

## THE LEGISLATIVE ASSEMBLY OF MANITOBA

8:00 o'clock, Monday, April 25, 1966.

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  
 Orders of the Day.

MR. GILDAS MOLGAT (Leader of the Opposition) (Ste. Rose): Madam Speaker, before the Orders of the Day, I would like to address a question to the First Minister. Could he inform me as to when we may expect the Orders for Return and Address for Papers that we have put on the record and which have been passed by the House. Many of these are last year's and I'm sure that the government should have them ready.

HON. DUFF ROBLIN (Premier) (Wolseley): Soon, Madam Speaker.

MR. MOLGAT: Madam Speaker, I would like to address a question; I presume it should go to the Premier as well, although I asked it this afternoon of the Leader of the House in his absence. There's one bill left in Law Amendments Committee. Would he inform the House as to what the procedure will be regarding that bill?

MR. ROBLIN: This matter is under consideration, Madam Speaker.

ORDERS OF THE DAY

MR. GORDON W. BEARD (Churchill) presented Bill No. 101, an Act to validate Certain By-Laws of The Town of The Pas, and to enlarge the Boundaries of The Town of The Pas and the Boundaries of The Kelsey School Division No. 45, for third reading.

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

MR. ROBLIN: Madam Speaker, may I ask for a recorded vote on this division?

MADAM SPEAKER: Call in the Members. The question before the House, the third reading of Bill No. 101,

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

YEAS: Messrs. Baizley, Barkman, Beard, Bilton, Bjornson, Campbell, Carroll, Cherniack, Cowan, Desjardins, Evans, Froese, Guttormson, Harris, Harrison, Hillhouse, Jeannotte, Johnson, Johnston, Klym, Lissaman, Lyon, McDonald, McGregor, McKellar, McLean, Martin, Molgat, Paulley, Roblin, Shewman, Shoemaker, Smellie, Stanes, Steinkopf, Tanchak, Watt, Weir, Wright and Mrs. Morrison.

NAYS: None.

MR. CLERK: Yeas, 40; Nays, nil.

MADAM SPEAKER: I declare the motion carried.

BILLS Nos. 104, 114 and 93 were each read a third time and passed.

MADAM SPEAKER: Committee of the Whole House. The Honourable the Minister of Industry and Commerce.

HON. GURNEY EVANS (Minister of Industry and Commerce) (Fort Rouge): Madam Speaker, I beg to move, seconded by the Honourable the Minister of Mines and Natural Resources, that Madam Speaker do now leave the Chair and the House resolve itself into a Committee of the Whole to consider Bill No. 80.

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 Winnipeg Centre in the Chair.

COMMITTEE OF THE WHOLE HOUSE

MR. CHAIRMAN: ... before the Committee a motion of the Honourable Member for Rhineland.

MR. RUSSELL PAULLEY (Leader of the New Democratic Party) (Radisson): Mr. Chairman, would you mind reading out the amendment of the honourable member?

MR. CHAIRMAN: That Bill 80 be amended by adding thereto after Section 45 as Part III thereof, the following section, and that sections 46 and 47 as printed be numbered as 47 and 48 respectively:

(MR. CHAIRMAN cont'd)...

"46: The Fund shall not make a loan to any member of the Legislative Assembly or to any member of his immediate family or any person acting as agent on his behalf, or to any firm, corporation, or organization in which, to the knowledge of the Board, a member of the Legislative Assembly or any members of his family or any agent acting on his immediate behalf has any share, share warrant, option to purchase shares, or financial interest."

MR. J. M. FROESE (Rhineland): Mr. Chairman, in speaking to the amendment before us I am not pointing a finger or accusing anyone. I'm merely taking a precautionary interest in stating this amendment because I find that with the extraordinary powers given in Part II that it is essential to have this, and I want to point out very emphatically that I'm not being vindictive in any way, but I feel that this is in the public interest to have this section included in this particular bill. I'm sure that it can help us in the future; perhaps it will steer us free from complications that could arise in the future, and I think it will complement the bill; it will be an asset to the bill.

MR. EVANS: Mr. Chairman, I think the honourable member is right as to principle that it's right to consider, that is, whether members of the Legislative Assembly find themselves in a special position with regard to dealing with the Crown or an Agency of the Crown. This is a recognized principle and one that I think we have been careful to consider over the years, and so I think it is right that the honourable member has brought this matter up. I am glad he has made it plain that he is not considering any special case or any abuse that exists, and I accept his statement in that regard and I think it is a very proper statement for him to have made. So it remains, what to consider at this moment with regard to the specific amendment that we have before us.

Two thoughts occur to me; one is that the Legislative Assembly Act is the place for this to be considered. It would be a difficult task indeed to go over all of the Statutes of the Province and try to put into each, special provisions with respect to the ways in which Legislative Assembly members or their families, etc. can be dealt with. It would be far simpler and, in fact, it would be in accordance with the practice that we have always followed, that regulations to govern the conduct of members of the Legislative Assembly should in fact be put in one place where all the members of the Assembly can know what they are, in fact anyone intending to run can know what the provisions are. And so my view is that this matter, an important matter, should be considered under The Legislative Assembly Act.

The second is, that with the time available and what must be regarded as extremely short notice on an important and rather complicated matter like that, I think it would be too difficult at this stage to frame a satisfactory provision for this one bill, because the very wording of this amendment leads on to certain thoughts which show that I would think it would be difficult or impossible to enforce a regulation framed the way my honourable friend has done this one, or if indeed this turns out to be the right wording, to study the implications of it.

I pose one or two possibilities to the honourable members here. Supposing the Manitoba Development Fund made a loan to a corporation or an organization, one of whose members or officers was found to have, or to own shares in, shall we say, Investors Syndicate, which has an extremely broad portfolio of investments; or you can put another kind of case, that if the Manitoba Development Fund made a loan to a corporation and it was found that some mortgage money had been provided by one of the financial institutions, and one of the members of the Legislature had a share of stock in that financial institution, whether it was an insurance company or a trust company or a mortgage company or whatever, then I would think that a strict interpretation of the law would hold that that member of the Legislature had a direct if somewhat remote interest in the corporation that did in fact receive that loan.

Now let it not be thought that I am trying to oppose what I think is a very proper principle that my honourable friend has brought up, and I am going to suggest that we do not pass his amendment at this time, but I do undertake, I do give him my assurance that I regard it as a proper matter to have brought up, that I want to give it careful consideration, and I shall ask my colleagues to consider it as well in case it turns out to be the right thing to give consideration under The Legislative Assembly Act. So that in suggesting that this is not the correct motion to pass at the present time, I want it clearly understood that I am not opposing what the honourable member said, in principle.

MR. PAULLEY: Mr. Chairman, I just want to say that I support the amendment of the Honourable Member for Rhineland, and I can realize, too, as the provincial Minister of Industry and Commerce is pointing out, that with the exact wording before us at the present time, it

(MR. PAULLEY cont'd)... could lead to some complications. However, I do think, Mr. Chairman, that the amendment as proposed by the Honourable Member for Rhineland could be restated, having the main intent that he has. We are privileged to have with us this evening the Legislative Counsel, and possibly the Committee might see fit to allow a brief recess or cessation of activity of the Committee in order that a motion which would overcome the points raised by the Minister of Industry and Commerce would be before us.

Now I can appreciate the dilemma that the Honourable Minister may find himself in in having this suggestion of the Honourable Member for Rhineland included in the present Act, and as he says - I think quite properly - it would be rather difficult then for members of the Assembly to find out and have to dig into many pieces of legislation in order to find out whether they could or whether they could not do this or do that. His suggestion that this type of restriction should be contained within The Assembly Act, I accept; and that the amendment should be made properly in The Legislative Assembly Act.

However, Mr. Chairman, we are not dealing with The Legislative Assembly Act. We have this particular Act, The Development Fund Act, before us at the present time. I think everyone will agree that the points which have been raised by the Member for Rhineland are valid. I am merely suggesting, Mr. Chairman, that there are ways at our disposal here, without undue delay to overcome the objections which I say I think are reasonably valid, of the provincial Minister of Industry insofar as where can you draw the line, or where the line should be drawn, and at the same time fulfill the main objective of the Honourable Member for Rhineland. So I suggest to the Committee, Mr. Chairman, that possibly the Minister of Industry and Commerce and the Member for Rhineland might have a short confab with the Legislative Counsel so that the Act can be amended, for the basic principle apparently is acceptable.

MR. MOLGAT: Mr. Chairman, on reading the proposed amendment, it appeared to me that it was one that could be included in this Act without any major difficulty. I recognize that basically this would be handled by The Legislative Assembly Act, but we have no means now of doing anything about that, and I think that the proposal that the Honourable Member for Rhineland makes is one that the House should consider. The wording, it seems to me, is such that it would not be unduly restrictive because it comes down to the point, to the knowledge of the board. Now, while this could bring up some difficulties, I suppose, at times, as to whether or not the board knew or did not know, the gentlemen on the board are honourable people and if they said that they didn't know then that, I think, would end the argument. So it would appear to me that we could work this in but if the government felt that the wording is in need of some change, then I think that the suggestion, in view of the fact that we have the Legislative Counsel with us tonight, could be entertained that he has a look at the wording and see in which way it could be amended at this time and included in the Act. We have some other material before us - before the House at least - so we could very easily proceed and work on some of the other matters on the Order Paper and come back to this bill later on in the evening if an appropriate amendment could be reached and if the government feels that this one is not adequate. I must say that in my own reading of this one I feel that it does cover the subject and could be included as is, but I am quite prepared to consider other wording if it's felt by the government that there would be some superior wording which could be used.

MR. ROBLIN: Mr. Chairman, I would like to offer a comment or two, because this whole subject of dealings between government and Crown corporations and members of the Legislature has been one that has concerned me acutely over the years, and I have held the opinion that probably the time has come when there should be a thorough review of the way in which this whole question is handled, particularly in The Legislative Assembly Act. Members opposite will know that there have been certain private initiatives from time to time to see how we could best do this thing, but it seems to me that the whole question of financial relationships between members and the government is something that deserves careful study and scrutiny, because these days the government is into everything, and it's very hard to draw the old simple distinction between what is a proper conduct or proper latitude for a member of the Legislature respecting Crown corporations. It's very hard to follow the old simple rules that used to be quite applicable to the case, under modern circumstances.

For example, my brother might want to get a loan from the Development Fund. My brother might want to submit a contract with a company that he is interested in, make a bid on something that the government is doing. I have no connection with my brother except we happen to be born of the same parents. But as far as finances are concerned, or business or economic enterprise, I have nothing to do with my brother. He is as far away from me as anyone

(MR. ROBLIN cont'd)... could get. And yet under this Act, my brother, because I happen to be a member of the Legislature, is going to be seriously penalized with respect to his opportunities that are open to other citizens. And he might very well say, and justly say, "This isn't fair to me." - nor would it be. So a motion that goes as far as this, that refers to members of his immediate family, or persons acting as an agent in his behalf, raises a whole range of complications which are difficult to follow through and foresee in even a few hours' study.

I want to say to the Committee that I have considered this matter very intensively indeed and have been unable to come to anything that really satisfied me as being fair and equitable under the circumstances, and I have had it in the back of my mind that one of these days it would be proper to have a select committee of the House on which all parties are represented, to take a look at that Legislative Assembly Act and to take a look at this new situation that is developing whereby the government is in so many things that impinge upon the lives of ordinary people, like members of the Legislative Assembly and their immediate associates. And to go as far as this resolution does and to talk about any share, brings up all the points that my honourable friend has mentioned here. Perhaps we could use some phrase like "where a man has a substantial beneficial interest" - and then of course we're going to have a high old time defining exactly what that is. And to place the onus on the board to have knowledge of a transaction, doesn't seem to me to be a very practical thing, because if people conceal information from them they might well have no knowledge of the connection, and a transaction might be entered into which might well be an improper transaction. The thing will have to go much farther than that.

I have toyed with the idea that members of the Legislature should certify to the Comptroller-General their financial interest, what shares they hold, what businesses they're interested in, and the whole of their financial undertakings; what property they're interested in, and all those things; so that they may be on the public record, and that if there is any transaction on which there is a question, the affidavit or whatever, filed with the Comptroller-General, would give the complete financial status in relationship of a member of the Legislature. And I am rather of the opinion that something like that is really the thing that we should be talking about here, to deal with the whole range of problems. And while I know that one could very well say, "Well let's cook something up in short order that will fit this particular case," - there is an argument for that, I don't deny it - it seems to me that we would really be on sounder ground if we would resolve that at a suitable opportunity that we should have a special select committee of this Legislature to examine all aspects of this subject and just see how we are going to protect... It isn't a question so much of protecting the public, because -- although I sincerely believe that most, that all members of this House act in an honourable way in their dealings with Crown corporations, it's to protect ourselves so that the breath of slander that sometimes... in this matter can be sweetened, and that if anyone wants to know what my particular financial position is with respect to transactions that might impinge on government activities, perhaps it should be filed with the Comptroller-General, who is the servant of this House, as a statutory affidavit, perhaps checked at regular intervals to make sure that it is kept up to date, and then we will know, the public will know there will be no room for any of the questioning that sometimes arises about what the financial holdings of people are.

