receive support, and the exercise of the right of freedom of religion.

It is the profound belief of many people, Anglicans, Catholics, and I hazard to say some of the Jewish faith and so on, that freedom of religion implies with it the right to, the parental right, to have the children educated in an atmosphere which is consistent with their religion. Now then, to have a situation such as we have in Manitoba where we allow for the existence as pointed out in No. 3 of the resolution, the freedom to maintain private schools supported by private funds -- what is conveniently forgotten here is that private schools having to finance themselves by private donation and fees and so on, and subjected to the power of the state, the state's power to tax, are very often put in a position so precarious as to make the right to maintain such schools really not very meaningful, if you can feature such a situation. It is a fact that in the past six years the taxation burden on all homeowners, of course, has increased. Particularly has it become burdensome on those private schools that are operating in this province. And it has put it at the point where it has become increasingly difficult to foresee just how the financial load shall be supported by those who insist on maintaining their schools, and furthermore I want to say that the power to tax is also the power to destroy, and the power to destroy, in addition, it is also the power to make the exercise of a right difficult. Now surely it must be conceded that when a private school, or a number of private schools are subjected to increasing realty tax and so on, as is the case, that we see the beginning of a trend where the power of taxation is really having the effect of undermining and perhaps in the future virtually destroying the private school system. And it becomes more necessary now than before to have a measure of support for these schools.

When the Royal Commission on Education recommended a measure of public financial support to parochial schools, it was, I believe, met with stunned silence on the part of a good many people in this province. There were various reactions, some of them intemperate. And these reactions rather than abating, I suggest have become worse. And that is why I believe that even though I grant that in the year 1964 it's becoming obvious that it is a difficult matter to try to implement the recommendations of the Royal Commission in this regard, in 1959 - 1960 it would not have been so difficult had the action been contemplated and attempted at that time. I firmly believe that there has not been sufficient technical and administrative investigation into the feasibility of a measure of public aid to parochial schools. Some people -- and let's face it, many do not really fully understand what is involved here -- but many people are of the opinion that a measure of aid to parochial schools would jeopardize our public school system. I maintain that this argument might apply to the country but in the metropolitan area of 500,000 people it is actually completely unfair and superficial to say that a measure of aid to parochial schools would undermine the public school system, and I think that this is an avenue which should have been investigated in more detail so that we could have had more technical information at our disposal, or data. In the meantime, in the interval since the report of the Royal Commission on Education has been handed down, there have been fears expressed by certain people that the extension of public aid to parochial schools would be used by certain groups or church institutions to further their own institutional aggrandizement. I don't think that this is a fair or certainly not a very penetrating analysis or statement to make, because in the first place it would be extended to only a relatively few schools. There aren't that many parochial schools in this province. If we make sure that we have some sort of safeguard against proliferation into areas where it would obviously be impossible to have parochial schools constructed without jeopardizing the public school system -- I mean, there are safeguards that

(Mr. Schreyer, cont'd.) . . . could be worked into a comprehensive plan which would enable us to provide a measure of such aid.

It was also feared by many that this issue would be seized upon by political parties and exploited towards partisan ends, and I can say that out of this whole matter this is one thing which has marvelled me most, the fact that no party in this province has used this issue and seized upon it for a partisan interest, and I still marvel at it now. I think that the government, certainly the government must be kind enough to say that the opposition parties have given the government ample opportunity to study the Commission's proposals and to go beyond that in further study so as to be able to adopt a policy of one kind or another. But in the meantime, Madam Speaker, five years have passed, a length of time which indicates to me that this government was not about to act resolutely in this matter in order to reach any kind of an agreement. Of course to say that is not to be unkind because the issue is such where it was very difficult to do so, but the fact remains that they haven't and they didn't. The speeches made by the Honourable Member for St. Boniface were merely designed, or perhaps not designed but had the effect of keeping the matter before us at least enough so that the matter couldn't be allowed to be sloughed off or forgotten about, and in that connection, whichever side you may take on this issue we must be grateful to the honourable member, because I feel that had we conveniently forgotten, or tried to forget about the implications of this issue and so on, we would not have been acting in a way that would be expected of members of an elected Legislative Assembly. And of course during all this time many members, including myself, have never taken the opportunity here in this Chamber to give indication or vindication of their views. I'm trying to do so now, Madam Speaker. In fact, in January of 1961, I spoke -- in fact I believe I was one of the first MLAs to be hauled up in front of a large group interested in this problem -- this was at St. Alphonsus parish hall in East Kildonan, January 19, 1961 -- and at that time I said that I would support aid for parochial schools on two conditions, and I'm saying this, bear in mind, almost -- well yes, three years ago. I said I would support aid for parochial schools on two conditions: one, that adequate safeguards be provided for the public school system, and that parents of children attending parochial schools continue to help support the public schools as well through a continuance of paying taxes. Now I admit that this particular statement seems to have a built-in contradiction but it doesn't really. The point I was trying to make to this large gathering of about 300 people was that I was supporting the idea that there should be a measure of aid to parochial schools, but at the same time I felt that it was certainly a civic responsibility on the part of Catholics just as well as anyone else to continue paying, to some degree at least, for the continuance of a public school system. And then I also -- well the rest, Madam Speaker, is bearing not as directly to the point I wanted to make at this time. So the position I am taking now is the same, basically, as the position I took in 1961 in January. In fact there is little, if any, discrepancy.

I have the feeling that we cannot honestly say to anyone in this province that we have fully investigated the feasibility of extending public aid to parochial schools, and therefore I feel that what should have been provided for in this resolution was for the committee to study not only the advisability of a program of shared services but also to study the administrative feasibility of extending a measure of public aid to parochial schools in such areas where the extension of such aid would not jeopardize the public school system, and that is in the larger centres of the province, and I have no apologies to make when I say that I don't believe this can be done in most of rural Manitoba. Therefore, it becomes obvious that if I am practically pleading for an act of magnanimity on the part of the majority of this province, I am also at the same time saying that the minorities should be prepared to show equanimity as well in the knowledge that they cannot receive all that they are really entitled to or what, morally entitled to at least, or what they would like to be able to receive in this regard. I think it is just as well

MADAM SPEAKER: It is now 5:30. I wonder if the Honourable Member would care to continue at 8:00. I call it 5:30 and I leave the Chair until 8:00 o'clock tonight.