

THE LEGISLATIVE ASSEMBLY OF MANITOBA  
2:30 o'clock Friday, July 31, 1970

Opening Prayer by Mr. Speaker.

MR. SPEAKER: Presenting Petitions; Reading and Receiving Petitions;

INTRODUCTION OF GUESTS

Before we proceed I would like to introduce a guest in the Chamber in the Logo on my right, Mrs. Agnes Cripps, Member of the Legislative Assembly of the Province of British Columbia, for the constituency of Vancouver South. On behalf of the honourable members I welcome you here this afternoon.

Presenting Reports by Standing and Special Committees. Adjourned Debate on the motion of the Honourable Member for St. Boniface that the Report of the Standing Committee on Public Utilities be received. The Honourable Leader of the Official Opposition.

REPORTS BY STANDING COMMITTEES

MR. WALTER WEIR (Leader of the Opposition)(Minnedosa): Mr. Speaker, in rising to say a few words on the receipt of the Report of the Committee, I think that I would like first of all to echo the sentiments that were expressed by the Leader of the Liberal Party just as the committee was winding up and I think were responded to by all members of the committee and those that were present, in words of congratulations to the Chairman of the Public Utilities Committee, in terms of having handled, I think, a very difficult session in a very strong and I think, for the most part - and nobody is perfect - impartial way. I think that he made a very sincere effort and in my view - I don't know whose mistake it was - in my view there was only one real serious mistake in terms of management of the committee and I'm with those who share the view that the people that were there did not need uniformed policemen at the back of the hall during any of the debate and while it's true that there must be people around that can carry out the will of the Chair, I think that the uniformed guards that we had - the "rent-a-cops" as I've heard them referred to in the hall - were really not quite necessary. I don't lay any particular blame with the Chairman for that because he had indicated that he hadn't specified that type so some place in the machinery, some place in the machinery the guards showed up and I'm not in a position to know where but someplace it was and in my view it wasn't really necessary in that form or that fashion.

That isn't really what I wanted to say, Mr. Chairman; there was one other move taken at the committee that I do want to comment on and that was that there was a motion that was made while the committee was sitting, a motion was made, Mr. Chairman, by the Leader of the Liberal Party and it requested that notice be given and before the committee wound up its proceedings some gentlemen, namely Mr. Swaine, the Superintendent of Insurance, Mr. Blackburn and Mr. Pagan of the automobile insurance committee be presented to the committee to give evidence and put in a position where members could at least ask them questions. This was refused and the Chairman, I think, again rightly so, indicated before the motion was put, that no further motions would be condoned on the subject of that committee although it seemed that the government would still have a privilege of presenting these people should they have the desire. The government chose not to and it was outside of the hands of members of the committee to take any further action because of the ruling that the Chairman had made. Mr. Speaker, I feel very badly that these people were not made available to the committee for at least questioning at the committee hearings because I think that they really had something that they could have contributed.

It was interesting to note that there was another gentleman that chinned up to the table, Mr. Kuziak, who was introduced to the committee as a member of the Attorney-General's department. Since then, I've attempted to find out who Mr. Kuziak is, I had never heard of him before. I've attempted to find out who he is and what he was and I've sought advice from the Executive Council office and I can find no trace of an Order-in-Council which hired him onto the staff of the Attorney-General's department and so I'm still no further ahead. I don't know what position he had, whether he was the draftsman of the bill, notwithstanding the fact that the terms of reference of the committee indicated that the committee were charged with the responsibility of presenting draft legislation to the government. So that there are a number of areas there, and I find it even more disturbing Mr. Speaker, because in the interval from the time the report has been received from the government and now, Mr. Pagan, a member of that

(MR. WEIR cont'd.) . . . . committee, has spoken publicly to the point where he was reported in the press about some of the things that went on in the committee. He felt free to do this. The Minister saw fit to take Mr. Blackburn, another member of the committee on an open line show with him, prepared to discuss any matter of the committee report with the general public on the radio, and yet there was a denial of this same privilege to the members of the committee of Public Utilities and Natural Resources. I'm not very happy about that situation, Mr. Speaker. I think that if anybody gets priority in access of this kind of people with that kind of qualification it should be the people who are charged with the responsibility of considering the enactments that are being placed before this Legislature.

So, Mr. Speaker, we had an opportunity to hear from industry. There was no shortage as has been pointed out from time to time by the government, of the point of view of the industry themselves, of the agents and people in that line, but the others, the people that could hopefully be considered neutral and expert were not presented to the committee so that an attempt could be made to reach through them - I include with that, Mr. Swaine who has many years of experience with the insurance, not just in Manitoba but as a member of the committee of Superintendents of Insurance across Canada and a breadth of knowledge that I think could have been made available. If the government insist on saying it's just a matter of principle and a matter of political decision, I would suggest it's more than that. It's more than that, because that may be true when it comes to the reporting of the Bill, but when it comes to the consideration of the sections of the Bill, when it comes to the consideration of the sections of the Bill that certainly isn't a fact and members of this House are charged with the responsibility of passing opinions on the various sections of the Bill in the same manner that they are in the terms of the principle of the Bill that there is before them.

HON. SAUL CHERNLACK, Q.C. (Minister of Finance) (St. Johns): Would you permit a question?

MR. WEIR: Well, when I'm finished, I'll do my best, Mr. Speaker, I'm going to do my best from this point on, to attempt to keep interruptions from debate, from me interrupting other people. I'm afraid that there's been some pretty bad habits in the House and I'm going to do my best to keep from interrupting other people and I'm going to encourage them to do the same when I've got the floor. So that when I'm finished, I'll be glad to entertain any questions that come along.

Mr. Speaker, may I say in reference to it, I mentioned in terms of the committee while it was indicated by members of the government that it wasn't the committee that drafted the legislation, notwithstanding the fact that one of the terms of reference was to submit draft legislation; May I also point out, Mr. Speaker, that the committee apparently had 2976 representations to it. Mr. Speaker, the Public Utilities Committee only had 116, so someplace along the line there were 28 or so hundred more people presented their views to the committee than did for the other. Now I note that they had five insurance companies and 16 insurance agents. I gather we likely had all of the insurance companies. We probably had all of those same insurance agents and a number more. There were five adjusters; we may have had the same adjusters. The Canadian Bar Association had one there and I think it's true to say that we only had representation, one representation from the Bar Association at the Public Utility meeting. The Chambers of Commerce had four; we probably had most of them. The trade unions had 10 and other groups, 10, and by and large we may have had the most of those but the ones that are lacking, the big one, and the complaints that we had on various occasions from the House Leader that the general public themselves were not represented all that well in terms of 2,920, and any submissions that they had after December 31st aren't included in that list in terms of total.

So, Mr. Speaker, I think that it's premature, it's premature to ask this House to consider the report of that committee and it's my intention to move an amendment to the motion that was moved by the Member for St. Boniface, because I think that there is a specific area, a specific area that should be further considered by the committee before the Committee of the Whole is asked to consider clause by clause the sections that are contained within Bill 56.

Therefore, Mr. Speaker, I would move, seconded by the Member for Riel, the report of the committee be not now received but that Bill 56 be sent back to committee for further consideration and that the committee be instructed to summon and examine Mr. F. A. Swaine, Mr. R. D. Blackburn and Mr. Frank C. Pagan.

MR. CHERNLACK: Mr. Speaker, I would like to direct a question to the Honourable Member. I don't know whether I would be precluded from doing so if you read the amendment

(MR. CHERNIACK cont'd.) . . . . or whether I may do so before you read the amendment.