Now there may be some people who won't care to run for the Legislature if they have to disclose all their financial activities - and I don't know what we'll do about that. The idea has real disadvantages, one could readily see, and it may be that some better solution can be thought of. But what I am really coming down to is this. I think the Honourable Member for Rhineland is on a point that needs to be looked into, and I appreciate what he has to say tonight. I don't really think that we're going to be able to devise anything in the short time that we have at our disposal that will be much good, and I would feel much happier that instead of just worrying about this little thing that we should resolve that at the first proper opportunity there should be a special select committee of the Legislature to devise a proper public policy which could be applied to all relationships between government emanations and members of the Legislative Assembly. And I would ask the Committee to give that some thought and hopefully to conclude that that approach to the matter is really more helpful than dealing with this particular bill. So I express my concern about this; it has been with me for some time. Tonight's little debate has given me an opportunity to express some of the problems that I have felt in connection with this matter and to offer one approach which hopefully might lead to a solution on which we could all agree as being suitable under the circumstances.

MR. LAURENT DESJARDINS (St. Boniface): Mr. Chairman, I would have to say that I agree with the words of the First Minister 100 percent. I think that this is something very important and I think that this motion will serve to bring this to the attention of this House. I would not be ready to go along with the motion the way it is worded now. To go a little further than the Leader of this House, I think that there certainly is something - this example that he gave of his brother - but I think that also we're striving to get people, good people to run, to offer themselves as candidates, and I think some of them might be part of a corporation or a company and so on that might need help, and this would be going a little too far.

I believe that what the people want to protect the public is that none of us should take an unfair advantage of our position, but on the same token I think that it is very unfortunate that because we offer ourselves, because we are ready to run as candidate and maybe serve our fellow men, I don't think that we should lose any rights as citizens. I think that this is the important thing, be it anything else. Sometimes we are afraid to say something. I know that I'm always bending over backwards because I'm afraid that it might be felt that I took unfair advantage of my position. Now this would not be very healthy if we did lose certain rights, and even more so what's even worse, if some people that have nothing to do with it -- my brother might not even be talking to me. Just because I run he won't be able to take a chance, an opportunity as other citizens, and I don't think that this is fair, and I would go along with everything that the First Minister said.

I might want to think about it. This is why this committee would be a good thing, involving a non-partisan committee of all the members of this House. I would maybe want to think a little longer about this thought of stating all our connections, although I personally wouldn't mind at all, but would that cause many of the people of Manitoba, would that scare them and would they refuse to run? I don't know. If not, I think the idea is a good one and I think we should give credit to the mover of this resolution for bringing this to the attention of the public. We already have something about this conflict of interest. The important thing is to protect the people from us taking an unfair advantage. Then there is an awful lot to be said about protecting ourselves too, because if there is any doubt at all I think that then we have to bend over backwards and give the benefit to the taxpayers, the people of Manitoba, but I don't like the fact if we run, that we are ready to serve the people, that we should lose any rights, and I don't think it is the intention of anyone that we or the members of our families should lose any rights at all. No unfair advantage, but no loss of rights.

MR. FROESE: Mr. Chairman, I thank the honourable members for taking part in the debate on this amendment. To me it's of vital concern because of Part II of this Act. In my opinion, we are giving a blank cheque to this board to go into almost any kind of business they like. Naturally they have to get the approval of the Cabinet, as I understand it, but they have such wide powers under this Act that I feel that there has to be some limit set as to where we go and not to get too involved as members of this Legislative Assembly in such dealings, and this is my reason for bringing it up that we should take a closer look at what is being enacted here and what is being done, in order to avoid trouble that may arise in the future.

I thank the Honourable First Minister for raising the various points. I think they are valid, and perhaps if they feel that this should go further and that we should have a special committee looking into this, I certainly have no objection, but at least I felt that if this legislation was passed as it is contained in the Bill that we needed a necessary precaution.

MR. T. P. HILLHOUSE, Q. C. (Selkirk): Mr. Chairman, this proposition that has been put forth by the Honourable Member for Rhineland is not easy of solution, but I do believe this, that we are dealing with an Act which is unique inasmuch as its loans are not subject to public scrutiny nor are they subject to the scrutiny of this House, and I think, for our own protection - not for the protection of the public, but for our own protection - which in effect is public protection as well, I think that there should be some safeguard enacted into this legislation so that no one could point an accusing finger at any member of this Legislature in making use of his position to further his own interests through this particular Fund.

I don't think the amendment as drafted by the Honourable Member for Rhineland would be sufficiently conclusive and all-embracing to cover all of the situations that might arise, and I fully appreciate the position that has been taken by the First Minister. I think that this whole matter of the position of a member of this Assembly towards Crown corporations and towards all bodies in which Crown funds are invested is one that is worthy of consideration, but I still say that in respect of this particular Fund, that our position is unique inasmuch as this Fund is not subject to the scrutiny of this Legislature and it is not subject to public scrutiny, and for that very reason I think whatever is done to preclude members of the Legislature Assembly

(MR. HILLHOUSE cont'd)... from taking advantage of this Fund, I think it must be enacted right into the Act itself and not into the Legislative Assembly Act.

MR. DOUGLAS L. CAMPBELL (Lakeside): Mr. Chairman, I take very much the same view as my honourable friend and colleague from Selkirk. I think that the Legislative Assembly Act and this Act are quite different so far as this point of Members and members of their families are concerned. The Legislative Assembly Act, as I understand it, starts out on the premise that here are people elected to positions of a good deal of responsibility and a good deal of trust, and the Legislative Assembly Act lays down the rules as to what those people should and should not do.

Quite frankly, I don't think it is too strict at all, because I think that it is best to keep it that way and have it very strict so far as that Act is concerned, but when we get to this Act, in my opinion it's quite a different situation because this doesn't start with the question of who are members of a certain body, with responsibilities and powers. The premise is that a very major fund is being built up and you approach the question from that side rather than the one of the membership in this House, and I would agree with the Honourable Member for Selkirk that if something of this kind is to be done, then this is the Act to put it in rather than the Legislative Assembly Act, and I think that while as drafted this may be far from perfect, this is the proper place for it to go in, and as far as extending it to the distance that this does - and I recognize that it is a considerable extension from the Legislative Assembly Act - yet I think that even that could be justified from the point of view that, as my desk mate said, that where an Act is set up in the way this one is, public funds and yet not open to public scrutiny, then I think that not only the members of the House but everybody must maintain a sort of a special attitude toward that kind of a fund, and that when you come to the members of the Legislative Assembly then they must not only maintain that very definite arm's length position but that perhaps it should extend to members of their families and others, because of the fact that if you are going to have public confidence in this sort of thing, you must be ultra careful to see that there is no suspicion at all of undue influence being used in this way.

So I honestly think, Mr. Chairman, that there is quite a difference between the approach from this one and the Legislative Assembly Act. I would say, if we are going to put such a clause in at all, and quite frankly I favour it - maybe not in these terms but I favour the principle - then I would think this is the place for it to go rather than the Legislative Assembly Act.

MR. ROBLIN: Mr. Chairman, I don't know whether I qualify as a draftsman but I have tried to work out something here which we might accept, at least for the time being, as being suitable in this regard although I still think the idea of a general look at this whole topic is well worth the doing. If members would be kind enough to write the wording down, they might have a look at it and see if they think it suitable. "The Fund shall not make a loan to any member of the Legislative Assembly, directly or indirectly, or to any person acting in his behalf, or to any firm, corporation or organization in which the member has a substantial beneficial interest."

Now Sir, I'm the first one to admit that you could find fault with this wording. I hope it's a little more suitable than the first wording that we looked at, but perhaps we could give consideration to this with the knowledge that if we pursue our studies on the whole subject, as I think we should, we may come up with something better, but if the Honourable Member for Rhineland would agree to substitute this wording for the wording he has already given us, I think the government would be prepared to support it. I'll read it again if you like. "The Fund shall not make a loan to any member of the Legislative Assembly, directly or indirectly, or to any person acting in his behalf, or to any firm, corporation or organization in which he has a substantial beneficial interest."

MR. GORDON E. JOHNSTON (Portage la Prairie): Could we hear the Honourable Member for Rhineland's motion again, please?

MR. CHAIRMAN: Yes. The Fund shall not make a loan to any member of the Legislative Assembly, or to any member of his immediate family, or any person acting as agent on his behalf, or to any firm, corporation or organization in which, to the knowledge of the board, the Member of the Legislative Assembly or any member of his family or any agent acting on his immediate behalf, has any share, share warrant, option to purchase shares, or financial interest.

MR. DESJARDINS: Mr. Chairman, if I may, I would like to say that I agreed with the first remarks of the First Minister, but I don't agree with this amendment or with the resolution at all for the reasons that I gave earlier. For instance, the word "substantial" - what does that mean? Who is going to decide what is "substantial", and I still feel the same as I said

(MR. DESJARDINS cont'd)... awhile ago, that we shouldn't have any special privileges, and I don't think that we should be penalized or any members of our family should be penalized. I think that the real answer to this if the government is serious about not having this thing used for political purposes and so on, is to change the Act and make sure that there is scrutiny, that the members of this House — that when we're studying this, we can get the names of the people that have been granted this loan. I think this is something that should be done. There is no reason at all why this shouldn't be done. This is something that we objected to and the people that feel they don't want to give this information to the public, who are — the taxpayers are actually making this loan — I think that this is unfair because it's not the members. There could be a lot of abuses made, not only by making a loan to the members. This is not an accusation and we're talking about it in general on this Act. I think it's a lot more serious -- and it can be -- and even the members or the government of the day could gain an awful lot more by making loans to people that are not in their families at all. I think that this is a special loan. We're ready to make this loan to try to bring in — to help certain businesses who couldn't get the -- to promote the people who couldn't get this money any other way, and I don't think there's anything wrong in treating everybody the same and make -- let's open this to the scrutiny of this House, the people that represent the taxpayers, and that the people that make the loans should know where this money is going. And if this was done — and this is what we advocated before — if this was done we'd have no trouble at all; we wouldn't need this amendment at all. And I think it would be much more honest.

MR. FROESE: Mr. Chairman, I would have no objection to substituting this resolution for the one I presented. The one I presented, I had a draft prepared and I submitted it to legal counsel and it was redrafted, so that everything should be in order, before I presented it. Now, once it has been presented and it has been debated, I'm not sure whether I have the right to withdraw. Do we not need the members' consent for that?

MR. ROBLIN: I think, Mr. Chairman, if the honourable member would be good enough to ask leave to substitute the one for the other, that the House might be disposed to give him permission.

MR. MOLGAT: Mr. Chairman, before that is done, I would like the First Minister to indicate to me what he means by a substantial beneficial interest.

MR. ROBLIN: Well, that's a very difficult question. I think that all we're really doing by passing this amendment at the present time is serving a notice to the Manitoba Development Fund to exercise extreme caution in this field, and I think that when we have an opportunity to have this special select committee, which I think we should have, we can then get down to brass tacks in elucidating these very difficult phrases which are difficult of interpretation, as I'm frank to admit. This is just sort of a red light until such time as we can put it in more definitive language.

MR. PAULLEY: Mr. Chairman, if I may, I think it goes a little bit further than that, because basically the individual who is a member of this Assembly under this proposed amendment could not directly or indirectly receive it for himself alone. Now this is the basic — one of the basics. The other one is the fact of any loan to any firm or corporation in which the member has a substantial beneficial interest — and I appreciate that it's hard to define exactly what this could mean — but the basic principle which in my opinion caused the Honourable Member for Rhineland to propose his original motion, is in general contained in this resolution that we have before us.

As the Member for Rhineland has indicated, this would serve his purpose for the time being. We have an undertaking that in the future, whoever is the government, I presume, because it will be one of the three parties here, will take under consideration the suggestion of a special select committee — if we have an election before next we meet — to consider this grave problem.

So I would suggest to the committee in accordance with the desire of the Member for Rhineland, this serves his purpose as he indicated, he can substitute his resolution with agreement as far as my group is concerned and I'm sure he can with the government.

MR. FROESE: Mr. Chairman, I have two questions. Do I have leave, and secondly, I would like to have legal counsel give me the okay whether this is in order. Is the drafting correct? Do I have leave, Mr. Chairman? Mr. Chairman, I will then substitute my original amendment for the following amendment: "The Fund shall not make a loan to any member of the Legislative Assembly, directly or indirectly, or to any person acting in his behalf, or to any firm, corporation or organization in which the member has a substantial beneficial interest."

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

MR. CHAIRMAN: That's the new Section 46, and the other two sections will be renumbered 47 and 48. Page 17, as amended - passed. Preamble passed. Title passed. Bill be reported. Committee rise. Call in the Speaker. Madam Speaker, the Committee has adopted Bill No. 80, with amendment, and asks leave to sit again.

IN SESSION

MR. JAMES COWAN, Q. C. (Winnipeg Centre): Madam Speaker, I move, seconded by the Honourable Member for Swan River, that the report of the Committee be received.