MR. WEIR: Mr. Speaker, whichever is in order. I'm prepared to accept the question.

MR. SPEAKER: The Honourable Minister of Finance.

MR. CHERNIACK: Mr. Speaker, I'd like to ask the Leader of the Official Opposition whether I did not make the statement that I had alerted Mr. Swaine to be present for the section dealing in committee, dealing with the Bill, and that I would have him available in the event that any questions were asked that required my being acquainted by him of the necessary back-up information?

MR. WEIR: Well, Mr. Chairman, if that's so, I didn't hear it and I would accept the correction of the Minister of Finance if he says that he did and that's perfectly all right. During the period of time I was there I didn't see Mr. Swaine. I don't know whether he was there or whether he wasn't. I didn't see him . . . Pardon?

MR. CHERNIACK: Well, now, I don't know whether I'm in order but I can quickly say that I had him alerted and he was available.

MR. WEIR: Well, Mr. Speaker, in answering the question, it was the other members of the committee except for the government, were precluded from bringing the matter up again by the ruling of the Chairman. It was left open and I think that the record will show that the Chairman said that a privilege would be extended to the government to present them if they saw fit, but that he would entertain nothing along that line from members of the Opposition within the committee.

Now I did hear that and there was a transcript and if it ever arrives we will be able to check what happened, but quite frankly, the ruling of the Chair was what I was trying to interpret and I think that was what was allowed.

MR. SPEAKER presented the motion.

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

MR. LAURENT DESJARDINS (St. Boniface): Mr. Speaker, it wasn't my intention to speak on this motion but in view of the fact that this might be turned into a useless filibuster and because I sat quietly for a couple of weeks while everyone but myself made statements about what I'm going to do, when I'm going to do it and why I'm going to do it. All kinds of statements, many false, are attributed to me. In fact the Honourable Member for Lakeside did this very thing this morning - so I will take advantage of the occasion that this amendment gives me to speak at this time.

I have prepared a speech that I intended to make on the motion to go to committee, Mr. Speaker. I believe that it would be completely in order for me to deliver it at this time.

I hope that I will be given leave to continue for a minute or so if I go past my allotted time because it is a very important speech to me, and for that reason also I hope, Mr. Speaker that you'll bear with me, that you'll be indulgent with me if I follow my text quite closely.

Mr. Speaker, I wish to speak at this time and I'm afraid that certain members, who in the past have thought my speeches to be nothing but public examinations of conscience or confessions, will have to bear with me. But if it is any consolation to them, when I am finished they can always repeat what was said a few days ago, that is, my speech should have been made, not to the members, but to a psychiatrist.

Mr. Speaker, it would be an understatement for me to say that I have just gone through some very trying days. I stated many times, that I for one, would consider the committee hearings to be very important and Sir, I have either listened to or read nearly every word that was said in committee.

I had to sit there as an impartial chairman while I was misquoted, ridiculed and insulted and after a long day when I got home at night for a few hours rest, I was repeatedly called on the phone, harassed and ridiculed by people who claimed to be fighting, to be defending freedom, the freedom of the individual.

A few days ago my wife contacted a real estate agent as we wished to sell our house and I was too busy to look after it myself. The agent, a lady, was, to say the least, very disinterested so my wife contacted another firm and phoned the first lady to tell her she had changed her mind, that as she had shown so little interest we would not require her services.

Do you know what the lady's answer was, Mr. Speaker? "Well, we sell auto insurance too, you know. What do you expect? Your husband's name is mud with all of us."

Mr. Speaker, I have taken an awful lot of abuse from some agents, from some people,

(MR. DESJARDINS cont'd.) . . . . and this does not work with me and contrary to what some people might have you believe, Mr. Speaker, I am human and it would be fair to say that I have a bit of a temper.

Sir, you will never know how close I came to forgetting my responsibility . At times I was fighting mad; I wanted to be vindictive, I wanted to shout to them to go to hell, I wanted to hurt them too.

But Sir, I wasn't elected to be vindictive and I had vowed quite some time ago that my decision would not be made in anger, and besides I could not judge everyone in the industry by the actions of a few.

There was a suggestion from one of the agents that was particularly distasteful to me and that was the one made by Mr. Eva. The same suggestion was made in a telegram sent to me and signed by a few hundred people - and that was that I refrain from voting. Sir, I have never ducked a vote in my life and I don't intend to start now - no matter how difficult it might be.

A few days ago I was presented a thick petition supposedly from my constituents - I say supposedly because I haven't taken the trouble to examine it or even to look at it. I recognize the right of people to protest in such a manner but pressure methods have never influenced me especially in this case when I received so many complaints from people who protested the way in which these signatures were obtained. I knew that the final decision was mine, mine to make and mine alone.

My own business must have been mentioned a hundred times but this I consider to be fair game. These people were fighting for their lives, they wanted to show me how they felt, they wanted me to place myself in their position before making any decision. But now, I say to all of them that I had already done this and if anyone wishes to check Hansard, he will find that as early as last summer's session I brought this matter up myself in the House.

One presentation, however, affected me very much and those who were there know which one I refer to. Oh, Mr. Lumsden gave me hell all right and I understand that he repeated the performance on television that same night; but unlike James Tomko and his friends, he was ready to allow me the very freedom he was fighting for - he acknowledged publicly that he was sure that I had searched my conscience before making my decision.

Calling me Larry flattered me but it did not influence me. Here was a humble man, but without false modesty - not a hypocrite - proud of what he had done for his fellow men - telling the committee in his eloquent words what he would be faced with, expressing his anxiety but doing so charitably. He wasn't trying to hurt anyone, he was imploring the lawmakers of this province not to hurt his family for whom he had toiled for so many years. Bill, thank God that we have people like you in Manitoba. Your presentation did not change or add much to my way of thinking.

Mr. Speaker, the attitude of a few members of the committee bothered me. I believe that during the past few days I saw the legislative system at it worst - in its ugliest form. Too often the order of the day for some of the members seemed two opposing groups bitterly facing each other with their minds made up, going through a futile exercise and having the gall to do so in the name of democracy.

It was obvious that the two groups did not wish to be impressed by anything that was said, if it wasn't said by someone who did not favour their point of view. And at times I had the distinct feeling that some members were afraid that some other members of the committee might be impressed or swayed by some of the things that were said.

It was a week Thursday; Thursday night that I began to write my thoughts on paper - to take notes - in fact, to prepare this speech, and I added a little more every night when I returned home.

I guess, Sir, that I was slowly deciding what I was going to do. And on Tuesday, Mr. Speaker, I suggested to the Premier that I should not attend any more caucus meetings until I had made up my own mind. I did not wish to be unfair and I wanted to be alone to make up my own mind.

Yesterday I knew exactly what I had to do and why I had to do it. It was then that I took all my notes, read the statement that I had made when I decided to support the Schreyer government, the speech that I made to my constituents when I told them that I would support the Schreyer government; the remarks I had made to the government caucus at the first meeting I attended, Hansards and two or three of the briefs I presented to the public utilities committee

(MR. DESJARDINS cont'd.) . . . . and Sir, I prepared this speech that I am now delivering.

Mr. Speaker, I found myself constantly addressing my remarks to the First Minister of the province - probably because I respect him so much - because I believe in him - but mostly because I feel that he, more than anyone else, that he could mean so much to Manitoba in the coming years.

A year or so ago we had an understanding - I would announce that I was supporting him and thus enable him to take power. I would be invited to attend the government caucus while remaining faithful to my Liberal principles -- and I emphasize, Sir, my principles and not principles that someone else would automatically have me accept because they themselves believe, because they themselves believe that all Liberals should. And here a few words of explanation might be in order.

I have no great hang-up on free enterprise, it has never been a God - the beginning and the end of everything for me. I do believe in free enterprise but only when it can do the job better for the good of the general public. This is the way I described it even before the introduction of Bill 56, and I quote from Hansard on October 2, 1969 on page 1256: "I favour the free enterprise system but not necessarily at all cost. I think that when the free enterprise system is not serving the best interests of the people of Manitoba, when it is not right for Manitoba or Canada, I say that then the government not only has the right, but the duty to do something about it."

Mr. Speaker, I made it quite clear that it would be impossible for me to even consider voting in favour of this bill unless the agents would receive compensation.

On Page 1911 of Hansard, I finished my speech on second reading with this sentence: "But without compensation, or at least a clear commitment, my vote on third reading will certainly be negative."

I have repeatedly stated publicly and privately to some agents that I was sincere in this - that I would insist on fair compensation even though I knew that I could probably never fully satisfy the agents.

Well, Sir, on these grounds, because I received what I consider to be a clear commitment from the First Minister, that before the government enters the field of auto insurance after the passing of this bill, an Act providing for compensation would have to be introduced; this could for the moment satisfy me on the question of compensation. And I did not need the permission of my biographer, George Tatlock, who by the way, I have never met and didn't even know by sight until he addressed the committee a few days ago, to do so - nor am I interested in who he feels I should trust or distrust.

But Mr. Speaker, because I was so emphatic on my insistence for compensation, it seems that most everyone took it for granted that this was the only thing that interested me and that was the only condition that must be met to obtain my vote.

You know, sometimes it might be advisable to listen to public examinations of conscience, to confessions and in my case one would remember a statement that I made on May 13th which I have never contradicted, and let me quote from Page 1912 of Hansard: I was asked this question by the Honourable Member from River Heights and I quote him now: "My question to the honourable member is that he indicates he does not have the facts at this point. If facts are not presented which would show the saving of 15 or 20 per cent, for example, is he still prepared to vote for the bill?"

And here's my answer: "Mr. Desjardins: I might say, Mr. Chairman, that this Bill, if passed will go to committee and it's not going there just for no reason at all. It's there for us to find out certain things. I will be listening as much as any other member and the information will be given to me as well as anybody else and then I'll decide with my own conscience, without being put on trial here today, because I'm one fellow with one vote only and I'll decide what I'm going to do at that time."

Mr. Speaker, I have listened attentively to what Manitobans had to say - the fact that I was the chairman and that I set as my goal to be completely impartial was probably the best thing that's happened to me. I had to keep my mouth shut, I had to be present and I had to be attentive. I did so and I am now ready to announce my decision.

Mr. Speaker, I will vote against this motion that would have us going into committee to consider this bill - I might say at this time that I was going to make this on the motion to go to committee, on this special motion here, I'm ready to vote for the government, because it's not that important to me. Mr. Speaker, I will vote against this motion that would have us going

(MR. DESJARDINS cont'd.) . . . . . into committee to consider this bill and before giving my reasons why, through you, Sir, I would like to address these few words to my Leader, and I still call him my leader - I say to him, I hope that you will understand if you were not forewarned of my intentions, but you knew what I was going through and you said to me that in the final analysis I would have to be guided by my conscience, and I knew that the final decision would have to be made by me and by me alone and what I would have to say to you, I think will be better said in front of the members of this House.

Mr. Premier, before you too join those who consider me to be a political Judas, please listen attentively to what I have to say, and I also ask everyone here present, especially members of the news media to quote me correctly if they quote me at all, and try to convey my meaning and not theirs to what I have to say. This might well be the last request I make of them. First of all, I am making no positive motion to kill the bill for the simple and good reason that I do not want to kill the bill but I want it to be considered further. Mr. First Minister, I could still vote in favour of a government operated plan.

A few years ago a Conservative government rammed through a Medicare plan, without having or giving proper information. I requested that they wait a few months in order to get the best possible deal for Manitobans. But they refused to do so. After passing the bill they then had to back down and wait a year before actually entering the plan. They didn't listen for the simple reason that a government should never back down I guess. Because of that, the people of Manitoba were made to pay higher premiums and I don't care to go into details at this time.

Mr. Premier, don't make the same mistake. Are you going to be guided by stubbornness, by pressure of a few or by what is good for Manitoba? Will you say that your first priority is always to keep your election promises immediately or rather to work for the interest of Manitoba?

The Roblin government introduced a pension plan that was most unfair. It was aimed at taking care of the cabinet ministers. It was daylight robbery and after a filibuster on the part of the Liberal party, especially the then Member for Gladstone and myself, the bill was withdrawn. But, Mr. Premier, if you remember, you also had a role to play in this and it was you and the Minister of Labour and the Minister of Finance who made the final request to the then Premier.

Let me quote from the Tribune of May 12, 1965: "The first indication of a possible end to the criticism came just before the afternoon sitting opened at 2:30 PM. when Ed Schreyer NDP Brokenhead, told the Tribune he would likely suggest the bill be shelved and that the matter be referred to an independent body. Mr. Roblin called the NDP leader Russ Paulley aside for a short corridor conference before the House assembled. Mr. Paulley later disclosed that the premier advised him of his intention. Inside the Chamber, Mr. Paulley huddled with Mr. Schreyer and Saul Cherniack NDP St. Johns. Then as the sitting got underway Mr. Schreyer rose to ask the premier whether he would consider handling such a matter as pensions, indemnities and sessional research assistants through an independent body. He noted that the province's 57 electoral constituencies are recommended to the House by a Boundaries Commission.

"I thank the Honourable Member for raising the matter, because it has been causing us deep concern on this side of the House, Mr. Roblin replied. He said some members were willing to accept the principle of a pension plan, but it was evident that the one proposed was not satisfactory. Because of the impasse it will not be the intention of the government to call the motion to go into Committee of the Whole the premier announced. The pension bill was the last piece of legislation remaining in Committee; the premier's move meant that it died on the Order Paper when the session prorogued."

The government of Mr. Roblin reintroduced better legislation governing members' pensions and you can do the same and reintroduce better auto insurance legislation. This very session, a few bills were withdrawn and the Minister of Municipal Affairs himself, just this morning, recommended that Bill 148, The Municipal Tax Deferral Act should be deferred until the next session of the Legislature.

I wish to give my reasons why I cannot support the passing of this bill at this time, but before I do, let me repeat that I could still vote for a bill such as Bill 56, if I was convinced that it would be for the best interest of the people of Manitoba.

I said before that I haven't this hang-up about free enterprise being sacred - and by the

(MR. DESJARDINS cont'd.) . . . way even Mr. Leipsic agrees with me as he stated that under the circumstances the CCF government did a very wise and intelligent thing in introducing a compulsory and a monopolistic auto insurance plan in Saskatchewan. At times free enterprise will not or cannot serve the people well and then, and only then in my view, the government can and must step in.

The first point that was driven home during the meetings of the public utilities committee, and I might say since the introduction of the Bill 56, is that there hasn't been a proper dialogue between the industry and this government - and I repeat this government.

I'm not concerned with the study that was made under the former administration when only a few of the present members were involved and the premier was busy somewhere else in Ottawa, and here it is quite apparent to me that there must have been a misunderstanding, because too many of the agents and the insurance companies stated that they were expecting to meet with the premier.