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

MR. EVANS: Madam Speaker, would the House be inclined to grant leave to give third reading now to this last remaining bill?

MADAM SPEAKER: Agreed?

BILL No. 80 was read a third time and passed.

MR. EVANS: The resolution now in the name of the Honourable the Attorney-General.

MADAM SPEAKER: The proposed resolution standing in the name of the Honourable the Attorney-General.

HON. STEWART E. McLEAN, Q. C. (Attorney-General) (Dauphin): Madam Speaker, I beg to move, seconded by the Honourable the Minister of Education, that this House doth concur in the Report of the Standing Committee on Statutory Regulations and Orders received by this House on Wednesday, February 23rd, 1966.

MADAM SPEAKER presented the motion.

MR. McLEAN: Madam Speaker, I'm sure the members will note that it was 1966, February 23rd, that this report was received, and I'm sure that the members do not wish me to take more than perhaps 45 minutes or an hour in going over the report at this time. The report, I believe, is clear and deals with three matters which were considered by the Committee. One was post-judgment legislation in a general sort of way, arising out of references to the committee with respect to the Garnishment Act and the Judgment Act; references to the legal aid matters; and reference to the Ombudsman or -- Ombudsman, I think perhaps is the general term that is well understood by all.

The report made recommendations with respect to legislation, post-judgment legislation, which in a sense went beyond our terms of reference. By that I mean to say that it dealt with some statutes which were not specifically referred to the committee but which the committee agreed to hear and to consider, and the recommendations of the committee follow along the general line of discussion that took place in the committee itself. The committee also makes recommendations with respect to legal aid to needy persons and these are set out in some detail in the report.

Dealing with these two matters, I should say that we had prepared legislation with respect to what I refer to as the post-judgment legislation, but ran into some complications when relating these provisions to the existing statutes and also to the practice and procedure that is now followed and the practice and procedure that would be necessary if the House agreed to the changes which we had in mind and which followed along the lines of the report. And it was my judgment - pardon the use of that term when talking in this particular context - but it was my view for which I accept full responsibility, that under the circumstances it would not be a wise policy to proceed with the legislation because we obviously did not have an opportunity of considering it in its relationship to all of the statutes and, as I say, all of the practice. This was particularly the case when it was brought to our attention a few days ago that some of the legislation which was proposed as a result of this report, when it was brought to our attention by senior officers of the courts, that some of the legislation we had in mind needed some further consideration and clarification, and I would want to be quite frank to acknowledge that I have not had an opportunity of doing that and want to take this opportunity of saying that I'm unable because I'm not satisfied that it would be complete in presenting legislation at this Session of the Legislature - that is, unless we remain in Session perhaps another week or ten days.

The matter of legal aid stands on a somewhat different footing in that the proposals in the report require some considerable negotiation with the Law Society of Manitoba with whom, of course, legal aid is now being provided, through whose assistance legal aid is now being provided, and the extensions which are envisaged by the report would require because of the basis upon which the report calls for the extension and the basis upon which the report suggested



(MR McLEAN cont'd) . . . it should be set out, and again I wish to be quite frank and say to the members of the House that we have not been able to carry out the negotiations that would be necessary for the purpose in mind.

Dealing with the matter of the Ombudsman, members will note that the committee report indicated an interest in having the opportunity of hearing Sir Guy Powles, the Ombudsman of New Zealand, and we were very pleased to have that opportunity and I believe that most of the Members of the House, whether members of the Committee or not, were able to be present and to meet and to hear and to question Sir Guy Powles on his work, and all of us benefitted greatly from the contribution which he was able to make to the work of the committee, and for the explanation which he was able to give of the work which he, as the Ombudsman in New Zealand, is able to perform. He is the first Ombudsman to have been appointed in a Commonwealth country, although there have been Ombudsmen in other jurisdictions for a number of years. I just interject here that the study which was proposed and approved in principle by the Parliament of Canada has not gone forward any further and we do not have the benefit of any consideration of this matter by Parliament or by a committee of Parliament as was suggested some months ago there might be, so we stand without any assistance or at least any information insofar as that is concerned.

It will be noted also that the report requested an additional opportunity, said that the committee would like to have an additional opportunity to study and examine into the matter of the Ombudsman, and that is part of the report itself, and I recommend to the Legislature, the House, that this is an important matter which ought to be studied further in order that we may arrive at what will be considered to be a reasonable decision in respect of this matter. And before the Legislature completes its work, Madam Speaker, I hope to introduce a resolution with respect to the Standing Committee on Statutory Regulations and Orders. We have not been able to give notice of it because of the fact that this particular item of business was not attended to, but I should like to inform the members of the House that we have prepared for submission to the House, a resolution which, if approved, will authorize the Standing Committee on Statutory Regulations and Orders to examine into -- there are one or two matters which we have already approved and which will require the study of that Committee after we have concluded our sessions here, and included in the resolution for the consideration of the members there has been included further consideration of the matter of the Ombudsman in accordance with this report; in other words, beginning with the request of the Committee as expressed in this report, that there should be further study, and we are going to ask for the necessary authority to continue that study by way of submission of a resolution which will be presented to the members as soon as may be properly done and after the consideration of this report. I just mention that matter now and indicate quite clearly our desire to continue our study with respect to the desirability of, and the work of an Ombudsman in the Province of Manitoba.

Madam Speaker, I believe that it would not be necessary at this stage for me to make any further comments in asking for the concurrence in the report which, as indicated, has now been before us for some considerable time.

MR. MOLGAT: Madam Speaker, I must say that I am deeply disappointed that the government chose to let this report from the Committee sit on the Order Paper since the 23rd of February without acting upon it and getting concurrence from the members of the House and then proceeding to produce legislation of those items which were recommended by the Committee. I think it's well to note that there was a great deal of work done by this Committee, but far beyond the work that was done by the committee members themselves, was the work that was done by volunteer groups who, partially at the request of the committee and partially at their own decision, came forward with some very useful material. The Bar Association, for example, had done a tremendous amount of work on the question of free legal aid and they presented to the Committee a great deal of information. They went out of their way to spend all the time which the Committee members wished to have them spend; they appeared before us on a number of occasions. There are people who in their own profession earn high incomes, and the time that they have spent on this was time that was completely devoted to the welfare of the people of the Province of Manitoba; and all of this work, Madam Speaker, resulted in the Report from the Committee, which in my opinion is a good report. But all of this work has been to no avail because the government has not produced any legislation as a result of it, and I think that that is most unfair to those who were prepared to make this effort of time and work to produce something in the interest of Manitoba, and most unfair to the people of Manitoba themselves.

(MR. MOLGAT cont'd)...

The matter of free legal aid, for example, this was discussed at great length by the Committee. I think it is sound; I think that the proposals that our Committee, the Standing Committee on Statutory Regulations and Orders, has made are good proposals. In view of the fact that there was a government majority on the Committee, one could assume that the government agreed with the proposals, but there's no action, Madam Speaker, and here we'll be a whole year again before anything can be done in this matter. As it turned out, had the report been put forward for concurrence at that time in February when it was presented to us, or very shortly after, there would have been ample time to proceed with legislation and do something about this.

That, Madam Speaker, is one of my objections to the way the government is using the committees of the House, because this isn't the only one where this has happened, and after all, when you're going to ask members of the House - and I think it is only proper that we should - ask members of the House to work on committees between sessions, I think this is the proper course of action for the House. I think it gives more time to discuss some of these matters and more time to get outside opinions, so I completely agree with that practice. But I do not agree with the practice of letting the reports sit, after they have been concluded, without any action being taken on them, and in this one here it seemed to me that with the work that had been done in other areas, such as the Province of Ontario, with the documentation that we obtained we were in a position that action should have been taken at this session of the Legislature, and I can see no purpose in delaying the matter any further.

Regarding the matter of the Ombudsman, it had been my intention originally when the report was presented to us - in fact at the committee stage I did make an amendment, a proposed amendment that the report be changed in this regard - to instead of merely referring it back after we had listened to Sir Guy Powles, that rather the Committee concur in the idea in principle of an Ombudsman and that we ask Sir Guy Powles to draft what would be appropriate legislation in view of his experience in New Zealand. This was not accepted at the committee stage and it had been my intention on concurrence to move that the report of the committee be referred back with regard to that particular item, that is the Ombudsman, so that that could be dealt with with the committee and a decision taken, that is, a decision taken by the House in principle, and then action by the committee. It is too late for me to do that now because the committee will not be sitting during the course of this House, and I have no idea as to when the concurrence will be moved. For this reason I have submitted to the Clerk of the House a resolution which appears on Page 19 of the Orders of the Day of today, proposing the establishment of an Ombudsman, or a public protector for Manitobans, in principle, so that the House at least will have the opportunity to declare itself in principle in this matter.

I regret that once again it has been delayed. I think we should act upon these matters once we've made a decision, and I'm sorry that there'll be no action taken by this House at this time to implement this particular course. I hope, however, that the resolution will receive the approval of the House and that at least in principle it will be accepted for Manitobans.

HON. STERLING R. LYON, Q. C. (Minister of Mines & Natural Resources) (Fort Garry): Madam Speaker, I was reading recently where a writer said that Parliament is a vehicle of the 19th century which present-day parliamentarians are attempting to adapt to 20th century problems, and I think that this is the case with legislatures and parliaments. One of the great problems that we face as legislators today is to get a better public understanding of the procedures, some of which, let's face it, are outdated, and I think it doesn't do the institution too much good if statements are made in the House which are subsequently reported, accurately most of the time, in the press, giving the impression that some work that has been done by the House is no avail or has been wasted, or words to that effect, and without seeming to scold my honourable friend the Leader of the Opposition, I do feel that he was perhaps a shade guilty of that practice tonight, and we all are, from time to time. We have our own purposes, I suppose, from time to time for making these remarks, but I suggest that one of the great problems we have, and one of the great challenges before us as legislators today, is to try to give the public a much better understanding of what we are trying to do here, rather than to make statements which, if accepted by the general public at their face value, would indicate that the House was inept or that it is not carrying out its proper function or whatever. And I centre on the words used by the Leader of the Opposition that the work of this particular committee "is of no avail."

I marked those words down because he said them, and I couldn't disagree more. I think the work of this committee has been of great benefit, not only to the members of the committee,

(MR. LYON cont'd)... but the results that will occur from the work of this committee will, when it is passed into legislation, enure to the benefit of this province for many years to come. So I think it is totally wrong to leave the impression that because this report is merely concurred in tonight, and no legislation follows immediately upon the concurrence in the report, that the work of the committee is of no avail. This of course is not accurate. It is not the case, and I don't think the public should be told that this is the case. Parliament is a continuing organism. The Legislature is a continuing organism. It's not something that dies at all; it's a living thing; it carries on and it works.

Now I know my honourable friends opposite are somewhat preoccupied these days with the question of an election, and they've been heard to say that oh, well, there's going to be an election and if there's an election why this particular committee, the Statutory Orders and Regulations Committee, which is going to be set up, as my honourable colleague's resolution has agreed to, this committee is going to die and then it's going to have to be reinstated and so on, and there's going to be a delay in its work. That may be true if there is an election. The preoccupation with that question centres on the other side of the House much more so than here, but nonetheless Parliament must carry on.

The work of the Legislature must carry on. Elections don't stop the work of Parliament. Elections aren't going to stop the question of legal aid for the people of Manitoba. Elections aren't going to stop the question, or the consideration of an Ombudsman for Manitoba; For the very helpful and - I agree with him - the very excellent work that was done by the Manitoba Bar Association, the Manitoba Law Society, with respect to these important topics; and so it may be -- some might say it's a trifling point. I don't think it is a trifling point because I think it is important that when we stand up in the House we don't try to mislead or we don't try - and that's too strong a word - we don't try to give an impression to the people that something is of one cast and really it's of another. And I suggest that the work of this committee, contrary to what the Leader of the Opposition has said, has been very good, and that the report is very good and the report should be concurred in, and just because perhaps he doesn't agree with the timing as to when legislation will be brought in that is based upon this report, that gives him no cause whatsoever to say that the work of the committee was of no avail.

"No action is being taken at this time," he says. That is true, but that shouldn't suggest for a moment that the work of the committee wasn't good, or that that work will not be carried on by the next Legislature that sits, whether or not an election intervenes. It really couldn't matter less if we have a proper appreciation of why we're here, and that this is a continuing and a living and a vibrant organism, and so let's put things in their proper cast and let's realize that the work of this committee, the work of the previous committee that he mentioned - I believe it was the committee that looked into the question of dental problems - any other work that is put over to another session for legislation or put over to another committee for further consideration between sessions, this carries on. This is right and proper. This is the way parliament properly functions, and let's get on with the business of parliament and have concurrence of this resolution.

MR. SAUL CHERNIACK, Q. C. (St. John's): Madam Speaker, I enjoyed listening to the Honourable Minister of Mines and Natural Resources when he scolded the Honourable the Leader of the Opposition for saying the work was of no avail. I don't propose to justify the words that were used by the Leader of the Official Opposition nor do I propose to debate that aspect.

The Honourable Minister of Mines and Resources says that the people have to have an understanding of what we are trying to do. I think that's true. He says the work has been of great benefit. My question would be: To whom? Well, he says it will enure to the benefit in years to come, and I'm bound to say, in how many years to come, Madam Speaker? How long must we wait? I know the Honourable Minister is probably one of the youngest men in this House and he may have patience, but I don't have too much patience, Madam Speaker, and I don't know how many people who are affected by the recommendations have that patience, or indeed how long should they have patience for this government to act. I'm not going to say that it's of no avail, but I will say that it's taking much too long for this government to carry out the actions which it itself brought forward by way of recommendation. It's all very well to say that parliament is a continuing organism, and indeed it is, and it's lasted for centuries and I hope it will last for many centuries more, but not at this snail's pace. Surely, Madam Speaker, not at this snail's pace.

I listened to the Honourable Leader of the Official Opposition; I thought he was being particularly kind. I thought that he said - when he said the government was unfair - that he was

(MR. CHERNIACK cont'd)... using a very mild form of accusation, and I am inclined to be much more critical than that. It so happens that the Honourable Minister who brought this report, he's one of my favourite Ministers, but he's the one who is sensitive and has accused me in the past of accusing him or the government of bad faith. I don't accuse him of bad faith but I do think that the delay in presenting this report, or moving concurrence in this report, and the failure of this Committee to meet since some time last January, is an affront to the Committee. I think it's an affront to this House. I think that the excuses given by him today for the delay are lame excuses, and I'll remind you, Madam Speaker, that when I had occasion to ask him about amendments to the Limitations Act, which had been apparently studied for a couple of years by the Law Reform Committee, he used the very same expression as he used today: "We ran into some difficulties," and to this moment I don't know the difficulties that were run into in connection with the Limitations Act, and that is something I may not be entitled to know because I did not participate in the work involving the Limitations Act, although I did in debate, but then he says that he ran into difficulties in connection with the legislation proposed in this committee. Well to that extent I must say, Madam Speaker, that I am a member of this Committee and I believe that I, for one, and I'm sure the other members of this Committee, were available to the Honourable Minister at almost any time in the last couple of months to consult with him in connection with these difficulties he ran into, and to help - try and help - to resolve them.

I think too, Madam Speaker, that this committee should have been called in any event, in connection with the matter of the Ombudsman, because if you read the report you'll see that when the report was presented the committee said that it would like to have the opportunity of hearing Sir Guy Powles who has been the Ombudsman for the past few years and indicated that he would be visiting Winnipeg on February 28th and March 1st. Well Madam Speaker, that's almost two months ago, and we had a most interesting session with him and we did learn a great deal from him. We benefitted, as the Honourable Minister said. And I for one, and I'm sure other members of the Committee, were waiting to come back into Committee session so we could discuss what we learned and how we benefitted.

We weren't asked to do that. We weren't called by the Chairman to meet again and discuss the benefits or to make further enquiries or to pose other questions or to suggest further delays. Maybe we would have agreed that more delays were properly to be sought, but we were not given an opportunity to ask for delays or to consider the question. In fact, we weren't called, and this is more than just "some difficulties". This, I say, is a deliberate exclusion from the problems of the members of the Committee.

The Honourable Minister delayed bringing this matter for concurrence into the House until today, some two months after it was moved and indeed three months after the report was prepared, and now he says, well we had a couple of Acts that we had in mind but we ran into difficulties.

I walked over to the Clerk's office this afternoon and I noticed the blank lines that appear on the sheets of all the bills and the progress made, and I wondered which of these bills were the ones that were the bills that were intended for this legislation. They are Bills number 23, 38, 39, 54, 67, 76, 78, 123. Now somebody in this House, or eight somebodies, had in mind to bring certain bills that must have been in some way reserved with a number, and changed their mind, and I had occasion to speak before on the question of Consumer Credit legislation; the Dental Health matters have been brought up; and now I'm beginning to wonder what's going to happen to the Elections Act, Madam Speaker. I'm certainly not going to speak about that. I can just express wonder and concern, and this same concern is brought about by delays of this type.

Now it's all very well for the Honourable Minister of Mines and Natural Resources to say, well we're still working at it; life hasn't ended; life goes on, parliament goes on; it is a continuing organism and will go on. But the people that are affected, they can't wait, Madam Speaker. These people are people for whom there have been delegations before Consumer Credit Committee and indeed before this committee, the Statutory Regulations Committee, and there has been strong indication of the hardships that are imposed today on people of this province in the field of garnishment, exemption, in the field of executions exemptions, in connection with the Judgments Act; and let me just move for a moment into the Mortgage Act Madam Speaker.

Now that is something that has been with us for a long time, and the Committee on Statutory Regulations sent that question over to the Consumer Credit Committee, and the Consumer Credit Committee made very precise recommendations in connection with the Mortgage Act and sent it back to the Committee on Statutory Regulations, which accepted it. Madam Speaker, this

(MR. CHERNIACK cont'd)... is a protection that we worked out and argued out, we discussed and settled in our own minds as to the type of protection that should be given to mortgagors, and it's spelled out, word for word. I don't understand what difficulties arose because it seems to me that all that has to be done is to turn it over for printing, and yet that was not dealt with. There were changes to be made in the Wives and Children's Maintenance Act, but these are matters that people can't wait for, Madam Speaker.

Oh yes, we can wait for the Ombudsman. While we were talking about ombudsmen I remembered that I am one of the ombudsmen around here, so I quickly wrote a note to one of the Ministers saying, "Well, how about an answer to a couple of questions I have asked you?" All right, I'll continue to be an ombudsman for another year, although I don't know why. It's almost two months since we met with a man who did give us a great deal of the benefit of his experience, but I am willing to continue for my share to be an ombudsman for another year. (Interjection) Well I'm pretty sure if I run, I'll be back here, and even if I were not here, I would still agree to try and be an ombudsman as long as this government is slow in recognizing the need for an ombudsman; and as long as there is such a need I, as just an ordinary citizen, will do my best to augment or supplement the government's lack of the appointment of an ombudsman. Well that's all right. We can wait for that.

Legal aid - I'm not sure that you need legislation for that. I imagine it's a question of sitting down with the Law Society and planning some administration and making the money available - that's probably more important. But the machinery involved in legal aid may need legislation, but I somehow doubt it; I don't remember the report that well. But the protection of the debtor who is being hounded by creditors, and we know of the fact and we have been told about it, and those of us who are in my line of work see it almost daily, this protection is being delayed for at least a year, and the Honourable Minister of Mines and Resources says, "Well, parliament is an on-going thing; it's a living organism." Well it better get a little more lively, Madam Speaker. It better start living it up a little and get up to the problems and seize the problems, and I personally look very -- I frown greatly at the neglect in this field, in the field of Consumer Credit, in the field of protection of these people who are hounded, Madam Speaker, and they are that. So I cannot bring myself to be as kind in discussing this matter as I think the Honourable Leader of the Official Opposition was.

I feel that no excuse has been offered to us. The statement of "running into difficulties," I don't think it's good enough. I don't think it's good enough for the members of the government benches, I certainly say it's not good enough for the Opposition, and I certainly think, Madam Speaker, that it's not good enough from the standpoint of the people that put us here to legislate for and on their behalf.

Now the Minister must have said it in jest when he said that he could not bring forward the legislation but maybe it would be possible if we sat here another week or ten days. Well I'll take him up on that. I'm willing to sit here for another week or ten days. I'm quite prepared, and I don't know if other members are, but if we can get a quorum together and if somebody won't prorogue the House, then let's sit here for a week or ten days and let's get it done.

The question of the Ombudsman, if I can come back to it for a moment Madam Speaker, was one where the Minister said "needs more consideration." This was his decision, Madam Speaker. I can report openly and freely this was not the Committee's decision, because the Committee again didn't have an opportunity to agree or disagree with him in that way, so he, the Chairman of the Committee, made the decision that this needs more study. And indeed it did, because he didn't call a meeting. As a matter of fact, Madam Speaker, we are dealing with the Report of the Committee on Statutory Regulations; I received a sort of a compliment, Madam Speaker, after I mentioned that I thought that this Committee didn't go into the question of regulations sufficiently, and the compliment I received was the fact that that Committee was called together in order to go into more detail on some regulations just to see whether they did offend against the principles of regulation, and we agreed to meet again, Madam Speaker, and we didn't meet; and I still have on my desk certain regulations marked as indicating that they needed review. I'm even under the impression that when I referred to some of them there seemed to me to be general agreement that they did need a good look at, that they did need some attention paid to them, but we weren't called back and I don't know whether the Chairman of the Committee forgot about it, or again, whether there was some difficulty that occurred which prevented our meeting again.

Madam Speaker, I'm afraid that there is not enough apprehension of the problem, not enough appreciation of the needs of the people affected by the legislation recommended in this

(MR. CHERNIACK cont'd). . . Bill on the part of the government to have prepared the work and brought it here. I'm bound to say that, Madam Speaker, because I can't understand the difficulties that occurred. We have laboured through a great deal of legislation here, most of it government legislation. The difficult legislation, I would say, was all government legislation and we laboured through it and we all gave of our time to it, and we worked it out and we have reached the stage that, with the exception of The Elections Act, we've passed them. Now I am bound therefore to say that there is a lack of appreciation of the needs, and possibly a lack of interest in recognizing the needs in taking care of those needs on behalf of a large number of people who today are not sure what will happen next pay day, because we all recognize that the garnishment exemptions are completely out of line with today's needs; who today are not sure of their adequate protection in the event that an execution is issued under a judgment. I deplore it, and that's a mild word, Madam Speaker. But I feel that no excuse has been given, and possibly when the Honourable Minister closes the debate, he will give us excuses, and whatever they are, I can't forecast them and certainly I won't be allowed to deal with them. Well, maybe we'll deal with them next year, or maybe we'll deal with them outside this House on the hustings, or maybe we won't get a chance to deal with them at all, depending on the wishes of the government in power next year.

MR. HILLHOUSE: Madam Speaker, the thing that amazes me about this whole situation is that this is the government which credited itself as being a dynamic organization, a dynamic force which the Province of Manitoba had never yet seen before, a government which accused the Opposition of having been dragged into the Twentieth Century, a government which was replacing something that was dead and something that was moribund, and here we have a situation which convinces me beyond any reasonable doubt of the sincerity of the establishment of some of these committees.

It would appear to me, and I think the general public is getting that impression, that a great deal has been done by this government to slough off responsibility by placing that responsibility in the hands of special committees of this Legislature and not acting on the recommendation of these committees. If we take a look at the special committees that have been set up, committees that have reported to this Legislature this Session, and committees in respect of whose recommendations no action has been taken, I think the general public is justified in the conclusion that they have reached.

First of all, we had the Committee on Dentists and Denturists, a committee which, in my opinion, was a useless waste of time inasmuch as that matter had been discussed in this Legislature to my own personal knowledge for the past sixteen years, and I think it was a foregone conclusion before that committee ever started that its report would have been the report that was submitted to this House. Now no action has been taken in that report, yet it is a matter in respect of which the public demands action, and I think the only reason why no action was taken on that report was due to the fact that the report of that committee was charged with political dynamite and "it's just as well to leave it alone if we're going to have an election this year."

Then we have the report of the Committee on Consumer Credit. The Honourable Member for St. John's has dealt very fully with that report and has pointed out to the House, in better language than I can use, the absolute urgency and necessity of enacting into legislation the recommendations made by that report. These matters are urgent and these matters cannot wait.

Furthermore, it has been suggested by the Honourable Minister of Mines and Resources that Parliament is a continuing body. That's perfectly true. But what I want to submit to this Committee, or this House, is this, that once this Parliament is dissolved - and there is every reason or every chance that it will be dissolved following this Session - that report, or these reports of these various committees that have been submitted to this House, are not binding on another Parliament, and consequently another Parliament doesn't have to take any action in respect of them.

Now I said the other day that the members of this House were willing to give their level best towards doing everything in their power to ensure the best possible laws for the people of this province. Each and every member of this House who sat on any of these committees, did so at great sacrifice to himself, because these committees sat between sessions - between the sessions - of this Legislature. A lot of their meetings were held in the early or late summer and the early fall. The members attended these sessions without remuneration other than the mileage that was paid to out of town members, and these members did so willingly and anxiously, to give to the people of this province the best possible legislation they could give in respect

(MR. HILLHOUSE cont'd)... of the various matters with which they were dealing. Now it is very disappointing to the members of these committees to think that they were willing to sacrifice their time in the interests of the people of this province, and the government of this province does not show sufficient gratitude to enact the recommendations of these committees into law.

I don't think it would be a difficult matter to amend The Garnishment Act, nor would it be a difficult matter to amend The County Courts Act or the Q. B. Act -- or whatever Acts are necessary dealing with payment of judgments by installment. It would not be a difficult matter to amend The Judgment Act or The Execution Act or any of the other Acts respecting which these various committees dealt. And I think that the only conclusion that we can come to is - which is the public conclusion - that these committees were set up not so much to enact legislation as to convince the people of Manitoba that here was an active government; here was a government which was willing to set up these committees so as to hear public representations on all these matters with which they were dealing; giving to the people of Manitoba the impression that this was an active, dynamic government and that something could be expected from it.