I suggest that a meeting should take place to clear the air, to re-establish the confidence of the people. . . .

HON. ED. SCHREYER (Premier)(Rossmere): I wonder if I might rise on a point of privilege - I'm sorry to interrupt my honourable colleague - to make it clear that there couldn't really have been a misunderstanding about my offer to meet with them because I gave it to them in writing, and I have a copy of it. The offer was accepted and then later cancelled, by the industry.

MR. DESJARDINS: Mr. Speaker, I might say that I do not doubt the sincerity of the First Minister at all; nevertheless I think it is clear now that we should have such a meeting. I think that when I say a misunderstanding, I might be dealing with some of the agents who did not write the letter, maybe somebody else was writing for them and this is what I meant. I suggest that a meeting should take place to clear the air.

There must be a possibility of improving certain laws governing auto insurance; it might be that a joint committee of government insurance company and agents and members of the public could sit together and come up with good recommendations. Mr. Leipsic and others in the industry stated that they were prepared to admit that there is much room for improvement and the suggestion that was made and appeared quite sound was that we establish a premium review board commission. We might even find that we will not have to destroy an industry in order to smarten it up, as was suggested.

The second point that was made is that indeed the Pawley Commission was biased and did not conduct proper hearings. Well let's be honest - this is a fact. Under certain circumstances, this in itself would not be bad if this commission had been set up by a political party or even by a government formed by a party that had a large majority -- and here Sir, I am not referring only to myself or the people who elected me but the thousands of liberal minded people, small L liberals, Liberal Democrats, Social Democrats who did not elect an NDP government but elected a Schreyer government. I believe that this is what the people were referring to when they said that the government did not have a mandate to bring in this kind of legislation at this time.

They were not talking about any legal rights but rather moral rights - in other words, we did not have enough facts and we were not given enough facts to proceed with Bill 56 at this time.

If after good honest and fair dialogue, and if after obtaining more facts, if after having given the public more facts Mr. Premier the government still intends to introduce a compulsory monopolistic plan then it can do so at the next session and it can introduce a companion act dealing with compensation for the people affected and the House can also review and approve the all important set of regulations that must accompany the Act. All this can be done without delaying at all the actual date when such a plan could be in operation as you yourself Mr. Premier suggested, by the end of 1971. There is nothing to lose.

But even if a few months were lost, would it be the end of the world? Haven't we lived with this for many years? And aren't we taking all the precautions before doing irreparable damage at South Indian Lake?

I ask each and every one of the members - am I unreasonable; but before you answer this, I will touch on a point that some of you might hesitate to raise for political reasons, and I know that actually none of us would want a repeat performance of what we have just gone through in second reading and in committee. I certainly wouldn't want it.

(MR. DESJARDINS cont'd.) . . . . .

In order not to embarrass anyone I will bring up the motion right now. I will place a condition on all the members of the opposition, including the members from Rhineland and Churchill. I'm asking for a gentleman's agreement. I will urge that we go no further at this point on Bill 56, on the one condition that the combined opposition does not make more than five speeches on second reading and that we place a time limit of not more than five or six hours in public utilities committee if the bill is reintroduced. I would expect the insurance companies and the agents to pool their briefs.

Mr. Speaker, please don't think me arrogant if I ask for this deal - I'm not asking for a change in the laws governing this House but rather for a gentlemen's agreement between all parties and the word of the opposition would be the only thing binding them.

Mind you, it doesn't have to be exactly what I suggested. In fact I would much rather see members of the different parties forming the opposition, plus the two members from Rhineland and Churchill meet with members of the government and make arrangements at this time, arrangements that would then be announced in this House.

Before the members of the opposition refuse, let me say that if they do so, then I will be forced to vote in favour of the bill at this time - it would leave me no other alternative and I would take my chance with the compensation aspect of the bill when it is introduced next year.

I don't see why we have to have a repeat performance. With our Hansards and the transcript of the committee meetings, there would be no need to rehash everything and what the members think of free enterprise, freedom, etc., would be on record and all one would have to say is I still believe the same about such and such a thing as I did last year.

Of course, I'm taking for granted that the government will accept this, if they accept my first suggestion at all that we do not proceed with the Bill at this time, and if they want to release the Opposition from this gentlemen's agreement later on, well, certainly it's up to them and I have no objection.

This is what I'm suggesting: Maybe when I'm through, or this goes through, this motion, someone could take the adjournment of the motion - I would like to see the First Minister do so without further discussion and then the members would retire to their respective caucuses to give proper consideration to my suggestions and to decide what they want to do. I would not attend the government caucus.

I hope that I don't sound dictatorial. I'm certainly not trying to be and I'm trying to find a fair way to deal with this.

I would now like to mention, Mr. Speaker, a few points that came out in committee and had influence on me. I don't intend to go into details but will mention just two or three of the points that influenced me.

The Rev. Michael Hicks, Chairman of the Citizens for Public Auto Insurance, was an excellent witness - honest and certainly non-evasive. He surprised me no end when he, as a member of the organization that most wanted the government to pass Bill 56 admitted that from his study and experience there were only 10 percent who were very much in favour of a government monopolistic plan, 10 percent were very much against and the remaining 80 percent did not really know, and although they might not be for the principle, they would not mind seeing the experiment. Mr. Hicks said that it was well worth the experiment and if it didn't work, well then the New Democratic Party would go down the drain - it would be a real disaster and we could go back to private enterprise.

It was also apparent that although the members of the citizens committee preferred a government plan, they might have accepted as a first step that the government get together with the industry and start by improving the present laws and system.

He repeatedly came back with the statement, "Let's smarten up the industry" and his main reason for wanting to take a chance on the experiment was, as he said: "so that the industry might learn a lesson elsewhere in Canada, because, as he said, the industry would become a very minor industry in the Province of Manitoba, going from \$38 million to \$4 or \$5 million. He also admitted that many details of the plan were missing. .

On the matter of compensation he was in favour of the principle, but recognized that it would be a problem for the government, and when I asked him how strong he felt for the principle, he wasn't too sure, there were too many problems. I also asked him if a person had mortgaged his home to buy an agency and he still might owe \$20,000 or \$25,000, who would be responsible for this mortgage and he answered that in this case it definitely should be the



(MR. DESJARDINS cont'd.) . . . . . government.

Mr. Premier, it appears that at the most 25 percent of those who voted for your party at the last election really want this plan. This either proves my point that you were not elected only by NDP supporters, or that 75 percent of the NDP are not sold on the plan.

Mind you, most of the others could be interested in the experiment, but when there is so much to do in Manitoba and for Manitoba, should you, at this time, at your first session, should you use some of our citizens as guinea pigs to try an experiment? To give the industry elsewhere in Canada a lesson? Bankrupt some of our citizens to show citizens, or at least those in industry that they'd better beware - surely you never had this in mind or I read you all wrong.

Then there was Mr. Singleton of the Farmers Union. He wanted the farmers to make a saving. They would save the profit, because there must be a profit. Then he was asked if he thought that the government should make and sell bread without profit - so the citizens of Manitoba could save money. His answer was "Oh no, because you don't have to eat bread but driving a car is a way of life." I submit, Mr. Speaker, that many more Manitobans eat bread than drive cars and I can see why many people ask themselves who's next?