Well, the people of Manitoba have been greatly disappointed, because the people of Manitoba really expected that following all the meetings of the Committee on Consumer Credit, following all the meetings of the Committee on Standing Rules and Regulations, following all the meetings of the Dentists and Denturists Committee, that at least they would have had legislation this Session. Now they haven't got that legislation and I think that the government is open to censure for not having brought it in.

MR. FROESE: Madam Speaker, I just want to make a few brief comments. Having been a member of the Committee as well, I know what went on and what this Committee did. I, too, feel sorry that action hasn't been taken on the various recommendations that the Committee had in mind. We went into this matter of free legal aid, or legal aid, quite thoroughly and I think there was a consensus of opinion as to what should be done, but we have seen nothing come forward in the way of legislation. I notice from the report to the effect that the appointment of a full-time public defender is not recommended. Well in the Committee I don't think we ever considered to that extent that we came to a conclusion of this type. Most likely the Chairman took the responsibility on himself to state that in the report, because I think most members were impressed with what we heard from Sir Guy Powles and how they operated in their country, so that I think an Ombudsman definitely has merit and this should have received further consideration.

We also dealt with The Garnishment Act and some other Acts, and considered them. Here again we agreed to certain exemptions that should be placed on the statutes, which has not been done, has not come forward. We considered a number of the regulations but did not finalize on all of them either, as was reported by the Honourable Member from St. John's. I think the Committee's work is left unfinished and to move recommendations here of concurrence, I don't think it's quite in order, to me at least. I would like to see that more conclusive decisions were made and that we had legislation to follow up.

MADAM SPEAKER: The Honourable the Attorney-General is closing the debate.

MR. McLEAN: Madam Speaker, I have an expression that sometimes when I give my secretary something to do and she asks when it's to be done, I say "Immediately, if not sooner," and I take it that that would be in accordance with the wishes of many of the members with respect to the results of this report.

I cannot improve on - add to or improve on - the principle which I think was so clearly enunciated by my colleague the Minister of Mines and Natural Resources, and I think we never do anything that perhaps is so wrong as we do when we act hastily. I think that deliberation, time, consideration is of the utmost importance in matters of a legislative nature, and I can think in my brief experience as a member of the Legislature, of many times when I believe that we have acted too hastily, when more mature consideration would have been beneficial. And as a matter of fact, there are many instances where the charge that is made is that we're acting too quickly, that we've proceeded too swiftly, and so on. And of course that's the charge you get if you do something, and if you don't do it, well of course you're failing in your responsibilities and you're dragging your feet and such like.

The longer I am engaged in this business the more convinced I am that - well, one mustn't take forever, but certainly that time, reasonable time spent is worthwhile. And I notice, for example, that the Honourable the Member for St. John's a year ago, when the Committee on Dental Services - just to take an illustration that is outside the ambit of this debate -

(MR. McLEAN cont'd)... when it asked for leave to sit again and consider its report, he offered no objection. He thought it was all right, and I think that was a wise decision. Now, would he not be prepared to, for example, consider the same principle with respect to a matter which has been under consideration for one year by this committee?

I remember so well last year that the Honourable the Member for Selkirk, who is of course always mounting the great heights and calling down censure on everybody in all directions, even though he was a member of the Legislature in other times when many of the things that have been done weren't done, and I'm sure he must have known just as much about them then as he knows now - he made a great speech here about the fact that the Committee on Highway Safety was not going immediately (this was a year ago) bring in a new Highway Traffic Act. Well Madam Speaker, I want to submit - and I do so with great seriousness - because the fact that that committee reconstituted itself and sat for a year has resulted in the Province of Manitoba having a much better Highway Traffic Act than it would have had if we had been stampeded by the oratorical skill of the Honourable Member from Selkirk.

So I would like to say - and I am sure it would be unparliamentary - what nonsense do we talk; what nonsense about this idea that everything must be done immediately, if not sooner. It doesn't make sense. And there are many things that with care and attention are improved thereby. I cannot claim that the legislation that will arise from the deliberations that are reported here will be better. I can only hope that they will. They will, of course, have to be judged on their own merits when the time comes. But Madam Speaker, for any member, for any member to stand in his place on the opposite side and talk about - make general accusations of a government that does nothing, what was done? What was done by any other government compared to our own in the field of Consumer Credit? We've turned the world upside down, if I might use an expression.

I realize it wouldn't be enough to suit the Honourable Member for St. John's, but just let him reflect, and I hope that before we conclude maybe my colleague the Honourable the Provincial Secretary will have an opportunity of referring to some of them. Done nothing, he said. Why it's just nonsense to talk that way, and the same is true in many fields. We didn't have, when we came into office, we didn't have a Legal Aid Plan in the Province of Manitoba, much less a report from the Regulations and Orders Committee. Now we've got a plan and it's expanded every year and the ambit of its operation has expanded every year, and the amount of money that's been spent has expanded every year. Done nothing, he says, as though we were sitting here drawing our indemnities and doing nothing. Where has he been? Where has anybody been on the other side who thinks that -- who talks in that fashion, that because we haven't done some little job that he particularly wants to do, nothing has been done?

The matter of the Ombudsman, let's be perfectly frank about it. There's an important difference of opinion. There was an important difference of opinion in the committee, and I'm certain that there is the same important difference of opinion. And for us to suggest that we should rush into the matter of establishing an Ombudsman in a province with less than one million people and 57 members of the Legislature, every one of whom is busily engaged in looking after every iota of everything that happens to every citizen, 24 hours of the day, 365 days of the year, and to say that we're not discharging our responsibilities because we haven't got a super gauleiter - if that's the right name - in the name of an Ombudsman, that we're neglecting our duties, that we're doing nothing, surely, Madam Speaker, nobody expects us to accept that seriously, nor indeed anyone else to accept it seriously. We ought to think very carefully before we adopt the principle of an Ombudsman in the Province of Manitoba. I don't know what the decision will be. I know, however, that it has not been given sufficient consideration. It's a quick gimmick, if I might use an expression that's sometimes used on the other side, that seems to have an appeal. It might well be something that we would regret once we had it. I don't know. It's obviously something that requires a great deal more study than we have been able to give it.

Madam Speaker, may I just say one other thing with regard to the post-judgment legislation. I'll tell you why -- one of the reasons - this isn't entirely -- I gave my explanation or my excuses, as perhaps would be a term that would be used by some others, but I'm not satisfied, myself. I recognize the problem with regard to the procedures with respect to enforcement of judgments. The situation is, in fact, this is not as serious sometimes as is suggested, but I myself am very anxious that we should have in one statute all of the procedures with respect to the enforcement of judgments. I think we'd be much further ahead if we did. But you don't produce such a statute - if you're going to produce it - overnight, or you don't produce



(MR. McLEAN cont'd) . . . it in even a fairly lengthy time, because it requires the very careful consideration of draftsman and those who are responsible for presenting legislation and asking for its support, and I am not really -- I would far rather, if I am given the opportunity to do so, I would far rather bring forward a comprehensive bill which would deal in one rational and simple manner with all of these matters, and that is one of the reasons, although not the only reason, why I did not feel it was advisable to present a patchwork of amendments to a number of statutes which in fact only perhaps perpetuate what I believe to be a rather unsatisfactory situation with respect to the enforcement of judgments.

Madam Speaker, I would of course have to accept the charge or the matters with respect to the committee. I think I would be bound -- that is, the meetings of the committee - I would be bound to say that until this committee's report was concurred in, I don't believe that it would have been proper for the Committee on Regulations and Orders to have considered the matters in the report. I so stated to the committee when it met and I heard no objection, although there might have been, but I think as a matter of procedure that we were not at liberty to consider these matters in the committee until the House had concurred in the report and presumably referred any matters back to the committee that it wished to do so. There is only the one matter which is really in a sense outstanding since the report - as far as the report is concerned - is final in respect of all of the matters except the matter of the Ombudsman. That's a matter of opinion. I stated it in the committee. I was under the impression that that viewpoint was accepted, and if it wasn't, then I of course would have to accept the criticism with respect to the committee not having dealt with these matters further in committee during the Session of the Legislature.

Madam Speaker, irrespective of the outcome of the next few months, whatever may come will come, of course, or may not come. I have no way of knowing. I know no more about it than anyone else, but the report will stand. It will be available for those who will be here with the responsibilities of government, and I'm certain that the work which the committee has done will in no wise be wasted but will serve as the guide lines for consideration by those who will have the responsibility for doing so in the future.

MR. DESJARDINS: Madam Speaker, I wonder if the Honourable Minister would permit a question?

MADAM SPEAKER: The Honourable Member has closed the debate.

MR. DESJARDINS: Any chance to answer a question after this?

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

..... continued on next page

MADAM SPEAKER: The proposed resolution standing in the name of the Honourable the Provincial Secretary.

HON. MAITLAND B. STEINKOPF, Q. C. (Provincial Secretary)(River Heights): Madam Speaker, the resolution that has been posted in the Orders for the Day and in Votes and Proceedings is one that I would like to move at this time with two minor amendments. But before I can do that, I must have leave of the House, and I would ask leave to have the resolution put forward at this time with two amendments, and amendments be that the word "such" be eliminated in two places in the resolution - to investigate all aspects instead of to investigate all such aspects - and that appears in the whereas section of the resolution and the resolution proper itself. If I have leave, then I would like to make this amendment at the same time that I bring the resolution forward.

MADAM SPEAKER: Does the honourable member have leave of the House?

MR. STEINKOPF: Madam Speaker, if you will - the last whereas, then it goes: "and without restricting the generality of the foregoing, to investigate all "such" aspects" - to eliminate the word "such". And in a similar paragraph under the resolution towards the end of the resolution itself.

MADAM SPEAKER: Has the honourable member permission to remove the word "such"? Those in . . . . Agreed?

MR. STEINKOPF: Madam Speaker, I beg to move, seconded by the Honourable Minister of Municipal Affairs, whereas insurers licensed to sell automobile insurance in the Province of Manitoba have indicated that they will probably increase their rates for such insurance in the province.

AND WHEREAS in recent years there have been a series of increases in automobile insurance rates;

AND WHEREAS it is recognized that such rates ought to be directly related to the claims experience of insurers in the Province of Manitoba;

AND WHEREAS it is deemed advisable in the public interest to study and investigate these matters;

AND WHEREAS it is deemed advisable to review the proposed variations in rates, as well as any rate increases which have been effected in recent years, for the purpose of considering and weighing the factors to which these increases have been attributed and thereby assessing the justification for such increases, and without restricting the generality of the foregoing:

to investigate all aspects of automobile insurance as it deems appropriate for the purpose of safeguarding the interests of the public;

THEREFORE BE IT RESOLVED THAT a Special Committee of the House consisting of nine members be appointed to review the proposed variations in automobile insurance rates, as well as any rate increases which have been effected in recent years, for the purpose of considering and weighing the factors to which these increases have been attributed and thereby assessing the justification for such increases, and without restricting the generality of the foregoing:

to investigate all aspects of automobile insurance as it deems appropriate for the purpose of safeguarding the interests of the public;

And to make such recommendations as are deemed advisable thereto.

MADAM SPEAKER presented the motion.

MR. STEINKOPF: Madam Speaker, for many years Manitoba and Manitobans have enjoyed a relatively low rate of automobile insurance but with the increasing number of multiple deaths and the rash of minor automobile accidents, the cost of buying insurance has increased substantially. In the not so very long ago one could have a bumper or a fender repaired for a few dollars, sometimes under \$10.00, but now even a dent in the hood could be a major cost.

Just recently my daughter had a minor accident and she bumped a car in front of her. There was a small dent in the hood and I thought that this would probably a \$5.00 or \$10.00 bill, but because it threw the whole hood out and as a result some of the grill work had to be changed, the bill came in for \$146.50. There was nothing that anybody could do about it. It was a relatively new car but to look at it, I thought that it might have been just as wise to operate it with the dent in the hood, but when one runs the risk of finding that there might be an alignment out of some kind or one is told there is an alignment out, you don't take the chance, and naturally this is one of the reasons why the costs of insurance have increased in

(MR. STEINKOPF cont'd). . . . . Manitoba and are going to probably increase a lot more before we're finished.

Since this resolution first appeared on the Order Paper I've had a number of representations made to me by both sides - those who think that everything is fine and others who have advocated that we take a good look and see what is happening in the field. Things in Manitoba certainly are not so bad that we have to be too much exercised or concerned about, but things are changing. We have between 3 and 400,000 licensed to drive vehicles in Manitoba. That means that - some of them are a necessity, it's a way of life. They're verging on the point of almost being a public utility, some of these vehicles that are being driven in the Province, and so like other matters that affect almost everyone in the province, it's time I think that the government and the committee of the Legislature takes a good look at this insurance.