Something else made me think. The Minister of Mines and Natural Resources set the record straight many times. That no one from the government had ever stated that there would be a saving if the government was in competition with the agents but only if the government had a monopoly. Isn't this saying that there can't be that much wrong or that many abuses if the government could not compete too successfully with the agents? I say, Sir, of course the government can make a point, if they have a monopoly in any business or industry they can make a point of reducing the cost, but then they can also do away with many jobs, and is this what we want?

Many Manitobans must be asking themselves who's next because from what was said, and the reasons given by those supporting the bill were: Industries, businesses, look out - you may be next. This is exactly what Mr. Hicks means when he says let us give a lesson to industry. In other words, it can happen to you and you and you.

And then we're told that if there was no profit the people would save that cost, and that's true, but there are other factors and I do not wish to compare the merits of either radical socialism or capitalism at this time.

Mr. Premier, you stated many times that you would not socialize anything for the sake of socialism but only if it was needed. I do not question your sincerity but the motives of most of those who demand that you take over the automobile insurance industry are clear and precise for everyone to see.

When I stood proudly beside you on July 1, 1969, I stated and I quote: "I still believe in that Liberalism that is concerned with and wishes to protect individual human rights. I do not believe that the Conservative party of Mr. Weir will serve this kind of liberalism. I do not believe in the kind of socialism that would see the government stepping in and taking control of business. I am convinced that Mr. Schreyer does not want this kind of socialism either, but rather social justice and greater equality of opportunity for all. It is my belief that I can support Ed. Schreyer while still adhering to my principles."

I ended my statement with these words: "I will accept the decisions of the caucus, unless they are against the dictates of my conscience. If such a situation should arise, then I will not hesitate to oppose it. Mr. Schreyer understands this and accepts it, as he does from all the members of his caucus."

If you do not agree with my request to go no further with Bill 56 at this time and to start dialoguing with the industry, what am I to believe? What am I to do?

On July 8, 1969, after I had announced that I was supporting you, these are some of the things I said to my constituents: "Today I'm on trial. I have asked you to pass judgment. The confidence that you have shown in returning me to office for a fourth term would seem to indicate that you have been satisfied with the way in which I represented you, the way I have served Liberalism in the past - but what about the future? Are you ready to stay with me in view of my public statements of a few days ago? Am I asking you to gamble too much? Have I the right to ask for your confidence? Well, I'm asking you just that and the answer must come from you, tonight."

Mr. Speaker, 11 out of approximately 1,000 citizens of my constituency said no. What about the others?

(MR. DESJARDINS cont'd.) . . . . .

Let me quote again from that same speech. "I know that I will not always win every point and I do not intend to take my bat and ball and go home if I can't always get my own way, and, although you might give me a vote of confidence today, at times you might even have doubts, but rest assured that I will work for you, for Manitoba, for Canada, for unity, for Liberalism inside that caucus. And although, as I said, I will undoubtedly be forced to give in at times, I will certainly draw the line, because I do not intend to compromise my principles - not now - not ever."

Then there is something else, Mr. Speaker, not something that happened in committee but something that I heard the Minister of Mines and Natural Resources say while being interviewed on a television program just a few days ago. He was asked if you, Mr. Speaker, should vote on this question, and he started by saying that he was only speaking for himself, not for the government, but that you had a certain obligation to your people, to the people who had elected you because you represented certain things. I agree with him, but not only in your case but for all of us.

In order that there be no mistake - and here's where I hope I won't be misquoted or misunderstood - I've brought out these points, not to say that I could never accept a government-sponsored plan, but only if there was at least some fair reasonable doubt that this is the only and the best plan.

I am not unalterably opposed to a monopolistic plan and I still say that we have many such plans and we will have more - there's no doubt about that - but I'm not satisfied when the Opposition states that medicare is different because you have a choice of doctor. Here you might still have a choice as to who will repair your car - let's call it your doctor's car - but in both cases you have no choice where you buy the insurance.

I believe that my suggestion presents an honourable solution for all members of this House - that it can prevent an election that is not wanted nor needed.

Mr. Premier, you'll remember that I always said that I was supporting your government and that I wanted to work to make you personally emerge as the strong man of that government. If this bill was passed at this time or if you call an election, you will no longer be the strong man of the government. It is possible that you could be returned to office with more seats but you won't be the strong man and it would only be a temporary victory.

As you know, we never made any deals, and I said that I would support you because I believed that you would be good for Manitoba, because many of your priorities were also my priorities.

A few times it was difficult for me to vote with the government but I did, and you accomplished a lot - you've done a lot for national unity and with your approval and in the name of the provincial government we are organizing a congress of all our ethnic groups where we will try to get them together, to work together to build a strong Manitoba mosaic. But if we pass this bill now, what we are trying to unite by culture and language, we would divide it by class. And one need only to have been present at the committee hearings to understand and know what I mean.

I've always said that I believed that there should be no privileged class in society but that also means that there should be no persecuted class.

I have stated before that my biggest hang-up in all this was the bitterness and fanatical attitude of just a few of the members of the government caucus.

Nothing has happened to change my mind on this, and I must say that I resented it when the Minister of Mines and Natural Resources, while speaking on a point of order, mind you, stated that the people who thought like Mr. Johnston and his group could only elect four members to the House - I resented it because it is not true - because they elected me - they elected the government, and although they never elected the Minister and never will, they made it possible for him to sit on the very front benches on the government side of the House.

I like the Minister. I respect him. His sincerity should never be questioned and he probably has more ability by far than anyone in this House, but the fact remains that at times during the debate on Bill 56, he was nothing more than a frantic fanatic, and that, Mr. Speaker, is scaring the hell out of Manitobans.

He has a lot to offer; he makes a darn good Cabinet Minister, and in his mind he is always fair. I could quite easily and I would like to keep on working with him if the Premier is the strong man in the government, and many others could do the same. But I promise you something, Mr. Speaker, Mr. Green could never be my leader.

(MR. DESJARDINS cont'd.) . . . . .

Mr. Premier, it might be that you will decide to call an election, and if so, there is little chance that I could run for office. You would make it impossible for me to support you at this time and I certainly would find it difficult to support a Conservative party dominated by an egomaniac who is constantly stabbing his leader in the back. I would then have very little value for the people of St. Boniface, and besides, who would have faith in a Judas - because there's no doubt that to those I don't please, I will always be a Judas.

Mr. Speaker, to every single member of this House, to each and every member of my constituency, to all the people of Manitoba and Canada, to all those who call me Judas, to the new set of political enemies I will have made with this speech, let me say that I will leave politics with my head up high and a clear conscience and let my record be an open book to be scrutinized by the coming generations.

It might be a good thing. After 15 years I am growing tired. But lest someone form the opinion that I'm quitting, let me assure you that I'm ready to keep on fighting for the principles that are dear to me, for national unity, for parental rights in education, for equal opportunity for all our children. Mr. Premier, I would dearly love to continue working for Manitoba with you - if you'll let me.

I might say here that I know that many will be disappointed by this speech. Some will think that the abuse I had to suffer during the past few months was too much. I say to them, I've been abused before but it never stopped me because I knew I was right. I knew I was fighting for a principle worth being abused for and it never stopped me, and I know that my fighting spirit is intact today, Mr. Speaker. But I don't intend to fight just for the sake of fighting or for purely partisan issues.

To those persecuted minorities who counted on me to fight for them, to try to rectify the wrong imposed on them by the infamous Manitoba school question, I say I'm sorry, but there is no way my conscience could allow me to see one group of human beings persecuted in order that another group could be given the freedom that is rightfully theirs.

A principle is a principle and I have never believed that you could exchange one for another.

It is with sadness, however, that I make this observation to you, Mr. Speaker, that people are ready to fight for their rights, to fight when it hits them in the pocketbook, but can sit idly by and watch the rights of others being taken away from them, the rights of others denied them.

Don't you think it would be nice if the agents and their friends who organized the survey in St. Boniface in the opposition to this Bill could do the same thing in Manitoba, that is to organize Manitobans to demand from their legislators that they respect parental rights in education and equality for all our children.

This indeed would be fighting for individual freedom and Sir, those who yesterday despaired, might now realize more fully and understand the despair that so many of us had to live with, not for three months, not for six months, not for a year, but for 90 years.

Mr. Premier, is it only befitting at this time for me to offer you my resignation as your legislative assistant and also as the director of the Secretariat on Dominion-Provincial Cultural Relations, but I hope that those civil servants who have been associated with me but who do not even know of my decision unless they are listening to me now, will not suffer because of my decision. There is still much work to be done in the field of official languages and cultures and their services will be needed.

Sir, I wouldn't want to close in what might be taken for a note of despair or pessimism. I have developed a friendship and respect for the members of the government caucus - even those, and maybe I should say especially those with whom I disagree the most. I've never doubted anyone's sincerity. I repeat that I would like to continue to work with the government in the same spirit of co-operation, of give and take, of mutual respect. But it is up to them now. Thank you, Mr. Speaker.

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

MR. G. JOHNSTON (Portage la Prairie): Mr. Speaker, I would like to move the adjournment of the debate but if it is not the wishes of the government I would speak at this time.

MR. SCHREYER: Did I understand my honourable friend to say that he would just as soon speak at this time?

MR. G. JOHNSTON: I would prefer to adjourn the debate.

MR. SCHREYER: Mr. Speaker, I have no objection to that suggestion. I thought that the speech made by the Honourable Member for St. Boniface on the one hand deserves considerable thought before making any reply, and yet I feel very much moved to attempt to deal with some of the observations he has made and to attempt to do so right now.

I suppose that ordinary common experience should indicate that the more beneficial course of action would be to take time to reflect and ponder on what he has just said, and therefore I have no objection to the honourable member moving adjournment.

MR. G. JOHNSTON: Mr. Speaker, I beg to move, seconded by the Member for Assiniboia, that debate be adjourned.

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

MR. SPEAKER: Notices of Motion; Introduction of Bills; Orders of the Day. The Honourable House Leader.

#### ORDERS OF THE DAY - GOVERNMENT RESOLUTIONS

HON. SIDNEY GREEN, Q.C. (Minister of Mines and Natural Resources)(Inkster): Mr. Speaker, would you move to the resolution on Page 4 of the Order Paper, and I wonder, Mr. Speaker, whether I could obtain the co-operation -- the resolution stands in the name of the Honourable Member for Fort Garry. I understand that the personnel of that resolution is not accurate and that a new resolution has been introduced by the Honourable the Attorney-General on page . . . .

MR. SPEAKER: Order. Order, please. May I draw to the attention of the gallery that we are finding it extremely difficult to hear an honourable minister who is on the floor speaking.

MR. GREEN: Mr. Speaker, the resolution on Page 4 standing in the name of the Honourable Member for Fort Garry, has been duplicated by the resolution on Page 6 standing in the name of the Attorney-General, and apparently it's just the personnel that are different and the resolution on Page 6 is the correct personnel, so I wonder if the Member for Fort Garry and all other members of the House would, by leave, have the resolution standing in his name dropped from the Order Paper and let the Attorney-General introduce the resolution on Page 6.

MR. BUD SHERMAN(Fort Garry): We agree, Mr. Speaker.

MR. GREEN: All right. Mr. Speaker, then, that being the case, the resolution on Page 4 has been dropped and I'll proceed with the next resolution standing in the name of the Honourable Member for Rhineland.

MR. SPEAKER: The proposed resolution of the Honourable Minister of Mines and Natural Resources, and the proposed motion of the Honourable Minister of Labour in amendment thereto. The Honourable Member for Rhineland.

MR. JACOB FROESE (Rhineland): Mr. Speaker, I did not think that we would be discussing this particular resolution this afternoon. As a result, I don't have my notes with me. But I would not object to this particular committee being set up. The report from the previous committee was brought in but it has never been dealt with and I had rather hoped that we would be discussing that particular report before a new motion was brought in and debated so that we could have had the benefit of honourable members of the Whole House to hear from them what their views would have been on the recommendations contained in the other report.

However, since this is not coming about and that a new committee will be appointed to continue the work and probably review recommendations that were made on a previous occasion, I certainly will not stand in the way or object to having further consideration being given. I think I did mention certain items when we did discuss the receipt of that particular report, and I have no intention of duplicating what I already said at that particular time. In addition to that, we now find that the indemnity of the members will be considered as well, and I think it is timely that this be done. Whether this is referred to an independent commission and that particular commission report before the next session, as is proposed, I think this is quite timely and also worthy of doing so, because I feel that with the amount of work that is being done by members of this House, and the extended time that is being spent on the work, both in and outside the House, and the expenses involved with staying on for those members who are coming in from outside the Greater Winnipeg area, certainly I think these matters should be reconsidered. Some of them have been mentioned when Bill 43 was under discussion and I already pointed out some of the items which I thought should be considered, so that at this time I do not intend to oppose the resolution but will support it, and I do hope, when the new recommendations will be coming forward, that they will then be acted on.

**MR. SPEAKER:** Are you ready for the question? The Honourable Member from Morris.

**MR. WARNER JORGENSON (Morris):** Mr. Speaker, I just want to make a few brief comments on the introduction of this resolution by the House Leader. This is essentially the same motion that was introduced last year which the committee gave a great deal of study to and brought in recommendations, including the amendment that is now contained within the resolution itself; that is the one dealing with the question of members' indemnity. The entire report was complete, I thought, and I think it is a shame that the recommendations that were brought in by the Committee at the early part of this session could not have been dealt with, and at least some of the more important ones implemented by agreement of the members of this Chamber, on the understanding that they would be effective for the period of this session, to find out how they would work and then at the conclusion of the session we could then have reconvened and had a better idea of how well they worked out and what changes might not have been necessary. However, they were not brought in and we did not have an opportunity of dealing with them and working with them so that we had an understanding of the changes that we had recommended.

It seems to me, Sir, that many of the changes that we had recommended could have avoided some of the difficulty that we were faced with during the course of this past session.

I might say here that it is not always the fact that you have a particular rule before you that ensures the proper and the efficient conduct of business of this Chamber. A great deal depends on the attitude of members to work within the rules, and a great deal depends upon the manner in which they are applied. I think there has to be a general agreement among members that the rules are there for the purpose of enabling the proper conduct of business and not the disruption of business of this Chamber, and I want to say a few words to the First Minister, since he is in this House now.

I think most of us who have been in this Chamber or other Chambers know that where there is controversy, and where there are differences of opinion as to matters dealing with the public, there are times when things are said that should not be said; there are times when, in the desire to present one's case, you get a little ahead of yourself, and I would think that, without reflecting in anyway on anyone, I would think that the First Minister would be one that would have been very desirous of setting the kind of example that could have been looked upon as exemplary, but instead, we found from time to time the First Minister led the interruptions that went on in debate - and I'm not saying that it didn't happen on this side of the House because it did. I'm not saying that the kind of interruptions that took place were all one-sided, but one would have thought that the First Minister would have been one that would have been anxious to set the kind of example that members would have been happy to follow.