There have been some suggestion that nothing can be done about the committee, that this is window dressing. The concept, the idea of having the committee is not a new one. We set it up with every intention of meeting and meeting at a very early date. We have had many debates here on what our intention was in the past about various committees and there has been a lot of discussion for the last two hours on almost the same point; but let me assure the honourable members that it is our intention to proceed as fast as we can after the Session is over, to have a meeting and at least get the ground rules laid down and set down a procedure and hire the necessary personnel to work on this matter.

Much has already been done in the field of insurance. We have a very good operating Unsatisfied Judgment Fund. The \$25 imposition that was imposed recently for uninsured drivers has now given us a better than 98 percent of the drivers in the insured field which is a very, very high percentage even as compared to a compulsory state insurance program such as in our neighboring province of Saskatchewan. We are very confident that the rates that are presently being paid in Manitoba compare very favourably with rates anywhere else but we want to insure that this situation continues, and whatever is required to continue that favourable position we hope to unearth during the deliberation of the committee.

So, Madam Speaker, I would through you, recommend to the House the passing of this resolution.

MADAM SPEAKER: The Honourable the Member for Selkirk.

MR. HILLHOUSE: Madam Speaker, I rise to support this resolution. I think that the time has come in Manitoba to have a full, complete and unrestricted investigation into all matters respecting automobile insurance. I think that would be one means by which we will be able to give to the Honourable Leader of the NDP an opportunity of bringing forth his cohorts who support the principle of compulsory government insurance and to hear the others who support non-government insurance and non-compulsory insurance. I think it will give us that opportunity to hear both sides in an impartial way, outside of the heat of the political debate which goes on in this Chamber.

I also think too, Madam, that it will give us an opportunity to look into the insurance contract in general because there has been a great deal of criticism during the past about insurers cancelling insurance without giving any reason to the insured for the reason of their actions. Now I have always felt that once I enter into a contract with an individual or with a firm or a corporation, for a definite period, that that contract is binding on both of us unless either one of us is guilty of a breach of that contract and I have never been able to understand the reason why an insurance company should be given the right to arbitrarily cancel a contract without giving to the insured person any reason for their action.

There is another aspect too of the general law of liability I think which we could also discuss in that committee, and that deals with the question of whether or no our laws should be amended to include gratuitous passengers, permitting them to recover damages where there is only ordinary negligence on the part of the individual charged. At the present moment, a passenger in a car who does not pay for transportation cannot recover any damages suffered in an automobile accident as a result of the negligence of the driver or the owner of the car in which he is riding. He must prove gross negligence. I think that is a concept which has no place in a modern system of jurisprudence.

There is another matter too, and I think this matter has been given the thought and attention of a lot of insurance companies, and that is the question of liability regardless of fault. I think that a lot of the insurance companies are now ready to incorporate that concept into an automobile insurance policy, although quite frankly I think it's more or less social insurance; but at the same time, I believe that they are ready to do so. That particular matter together

(MR. HILLHOUSE cont'd).....with the other matters that I have mentioned are matters, that could properly be discussed by that committee in addition to the question of automobile insurance rates.

I'm glad that the Honourable Minister has brought forward this resolution and thus give to the members of this, whoever the members of the committee will be, as well as the public of Manitoba, an opportunity of appearing before that committee and make known to that committee their views on all matters respecting automobile insurance.

MADAM SPEAKER: The Honourable Leader of the New Democratic Party.

MR. PAULLEY: Madam Speaker, I think it was said sometime today, that if the present government stays in power long enough, they certainly will adopt the manifesto of the New Democratic Party ere long and I think this is another indication at least --(Interjection)-- pardon? The Honourable Member for Rhineland wants to know what's missing now. I suggest, Madam Speaker, there is still a considerable number of items that we haven't convinced the government of as yet, but of course seeing as we are going to cross over there as the result of the election, then the people of Manitoba will be taken care of in those fields.

I want to say, Madam Speaker, that I'm glad, at least to some degree, the government has indicated that it is not satisfied with automobile insurance in the Province of Manitoba. I'm glad that the Minister changed his resolution so that the Committee will be able to investigate all aspects of automobile insurance as it deems appropriate - and I sincerely trust and hope that among those items that the committee might deem appropriate is to investigate what I have been advocating in this House, a system of government operated automobile insurance; a system under which the operator of a motor vehicle before that vehicle goes on the streets or on the roads, have to have protection for people. Because it is a fact, Madam Speaker, notwithstanding my honourable friend from Selkirk, that the system of automobile insurance that we have in Manitoba at the present time is directed more for the vehicle itself, than for the people. This is one of the basic differences I suggest, Madam Speaker, between the automobile insurance program in Saskatchewan than that here in the Province of Manitoba, or elsewhere. In Saskatchewan when a person takes out automobile insurance the first consideration is protection of the person who may be injured, regardless of fault; all that has to happen is that they are injured as a result of an automobile accident of any description regardless of fault. Such is not the case so far as the policies here in the Province of Manitoba are concerned as the Member for Selkirk clearly pointed out a few moments ago when he was speaking about coverage for third parties in a car.

I trust and hope that the Committee will investigate the effect of assigned risk and as my honourable friend from Selkirk says, the question of mid-term cancellation, which I am positive has been used by some companies in an endeavour to increase rates.

But I want to pose one question to my honourable friend the Minister of Public Utilities who is the sponsor of this resolution. Outside of the last whereas, the final part of the last whereas - to investigate all aspects of automobile insurance as it deems appropriate for the purpose of safeguarding the interests of the public, I want to ask my honourable friend what steps does the government which sponsors this resolution intend to take. What can they do in respect of the rates that are charged by automobile insurance companies? Is the government going to start now to tell the insurance companies what rates they must charge to the purchasers of automobile insurance.

I respectfully suggest, Madam Speaker, that the only way in which this can be done is by the government itself going into competition or going into a scheme such as I have suggested on behalf of the New Democratic Party, a compulsory government-operated automobile insurance. But anyway Madam Speaker, I'm happy - I'm happy with this resolution. I hope that the committee will look at another aspect of automobile insurance here in the Province of Manitoba, that is the discrimination against the male sex insofar as driving cars is concerned.

My honourable friend the provincial secretary just told us of an accident that happened to his daughter in the car. I wonder if my honourable friend - I'm not positive now, whether he has a son that's old enough to drive an automobile - I think he has a son Madam Speaker. But if he had a son that was old enough to drive an automobile, under the overly generous rates that prevail in Manitoba, it would be likely that his automobile insurance rates could be up as high as \$200 simply because he has a son driving an automobile, notwithstanding whether or not that son was ever involved in an automobile accident.

MR. HILLHOUSE: What age though?

MR. PAULLEY: What age? My honourable friend says what age? I say between the

(MR. PAULLEY cont'd)....age of 16 and 25. But, Madam Speaker, a girl of the same age can be just as irresponsible, but because of the discrimination of the sexes, there isn't this overcharge insofar as automobile insurance is concerned.

So I hope and trust that the Committee will also take that under consideration because I have long felt that this is most unfair. I have had a number of friends of mine whose children have grown up - from Transcona and other parts - who find it necessary to use the car when they go to University. Prior to that their parents wouldn't allow them to drive the car, but just the minute they started driving the car on the highway, to go to university, there was a penalty of almost \$100 because - that is if there was a male in the family - almost a penalty of \$100 because the son was going to use the car. In my case, I guess I was lucky, Madam Speaker, I had two daughters and I didn't have to pay the penalty insofar as automobile insurance was concerned, because they happened to be two daughters.

However, Madam Speaker, I will not tarry any longer. As you know, I have had a resolution on the Order Paper since before the session started, requesting consideration that the government go into compulsory automobile insurance. Now the Minister has countered with a proposition which in effect says that this matter can be considered.

Last year a resolution that I proposed for a compulsory automobile insurance with the government being the insurer was defeated. I think it was about two or three years ago I suggested that a committee should be set up to investigate all aspects of automobile insurance. This was not done. I guess the Honourable Member for St. John's was correct a little earlier this evening when he said that the government does move at a snail's pace, but I'm glad to be able to say that slow as it might be, apparently the government is moving and maybe not in my time but in somebody else's time, the people of Manitoba will get proper protection insofar as automobile insurance is concerned.

Again I say, Madam Speaker, I welcome the resolution of my honourable friend and I hope that as a result it will benefit the people of the Province of Manitoba. There are so many things that could be investigated in the whole field of automobile insurance - legal fees, charges made at different levels and the likes of that, and I think the committee now has the power to investigate all aspects. So I leave it with my honourable friend the Minister and I join with him in trusting and hoping that this committee is setup so it can go to work immediately following the setting up of the committee.

MR. MOLGAT: Madam Speaker, I just want to say a very few words on this. My colleague the Member for Selkirk who has spoken for us on this matter in the past put out the position so far as the Party is concerned. I just want to comment on the statement made by the Minister that the committee would meet at the very earliest opportunity after the House prorogued. I presume then that he will be moving a resolution subsequent to the passing of this resolution now, with which I heartily concur.

I hope, Madam Speaker, that I can accept completely at face value the statement made by the Minister. I must confess that when I saw these resolutions on the Order Paper I had the feeling that these were a great deal of window dressing and that we would never get a chance to act upon them, but with the statement that the Minister has made to us this evening that the committee will be sitting after prorogation and will be proceeding, then I'm prepared to accept that statement and I assume that we will in fact be proceeding. Surely the Minister would not be getting up in his seat in this House and making that sort of a statement unless it was the clear intention of the government to in fact proceed on these resolutions and do something about them.

It is on that basis, Madam Speaker, that I support it. I'm sure that will be the case in view of the Minister's clear cut statement tonight that the government will act upon this; the committee will sit and action will be taken. Anything less than that, Madam Speaker, would in my opinion, amount to a very serious breach of the position of the government vis a vis the House and vis a vis the people of Manitoba.

MADAM SPEAKER: The Honourable Member for Rhineland.

MR. FROESE: Madam Speaker, just a very few words. I think the other members have already covered the subject quite well. I agree with the Leader of the New Democratic Party when he mentioned the male of our young people over 16 and under 25. I think there is a certain amount of discrimination going on in this group because we have a large number of good youngsters who take great care in how they drive and I don't think they should be penalized unnecessarily. I think this is what is happening today and certainly it would be wise to look into this particular matter.

(MR. FROESE cont'd) . . . . .

I think in Alberta they also had under investigation the matter of the underwriters and I think it would be well for the committee to consider this as well if they already look into the whole matter of insurance of this type.

MR. NELSON SHOEMAKER (Gladstone): Madam Speaker, as one who makes a livelihood out of the insurance business, I would like to go on record as endorsing the resolution that is before us. (Interjections) I suppose that will get on the Hansard, Madam Speaker, in spite of all the noise. We spend more time in our office attempting to justify the rates, the annual increase in rates, than you can shake a stick at, and it is rather a difficult task to do to the satisfaction of the insured, and it is nigh on to impossible to do that. Perhaps when this committee has served its purpose, has had all its hearings and made its recommendations, that there will be or will not be - there will be one or the other - there will or will not be justification for the rates that are presently charged by the insurance companies.

I would like to suggest to my honourable friend that I still think there will be a need for special risks, that is there are one or two companies presently writing what they call special risks, and by that they mean persons who have been charged with driving while impaired and all of these very "major" convictions. Well so long as the government will sell them a licence they must take out insurance and I think there is justification for charging this particular group an exceptionally high premium.

Another thing that disturbs me in the insurance business is the fact that many of the insurance companies today will charge a substantial rate increase if you had a twenty or twenty-five dollar accident and there are many claims that are not paid because the persons do not want to put in a claim. They say well what is the point of me collecting \$25.00 and immediately turning around next month and paying an additional \$25.00 or \$35.00 in increased premiums - and more than that - (Interjection)-- Well Madam Speaker, I wouldn't say they are a bunch of racketeers, I think there is great competition in the insurance business and certainly some of the mutual companies that are in the field today I think have made a sincere effort to try and solve a lot of these problems. They have not solved them all and I would like to see implemented into the insurance program provisions to have at least one accident before increasing the rates; or, a set figure if the claim is less than \$1,000 or something of this nature, then it would not affect the renewal premium, because I feel presently that it is working a hardship on some of the people.

I too, as my honourable leader has suggested, I found it rather interesting and intriguing to hear my honourable friend say that they were going to put the committee to work next week. I take it with a grain of salt but I trust he knows better than we what he's talking about in this regard and perhaps the committee, which is not yet named I guess - but will be named in a few minutes - will go to work possibly tomorrow afternoon.

MR. DOUGLAS L. CAMPBELL (Lakeside): Madam Speaker, some interested observations met the disclosure of my honourable friend which I think took nobody by surprise at all, that he had a personal interest in this matter and I suppose if I made the statement that I too have a personal interest in the question of insurance I would not elicit quite as many interjections as my honourable friend did, but I would get some. I'm not an apologist for the insurance company but I think I would like to join with others who are more knowledgeable than myself in the insurance field, in saying that I'm sure that the insurance industry itself welcomes the establishment of such a committee and I'm sure that the insurance industry will be glad to come and tell its story.