I don't believe that the interruption of a member while he is speaking is the proper conduct of business of this Chamber, whether it be to ask a question or simply to make enough noise that he can't be heard, and we have seen a lot of that in the past session. The purpose of asking questions when a Minister or when a Member is through making his remarks in this Chamber, primarily were permitted in order to clarify a point that might not have been quite clear - to make sure that the record was clear as to what the member who was holding the floor at the time meant when he made a certain statement, but that has not been the case during the past session. We have drifted from the original purpose of asking a question when a member concludes his remarks, to one of cross-examination, and cross-examination during the course of second reading on any debate is not permissible. --(Interjection) -- Now, you see, you now have an example of what I mean, and I was sure that it would come from the former House Leader, the Minister of Labour. He could not contain himself in patience . . . .

**HON. RUSSELL PAULLEY (Minister of Labour)(Transcona):** Not with that balderdash, but carry on.

**MR. JORGENSON:** . . . to await his turn in debate and rebuke me if he feels I'm wrong, to rebuke anything I might have said, because that is his privilege during debate and that's the purpose of debate, not to make comments from one's seat or during the course of the remarks of the person who has the floor, and I think it is one of the practices that has led to much of the acrimony that has taken place during the last session, and I regret that kind of acrimony as much as anyone in the House because I don't think it has any place, no matter how difficult, no matter how much of a difference of opinion there may be on matters of policy, I can understand violent differences of opinion and this is the place to air them, but it still can be done in my view, Sir, it can be done in such a way that what you have is debate and not just shouting at one

(MR. JORGENSEN, cont'd.) . . . . . another, and I would hope that the tradition and the dogmas and the old ideas that the First Minister spoke of during the opening days of this session are not ones that will do away with the fine traditions of parliament and the decorum in debate that I presume has prevailed before this time.

It seemed to me, Sir, that if it is necessary, although I don't think it is necessary, we do have the provision within our rules now; it's a question of having them applied in such a way and understood by members in such a way that we can get on with the business of debating the issues that are placed before this Chamber while at the same time not revert to the kind of acrimony that has taken place on many occasions during the past session.

Also, Sir, it seems to me that much of the difficulty that we were confronted with could also have been avoided had there been a proper arrangement of the business of this Chamber. The management of the business of the House falls on the shoulders of the House Leader, and it does seem to me that if there is a proper notice of what business is going to be taking place in the Chamber at a given time, members on this side of the House are in a much better position, much better position to deal with those measures rather than having to wait until the last minute to find out precisely what the order of business is going to be. I was pleased earlier in the session when I requested of the House Leader if it would be possible for him to outline the business of the following day and he stated that it was a request that could be met, and to a large extent it was met by the House Leader and we hope that this practice will continue, because it is one that I think will lead to a better arrangement of the business of this House.

There is one other point, Sir, that I would like to raise, and that is the matter dealing with our present rule under Standing Order 26. Our rule at the present time provides that anyone wishing to move the adjournment of the House under Standing Order 26 notifies you, Sir, an hour in advance of the sitting, and I think that is a proper rule. It enables you to look up the references and to have some idea beforehand of what the precedent has been on similar occasions in the past. There is only one point in dealing with debate under Standing Order 26, and that is the question of urgency, and unfortunately, Sir, you have no way of knowing at the time that a motion is presented you one hour before this House is to convene, what the argument relating to urgency can be, and there have been occasions because of the lack of debate on this point, and on this point only, I think that opportunity for proper debate have not been permitted and I offer no criticism of that because that is our rule. What I'm suggesting, Sir, that we do give, as a committee, some consideration to the possibility of, in addition to the rule as it presently exists, that we do give some consideration to the possibility of permitting debate on the question of urgency alone, and in the House of Commons I saw no great difficulty in permitting debate on that question and keeping the debate on that question, and I found that in many cases the pressures for debate on the motion itself were relieved by simply having an opportunity to deal with the question of urgency, and I would hope that the committee will be able to look at that particular point when we resume our deliberations.

I might say that one of the recommendations, Sir, and I make this final comment in concluding my remarks, one of the final recommendations that was made during the committee report was that we append to our existing rule book an explanation of the difference between a point of order and a point of privilege. If there ever was anything that has been abused in this Chamber during - I wouldn't say it was only during the past session, I think it's abused in every session in every Legislature that I've ever seen - but the recommendation of the Rules Committee contained the suggestion that an explanation of what constituted a point of order and what constituted a point of privilege be appended to our rule book so that members, when they are often quick to rise on a point of order, or a point of privilege, would have some idea of precisely what they're rising on. I noticed that today, Sir, earlier today when the Member for River Heights rose on a point of privilege, before he even had an opportunity to point out what his point of privilege was, the House Leader was on his feet ruling it out of order, and it seems to me that before one can make a ruling on whether a question of privilege is a bona fide one or not, you must at least hear what it is, and it seems to me that some clarification of that particular rule might serve us in good stead in the future and enable us to carry on the business of this Chamber in a much more effective way.

I don't believe, Sir, that greater efficiency alone is the answer to dealing with the business of the Chamber but I do believe that an understanding of the rules and the proper application of the rules can avoid much of the difficulty that we face and that we created for ourselves during this past session, and it is my hope that no matter how bitter the debate may be on any

(MR. JORGENSON cont'd.) . . . . . given subject, and I hope that we never get along so well on one side of the House and the other that there is no such thing as bitter debate. There always should be, because it is this very difference of opinion that makes for a vibrant community and makes for the possibility of accommodating all the various shades of opinion that exist within this province, and unless they're given the opportunity of full expression in this Chamber, without restriction apart from the rules that we lay down before ourselves, then we have a Legislature that is not fulfilling its proper function in this province and I would not like to see that.

Sir, I approve this motion that is now before us in the hope that we can make recommendations for changes in our procedures that will enable us to take care of what is becoming an increasingly greater volume of business, perhaps more conflict between political parties, and all of the other ramifications that come with changing times and changing technology. Thank you very much.

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

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

MR. GREEN: Would you proceed, Mr. Speaker, to the resolution standing in the name of the Honourable the Member for Lakeside.

MR. SPEAKER: The Honourable Member for Lakeside.

MR. HARRY ENNS (Lakeside): Mr. Speaker, I adjourned this motion to give us an opportunity to have a discussion with it at caucus. We have no reason to hold the motion any further and agree to its passage at this time.

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

MR. GREEN: Mr. Speaker, would you call the resolution proposed by the Honourable the Attorney-General. Page 6.

MR. SPEAKER: The proposed resolution of the Honourable Attorney-General.

HON. AL. MACKLING (Attorney-General)(St. James): I wish to move, Mr. Speaker, seconded by the Honourable Minister of Youth and Education,

WHEREAS the Legislative Assembly of Manitoba at the Second Session of the 29th Legislature appointed on the 16th day of April, 1970, a Standing Committee on Statutory Regulations and Orders consisting of the following Members:

Hon. Messrs. Borowski, Evans, Petursson, Uskiw, Messrs. Allard, Barkman, Bilton, Desjardins, Fox, Froese, Graham, Johansson, Sherman, Spivak, Mrs. Trueman, Mr. Turnbull;

AND WHEREAS Manitoba Regulations 33/69 to 165/69 and 1/70 to 38/70 copies of which were tabled in the assembly by The Honourable Mr. MACKLING on the 18th day of March, 1970, are referred to the Standing Committee on Statutory Regulations and Orders;

AND WHEREAS it is deemed advisable that the Standing Committee on Statutory Regulations and Orders be authorized to sit in recess and after prorogation to consider the said regulations;

THEREFORE BE IT RESOLVED that the Standing Committee on Statutory Regulations and Orders appointed at this session have power to sit in recess and after prorogation to consider the said regulations.