Now having mentioned my personal interest, maybe I should go far enough, Madam Speaker, to say that I have been a director of one of the insurance companies of this province that does business not all across Canada, but across a good bit of Canada, for more than 30 years, or maybe it's just about exactly 30 years. I don't think I would have spoken at all at this time except for the fact of the debate that went on a little earlier in the evening because I know that on one occasion someone in the House - I didn't reply at that time - but someone in the House drew attention to the fact that when we were discussing this question of personal interest and even pecuniary interest, that I had an interest in an insurance company as a director, and I would like to just put it on record to prove both how careful I have tried to be and at the same time how broadminded the company with which I am connected tries to be, that ever since the day that I went on the Board, just 30 years ago, that company ceased as of that day to take any government insurance; it has taken no government insurance since that day. No, that's not quite the way it happened. I was on the Board before I became a member

(MR. CAMPBELL cont'd) . . . . of the government, and from the time that I became a member of the government, I suggested to the Insurance Company Board of Directors that I thought I should resign and I tendered my resignation; the Board referred the matter to the solicitor and the solicitor suggested that he thought there was no over conflict of interest, but for the greater safety it would be well for the company to take no Manitoba Government insurance - and from the day that I became a member of the government back in 1936, until this day, they have taken none.

Now in case you think, Madam Speaker, that I'm trying to pat myself on the back by pretending how important the Board of Directors think I am to their effort, I want to say to you, and you will I'm sure, Madam Speaker, agree with this because that was the time of the predecessor government, so you will understand that we allowed the company so little profit on the insurance anyway that they weren't making a very big concession in taking that position; but whatever the amount of the remuneration that they might have got they have taken no Manitoba Government insurance since that date. So I have felt not at all guilty in this position. I've always been very appreciative of the fact that the boys looked at it that way.

I'm glad that we are going to have an investigation into this matter because there's a lot of public misinformation and lack of understanding about the position of the insurance companies. The Honourable the Minister outlined some of the difficulties that they face tonight. If you'd just see the way costs of repairing accidents are going up, let alone claims of bodily and personal property damage as well, you would have some idea of the change in the situation. And I know that there are some complaints sometimes too, about this matter of cancellations. But Madam Speaker, in fairness to the insurance companies, there are occasions where the insurance should be cancelled for more than one reason; not only for the benefit of the insuring public, but for the benefit of the public safety, that they should be cancelled. I think it's a good idea to remember every once in a while, Madam Speaker, I don't know that the Minister has put the figures on record during this Session or not, but the fact is that at any given period, and of course the numbers change as times move along, that at any given period it's perhaps not at all an exaggeration to say, that under the laws of this province, that there are approximately 12 to 15 thousand people in Manitoba who are off the road because their licences are cancelled. It's true that a lot of them are getting back on the road periodically, all the rest, but if the Honourable the Minister's in possession of the actual figures right now it would be interesting to have him put them before the Committee, before the House because I think you'll find that they're away up in the thousands and maybe to 15,000 or thereabout. This in my opinion is to the benefit, not only of the insuring public, but of the safety of the public as well and I think this is pretty important.

However, I didn't rise to make any apology or any defence for the insurance companies. I am sure they are very capable of doing both when they come before the committee themselves and I think it will be beneficial in all ways, as my honourable friend from Selkirk has said, it will give the Honourable the Leader of the New Democratic Party and his colleagues and ones who support that point of view, the opportunity of putting their cards on the table in front of this committee. It will give the ones who support the other point of view the opportunity of doing the same thing, and it will allow for questioning of the executives and administrators of these different companies, and I think in total a lot of good can result.

In all the years, Madam Speaker, that I've been here, I have never before - although it's been mentioned more than once - I have never before made any statement of my position so far as this particular company is concerned. It isn't that I'm in any way whatever ashamed of it; it is simply that I felt that somebody might think I was either trying to advertise the particular company or that I was trying to ask some special consideration for them. I do neither, purposely; I didn't even mention the name because they're such a good company they don't need that kind of advertising. Their record is so good and I am sure that that company will be well and ably represented --(Interjection)--yes, and growing all the time - they will be well and ably represented and they will be delighted, I am sure, to come before the committee when they meet. Incidentally, that company as well as having one director in this House has at least three good agents. Not all on this side.

MR. M. E. McKELLAR (Souris-Lansdowne): Before we close this debate, or the Minister replies in closing it, I too would like to say a few words. Besides being a farmer I have another occupation, and I so happen to be the agent of the company that the Honourable Member for Lakeside represents as a director, not naming any names. Also in my constituency there

(MR. McKELLAR cont'd).... is an insurance company which sells more car insurance than any other company in all of Canada, and they too, I think, would enjoy the right to inform the committee members of their experience in automobile insurance, not only in Manitoba but in all parts of Canada. I know their experience in Eastern Canada has been very great in the last few years.

After listening to the Honourable Member for Radisson, the Leader of the NDP, I wonder what kind of an insurance agent he has got, and I only wish that I could be of some assistance to him at some time. I did have the privilege of helping the Honourable Member from St. James who was crying about the high automobile insurance rates this Session. I helped him to the extent of \$20. Good insurance agents can mean a lot to you in savings. --(Interjection)-- He's with another company.

I think this is a splendid idea of having this study made by this committee who will represent all parties in this Legislature. Whoever is on this committee will have the right to question any group that they see fit, and when the final analysis is made, they can make these recommendations as they will see fit. I personally think that there would be some recommendations that could be made, and I was interested in the Honourable Member for Selkirk in insurance contracts. I think a good look could be taken at them, because I think a number of people - in fact I'd say 99-3/4 percent of the people who buy automobile insurance do not know what's in that fine print. It's pretty well impossible to read it unless you are a lawyer and able to decipher.

I think this is one part where an agent can play a leading part in informing his policy holders what he has and to protect them to the extent where he has the coverage that he will need in case of a loss. I do not think that he should load him up with all the highest premiums on earth; I think if a man is well established in his business, I think he should take a higher deductible. I don't think it's necessary to take the lowest, the \$25 deductible. I think many of the people are paying higher premiums on this account. I think that we all have to think of how much we can afford, how much protection we need, and judge accordingly.

I think the insurance agents of Manitoba are playing a great role in the automobile insurance industry and to inform the Honourable Member for Radisson that the insurance commissions were cut from 15 to 12-1/2 percent this past year and that insurance agents aren't getting rich either from this particular industry. He can make all these questions -- he is a member of this committee and he will know a great deal more about automobile insurance when this is all said and done, but I think after he hears all the questions answered he will be happy to go along with the present system of automobile insurance that we have had in the past.

MR. PAULLEY: Madam Speaker, I wonder if I may ask the honourable member a question? Do you think the insurance companies that we might be having come before the committee will treat me a little differently than they did with a Brief that they gave to every other member of the House, except us?

MR. McKELLAR: Well I - pardon me, Mr. Minister. I agree that they did the wrong thing. Public relations-wise they made a very foolish mistake. As far as information, I don't think he would have been greatly -- it wouldn't have helped you that much.

MR. CHERNIACK: Madam Speaker, I don't intend to make a speech, I just couldn't help but rise to commiserate with the honourable member who just spoke when he said that his commissions have been reduced from 15 percent to 12-1/2 percent. If the rate keeps climbing, then to the extent that his commission is reduced, I am sure that his net return per policy is greater than it was before the increase in premium and therefore I commiserate with him, but not too seriously.

MR. McKELLAR: Madam Speaker, that wasn't a question but I'd like to say that some of the people don't happen to pay their agents and we have to finance that ourselves.

MADAM SPEAKER: The Honourable the Provincial Secretary. The Honourable the Minister is closing the debate.

MR. STEINKOPF: Madam Speaker, before the debate degenerates into everybody selling everybody else an insurance policy at a rate, let me just remind the Honourable Member for St. John's, or Burrows, which one does he prefer. He was talking like one, the other one, just a minute ago. But with the rate of commission going down, even though the poor member behind me will get the same amount of money, I must tell him with the high cost of living that this kind of world is going on, the money that he gets won't buy quite as much as it used to buy.



(MR. STEINKOPF cont'd).....

Madam Speaker, I was chided quite a bit about the fact that we intend to have this committee operating just as soon as we can and I have found in many of these committees that I have had the pleasure of working on, I've spent more hours in the House trying to justify the fact that we are going to go to work and bring in some resolution and take some action on it, than actually the work on the committee itself. This one apparently is getting off to a better start in that there hasn't been really too much, and it's all been in fairly good humour.

I would though like if possible to have another special request and by leave of the House, have permission to have the resolution that is required to name the committee, which is ..... through the Lieutenant-Governor, appear on the Order Paper for tomorrow morning because normally it would not come on until tomorrow afternoon, and if we could get it on tomorrow, it can't be of course processed until after the resolution itself has been passed, the initial resolution. If we get leave for that, it might be possible to have the committee meeting tomorrow night if that would be the wish of the members of the committee. I would ask for leave of that if I may have it, of the House. I suppose it will have to go as a resolution through the Chair?

MR. MOLGAT: We're quite prepared to give leave to have the matter appear tomorrow.

MR. PAULLEY: We have no objections, Madam Speaker.

MADAM SPEAKER: ..... agreed.

MR. STEINKOPF: Madam Speaker, I won't be very long. There were a few questions that I was asked. The Honourable Member for Radisson asked if the government intended to go into business, as this probably was the only way that the ultimate goal could be achieved. May I suggest that this matter would have to be decided by this Chamber after the report of the Committee has been received.

I too, was interested in his remarks about the discrimination between the male and the female sex. Unfortunately, it's worked in reverse in our house for over 36 years with a pretty good record without ever having a claim. My insurance for pretty large limits comes to around \$100.00 or slightly less, but this first premium for my daughter was over \$300.00 for the same coverage, so there seems to be -- it isn't only what sex you are, it all depends maybe where you live too. This was a very substantial increase and the accident that she had was not covered because it was presumably her fault. I had to fork up the money to pay for the accident, too. --(Interjection)-- Well, some of my friends in Transcona would be better to do that.

I unfortunately too, was a director of an insurance company, but not one that was taking insurance in the automobile field - in the life insurance end - and because it is such a reputable company, I have no -- and I'm no longer director, I resigned at the time I became a Cabinet Minister. Maybe I wasn't in such good stead as the Honourable Member for Lakeside because they accepted my resignation without too many qualms, but be it that or not there was always the possibility in the sale of life insurance - although they didn't at that time do any business directly with the government - there was a chance of re-insurance of one type or another, and after we passed that resolution this evening, earlier, about our interests, I'm very glad that I was not in there because this said "either indirectly or directly have an interest" and I can see the day when some insurance company in which one of us may have shares, takes over a company that has had a loan from this new Development Fund and could be right back to where we started from - willy-nilly be in a rough position because we would be a shareholder in a company that had had a loan from the -- in an interest, from the new Development Fund.

The special risk situation that was mentioned by the Honourable the Member for Gladstone, the suggestion that everyone is entitled to one accident. Some of these things certainly will come up during the deliberations of the Committee and I hope at that time we'll have the benefit of all of those in the House whether there - the benefit of their advice whether they're in the insurance business or not, in trying to iron out and have a resolution, a report, on which the next Session of the House can act on.

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

MADAM SPEAKER: The proposed resolution standing in the name of the Honourable the Provincial Secretary.

MR. STEINKOPF: Madam Speaker, I beg to move seconded by the Honourable Minister of Labour WHEREAS the Orderly Payment of Debts Act being Chapter 193 of the Revised Statutes of Manitoba, and an Act to Amend the Orderly Payment of Debts Act, being Chapter 45 of the Statutes of Manitoba, 1958, first session, were repealed by an Act to provide for the

(MR. STEINKOPF cont'd) . . . . . repeal of the Orderly Payment of Debts Act, being Chapter 53 of the Statutes of Manitoba, 1962, and WHEREAS the constitutionality of the Orderly Payment of Debts Act was challenged on the grounds that it infringes on the Bankruptcy Act, which is a matter of the Legislative authority of the Parliament of Canada and WHEREAS our courts have declared the Orderly Payment of Debts Act, Manitoba, ultra vires on the ground that it infringes on matters of bankruptcy, one of the powers within the exclusive legislative authority of the Parliament of Canada; and WHEREAS the Legislative Assembly of Manitoba is very much in favour of Orderly Payments of Debts legislation, and WHEREAS the availability of Orderly Payment of Debts legislation would go a long way towards alleviating many of the problems which now confront consumer credit purchasers who are often not able to extricate themselves from under the too liberally extended credit obligations; THEREFORE BE IT RESOLVED that the Legislative Assembly of Manitoba request the Government of Canada, to introduce at its present Session of parliament enabling legislation for Orderly Payment of Debts not only for Manitoba but making it available for all provinces desiring to implement it.

MADAM SPEAKER presented the motion.

MR. STEINKOPF: Madam Speaker, the matter of credit is one that has received a lot of attention in this Session of the Legislature and even this evening, even though there wasn't anything on the Order Paper up until now that was remotely connected with the matter of consumer credit.

There has been much said in the field of consumer credit, but one of the fields that is very important and which we have no authority on, because it is in the realm of the power of the legislature of the Dominion of Canada - that is in the field of Bankruptcy. Bankruptcy has become almost a respectable way of life in this credit ridden society. It's now almost an easier way out of debt to declare bankruptcy than it is to find a solution to pay one's debt and for many who are debt ridden in this community or any community or generally in our society, it is becoming a tool, a way of being able to get rid of one's debts by just going into a voluntary bankruptcy. It also has had and is having many abuses. The ordinary debt crook is just as much a menace to society as is the crook who would hold up the local grocery store or service station. Once a debtor has gone through bankruptcy proceedings and has tasted the rich rewards that befall him and he realizes how easy it is, it's not very difficult for him to move from one locality to another and to go through the same - what used to be a shameful ringer a second or a third time. There are sections in this country of ours where the bankruptcy rates are fantastically high and as you know in one province they are now having an investigation into the business of voluntary bankruptcy.

Our Act, the Orderly Payment of Debts Act was enacted in this province almost 34 years ago on, May 4th, 1932, and it operated successfully during the rough years of the depression and I think was a great help to all of those who found themselves particularly at that time products of the high swinging twenties, laden with debt with a nice, a proper way of liquidating their debts through the aegis of the courts and through the help of the court officials. But this was suddenly taken away from all debtors because the Act was considered constitutionally unsound as it infringes the Bankruptcy Act which as I said before was federal legislation.

Much has been said here this evening about the fact that we have been very lax in the field of consumer credit; that we take baby steps when giant steps are needed; that we are slow; that we like to set up these committees and do nothing about it.

But let me just tell the members of the House, particularly the Honourable Member for Burrows, that in the last 2-1/2 years --(Interjection)-- I just wanted to see if he was awake -- I think he said that we lacked appreciation of the needs of the community - those who are debt ridden by being a little slow in legislation. I just while he was talking made a rough list of some of the legislation that has been started and passed in this House within the last 2-1/2 years - and this is all during the 27th Legislature of the Province of Manitoba.

We had first of all, a brand new Unconscionable Transactions Act; a brand new Consumer Credit Act, which had in it some two or three very new and revolutionary principles concerning the safeguarding of the debt ridden consumer. We've had a brand new Companies Act which not directly affecting the consumer certainly more than in one way, protected him from another way of being taken upon. A new Highway Traffic Act which had to do with such things as used cars and which has paved the way for . . . . .

Is my time limit up?

MADAM SPEAKER: I find it rather hard to see how the Minister is speaking on the proposed resolution.

MR. STEINKOPF: Madam Speaker, this resolution came as one of the direct recommendations of the consumer credit committee and the others also came out, or part of them came out of the workings of the consumer credit. This one is being implemented just as fast as we can get it implemented and I think that we ought to have a little chance to read some of the statements that were made on a previous concurrence resolution which really had nothing to do with consumer credit and yet much time - much more time than I have been consuming was taken up castigating the government for not having done anything and being a little slap-happy when it came to passing legislation. --(Interjection)-- Well that word wasn't yours, but then may I suggest that we have lived very high off the hoof. The suggestion by you was that we just live a little higher, a little more dangerously and get some of these things done.

I have here a list of a few others - I'll just go over them fast so that I won't take up too much of your time. But all of them had to do with the protection of the consumer: a new Mortgage Brokers Act; a new Registration of Business Act; a new Partnership Act; a new Real Estate Brokers Act which had to do with a uniform offer of acceptance; an amendment to the Mortgage Act which was part of the amendment that was brought up last year and referred to the committee this year; and other acts which not so directly affecting the consumer certainly indirectly had an effect on it. But in all of this we have created a climate for the protection of the consumer the likes of which I think are envied by almost every province in Canada.

The Ontario Select Committee on Consumer Credit was started long before ours was and they still have yet to act on any legislation in connection with consumer credit. The committee in Ottawa jointly between the Commons and the Senate has been sitting now for a number of years and we still patiently await that report. The development and practice of consumer credit is something that is growing and should be of a national character, something that should be the same in every province and it would be a great help if it was.

I think that this resolution should be acted upon by the federal government at the first opportunity because if they don't want to go it alone, they should permit each one of the provinces to have its type of Orderly Payment of Debts legislation and therefore, I recommend it to this House for passing.

MR. MOLGAT: Madam Speaker, I intend to support the resolution that's been presented by the Honourable the Provincial Secretary. I think that since this Act is declared ultra vires there's been a growing problem for a number of people who get themselves in difficulties and yet have no real means of getting out of it because the method of going into bankruptcy for one thing is one that is in some cases almost impossible for individuals. I've had a number of complaints come to my attention of people who wish to go into bankruptcy because they had no other means by which they could proceed to regularize their position and yet could not do so because they couldn't afford to pay the fees of an individual to take care of the matter for them; so they were in the ridiculous position of being unable to pay their debts and yet being unable to get any Orderly Payment of their Debts because they couldn't afford to pay a fee of an individual to put them into bankruptcy. This is certainly an unsatisfactory situation. Much better when someone gets into this sort of trouble that there be a planned procedure whereby he can get himself out of it; that there be arrangements made of a specific nature so that the individual can rehabilitate himself and start over again on a clean footing and hopefully remain out of future trouble.

For that reason I'm quite prepared to support this resolution and I hope that the Federal Government will act at the very earliest opportunity to put this back into the hands of the province, where in my opinion it was performing a useful function and permit us to a proper job for those of our citizens who unfortunately get themselves into the sort of problems that require this sort of assistance.

MADAM SPEAKER: The Honourable Member for St. John's.

MR. CHERNIACK: Madam Speaker, would it be unparliamentary to speak of the slap-happy Minister, sort of self-named, or should I just refer to what was said by the Honourable the Minister of Provincial Utilities or the Public Secretary.

Madam Speaker, I enjoyed listening to what he said and I'm glad you gave him the scope which he asked for in listing all that was done as a result of the studies of the Consumer Credit Committee, because this gives me an opportunity to list all that was not done out of the report of the Consumer Credit Committee. I just won't take advantage of what I think is a tactical situation where I would be able to list what was not done by this committee, but I had an opportunity to list it before. Now as a member of that committee, I am very happy with what was

(MR. CHERNIACK cont'd)...done. I feel that I made some small contribution to what has been done. I'm even looking forward to making some small contribution to what has yet to be done, and certainly at the time I spoke about the slowness - and I didn't use the word baby steps about it or the expression slap-happy though when I did refer to it, I did give the Honourable the Minister whose constituency I do know, the credit for having had a great deal of sincerity in the work that he did and for bringing forward matters which needed attention. So, the fact that he is sensitive about the criticism I made for the lack of bringing forward certain other resolutions and reports - recommendations rather of the committee - he will accept because I see he's announced that he's going to be a candidate at the next election -- nobody knows when that will be of course -- which means of course, that he hopes to be put back in a position where he can continue the good work which he has done up to now and hopefully again we can continue to prod him and push him, if indeed he is in that position again, so that things will be done well and quickly. So I'm not taking advantage of the opportunity to list what was not done.

But dealing now with the Orderly Payment of Debts Act, I must remind the Honourable Minister, whose constituency is River Heights, that I think it was at the first meeting of the Consumer Credit Committee, we discussed various matters that were important and one of the matters was the Orderly Payment of Debts Act. We were told then, if he remembers, that the Attorney-General has been in correspondence with Ottawa for some time in connection with having Ottawa deal with the Orderly Payment of Debts Act. I think that the Attorney-General referred to is not the present Attorney-General but the previous Attorney-General so that certainly I'm sure that it didn't wait for the Honourable the Provincial Secretary to bring this resolution because indeed we were told that it is a matter of some years now that there has been correspondence.

Madam Speaker, I can report that my predecessor in the constituency of St. John's, Mr. David Orlikow, Member of Parliament, presented a bill to parliament in 1962, again in 1963, again in 1964, again in 1965, asking for the reinstatement of the Orderly Payment of Debts Act on a provincial level to be made to enable the - I'm sorry, on the federal level - to enable the Province of Manitoba to renew the service which it had provided before. His private bill met the same results as apparently the correspondence of the Honourable the Attorney-General of this province. It seems to me that it might be beneficial if when this resolution is passed, as indeed it will be, that somebody of the persuasiveness of the Honourable Minister who comes from --(Interjection)-- Pardon? He remembers, he comes from River Heights - would himself deliver this resolution and see whether he can persuade the Cabinet in Ottawa to get cracking and deal with this, because apparently resolutions even of Members of Parliament don't help there. Letters apparently from the Attorney-General do not help. I would like to think that this resolution will be acted on in Ottawa, so I would urge the Honourable Minister, the Provincial Secretary, that he do make this one of his projects in Ottawa and that he do discuss it with people in authority. And if he needs help, I'm sure the Members of the Legislature on my right will be only too glad to help him to get this done.

Madam Speaker, I mentioned that Mr. David Orlikow, the Member of Parliament presented a bill for the years 1962 to 1965 inclusive, and this year, the Caucus of the New Democratic Party decided to take a new tack on this and a bill was filed by a Mr. Gilbert, a Member of Parliament of the New Democratic Caucus, which was Bill C-29, and had its first reading on January 24th, 1966. This was a different approach taken by that Member of Parliament. Rather than ask for an Orderly Payment of Debts Act which could be worked provincially, he proposed an addition to the Bankruptcy Act and it seems a workable manner in which the official in bankruptcy would have the power to deal with Orderly Payments through the Bankruptcy Act.

I'll just read the brief explanatory note which accompanied his bill, so we'll get the picture of what he had in mind. It reads: "The purpose of this bill is to adjust the procedure of the Bankruptcy Act to cover the case, increasingly common, of a wage earner who has incurred financial obligations immediately exceeding his salary income and his assets, yet who can under budgetary supervision and with a time extension reimburse his creditors 100 percent exclusive of any excessive unconscionable lending rates. Although the Act presently permits a wage earner to make an assignment it fails of a solution fair to wage earner and creditor because the procedure contemplates existing assets out of which the creditors may be partially but quickly satisfied." And he adds this sentence: The existing procedure succours the unscrupulous wage earner, traps the desperate wage earner, benefits the unconscionable creditor, and deprives the unsecured creditor."

(MR. CHERNIACK cont'd) . . . .

Now this is an approach to the same problem, not through the wording of the resolution proposed to us but rather providing a similar means through the Bankruptcy Act and through the provision of the Bankruptcy Court. And for that reason, Madam Speaker, I wish to move, seconded by the Honourable the Member for Logan, that the resolution be amended by adding at the end thereof the following words: "or such other legislation to the same effect." May I continue to speak, Madam Speaker, before you present the amendment?

It seems to me that since the resolution as drawn is confined to Orderly Payment of Debts legislation to be made available to all provinces desiring to implement it, it may well be that someone will come along with a suggestion such as the one presented by Mr. Gilbert, M. P., or possibly some other legislation which would have the same effect as this Orderly Payment legislation, and therefore, I commend this amendment to the Honourable the Minister of Public Utilities for consideration to see whether or not this gives a little bit more scope to the resolution he proposes and which may hopefully have a good effect in Ottawa in carrying out the legislation which we need so badly in this province.

MADAM SPEAKER presented the motion.

MR. STEINKOPF: Madam Speaker, the intent of the House of course is to provide some orderly method for the individual, the debtor, to work out of his debt problem and I see no reason why we can't accept the amendment as proposed by the Honourable Member for St. John's. I would think that in the interests of action, which I think is what we both are most interested in, that we can accept it.

I must apologize for appearing over-sensitive or probably a poor attempt at humour, but we all know how delightful and refreshing the sense of humour of the Honourable Member for St. John's is, not only here in the House but also on the committee and what a pleasure it is for him to be on any committee. I thought that he might like to have a little bit back of it and I hope that when we have matters of Consumer Credit that will come up in the future, that he will do as much in helping us put it on the books - as did all the Members of the Consumer Credit Committee. There weren't any of them who didn't take a very active part in . . . able to get it. I was just at the point a little earlier to try and stand up for what this side of the House had done in the field of consumer credit. I saw no point in dragging all of the red herrings in on consumer credit in a resolution that really had nothing to do with consumer credit; so I did have a resolution that did have something to do with consumer credit and I thought I could talk about it.

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

MADAM SPEAKER: The proposed resolution of the Honourable the Provincial Secretary, as amended.

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

MADAM SPEAKER: Committee of the Whole House. The Honourable the Attorney-General.

MR. PAULLEY: Madam Speaker, before the --(Interjection)-- I was just going to say before the motion is presented, I thought there was an understanding that we would desist from fighting somewhere around 11:00 o'clock until 9:00 o'clock or 9:30 tomorrow morning.

MR. ROBLIN: Madam Speaker, I think that's a sound suggestion. I'm glad to adopt it and accordingly, I will move, seconded by the Honourable Minister of Industry and Commerce, that the House do now adjourn.

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