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

MR. GREEN: The resolution proposed by the Honourable Minister of Municipal Affairs.

MR. SPEAKER: The proposed resolution of the Honourable Minister of Municipal Affairs.

HON. HOWARD PAWLEY (Minister of Municipal Affairs)(Selkirk): Mr. Speaker, I beg to move, seconded by the Attorney-General that,

WHEREAS The Standing Committee on Municipal Affairs in its report to the House on the 25th day of March, 1970, recommended the deletion from The Municipal Act of all provisions dealing with assessment;

AND WHEREAS the assessment provisions of The Municipal Act being Chapter 173 of the Revised Statutes of Manitoba 1954 were, with minor amendments, re-enacted at this Session as Bill No. 7;

AND WHEREAS The Standing Committee on Municipal Affairs has not as yet studied, in depth, the question of municipal assessment;

THEREFORE BE IT RESOLVED that The Standing Committee on Municipal Affairs consider the whole question of municipal assessment, including The Municipal Assessment Act,

(RESOLUTION cont'd.) . . . . and report to the House at the next Session of the Legislature with any recommendations in respect thereto.

MR. SPEAKER presented the motion.

MR. PAWLEY: Mr. Speaker, if I could just say a few words. I think in the last year or so that insofar as my department that I have the privilege of being Minister of, of all the many problems involved in municipal affairs, that problem relating to assessment has come more and more to the fore. It certainly is a problem that over the years has created, I think, increasing concern on the part of many throughout the province that there should not be a complete and full review.

There are many problems at present existing with respect to assessment that come to mind. We dealt with one of those areas when we dealt with Bill 148 the other day in Municipal Affairs Committee, the problem of rising assessment in the peripheral areas surrounding urban Winnipeg where farmers and market gardeners, due to no cause of their own, are suffering due to rising municipal taxation.

This will be only one of the problems that will be dealt with. The other problem, of course, that will be dealt with is a new Assessment Act. You will recall that we took the provisions of the old Act and this old Act is going to be referred to this committee with the hope that the inequities and anomalies that now exist in regard to assessment in the province will be carefully studied and examined by the members of the Municipal Affairs Committee.

I've noticed that particularly in rural areas - and I think it's a situation that's been gradually building up - there's been increased reservation and criticism of some of the principles that we've accepted as a guideline in respect to assessment in the past. Many of these criticisms, mind you, are based on a misunderstanding as to the role or the purpose of assessment, because assessment should basically be the method by which taxation on the local level, or the municipal level, may be more equitably distributed among the various ratepayers in a municipality, so that in any dealings or any change in assessment, one must always be very careful that in those dealings one does not unfairly or improperly shift inequitably a burden onto some other group within the municipality that should not have the added shift.

Over the past year the Municipal Affairs Committee has worked together in a co-operative fashion - I would say this for all members of that committee - on the various matters relating to municipal affairs, and with that spirit of co-operation we now have the new Municipal Act, and it is with the same type of confidence that I look forward to this committee dealing with this entire ambit of assessment in the few months that lie ahead, and I would suspect that all members of the House would concur.

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

MR. ENNS: Mr. Speaker, I'm sorry, I was momentarily disrupted. Just a question to the Minister and I think he covered it - I may have missed it. I'm making the assumption that Bill 148 specifically is being referred to this committee. Sometimes the reference to a committee that's being set up like that doesn't specifically mention a particular matter. It sometimes isn't dealt with, but I'm making that assumption that that is being one of the major . . .

MR. PAWLEY: The assumption is correct. It was agreed in the Municipal Affairs Committee and recommended from that committee to this House that Bill 148 would be referred to the Municipal Affairs Committee in light of the submission that had been made to us by the municipalities that appeared.

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

MR. FROESE: Mr. Speaker, just a few comments before this particular resolution is passed. The matter that is being referred to this particular committee is one that is very uppermost in my mind and I'm really concerned with and have had a concern for a number of years. The matter of assessment, I think, is very important and, as you probably know, I will not be a member of the committee. However, I do hope that the Clerk will send out notices to all members so that we will be aware when the committee is going to meet so that we can come in and participate in the discussions and hear the deliberations.

MR. PAWLEY: I've no reason why that cannot be done. I don't believe the honourable member is a member of the committee, in fact, but I see no reason why we couldn't see to it that notices . . .

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

MR. GREEN: Mr. Speaker, I move, seconded by the Honourable Minister of Finance, that Mr. Speaker do now leave the Chair and the House resolve itself into Committee of the Whole to consider the following Bill No. 134.



MR. SPEAKER presented the motion and after a voice vote declared the motion carried and the House resolved itself into Committee of the Whole with the Honourable Member for Logan in the Chair.

COMMITTEE OF THE WHOLE HOUSE

MR. CHAIRMAN: Bill 134, An Act to amend The Election Act (2). The Honourable Member for Ste. Rose.

MR. GILDAS MOLGAT (Ste. Rose): Mr. Chairman, before we enter into discussion of the Act, I wonder if the government has any amendments that it intends to propose to the Act. During the course of the debate there were some suggestions back and forth and I wondered if the government had prepared any amendments.

MR. SCHREYER: That is correct, Mr. Chairman. I can indicate to honourable members that during the course of discussion on Bill 134 there were three substantive items raised by honourable members. One had to do with the definition of "recognized political party". We have an amendment to offer there. The second was a point raised by the Honourable Member for Churchill - I'm not sure if it was raised in debate or in private conversation but, in any case, it was regarded as valid and there's an amendment to be offered there. The final one is really not substantive; it has to do with the deletion of four words. They have to do with sections 179 and 180.

MR. MOLGAT: Mr. Chairman, I wonder if it would be possible, and I agree that the government doesn't have to do it, but if we could see the amendments before they are moved so that we might be able to formulate some idea upon them.

MR. SCHREYER: Very well, Mr. Chairman. I believe that Legislative Counsel has copies of the amendments. He is not here at the moment, unfortunately. Perhaps I could have one of the pages or someone check with the Legislative Counsel office to see if copies of amendments to the Election Act are available. -- (Interjection) -- Well, there is a problem, I should advise my honourable friend from Ste. Rose. Perhaps it would meet the agreement of members if I were to read the amendments and I'll do so now rather than wait until we actually come to the sections.

The first amendment which relates to new clause (n.2) of the Act as set out in Section 1 of the Bill, would be struck out and the following substituted:

"That 'recognized political party' means an affiliation of electors comprised in a political organization whose prime purpose is (1) the fielding of candidates for election to the Legislature; or (2) conducting a political campaign by advertising or otherwise."

I could explain, in further elaboration, that the reason we are proposing an amendment is because the setting of an arbitrary five percent, while it's as fair as any arbitrary limits that have been set in other countries, in other provinces, wherever this has been implemented, even if that were accepted, it leaves the problem with respect to one or two political parties that certainly engage very heavily in the political process but who at election time obtain less than that percentage of the vote. It doesn't seem right nor desirable to exclude them from the responsibility to report on their internal financing just as the other parties are required to. So we are removing the five percent reference and just making a more general definition.

The second amendment is with respect to new section 179 of The Election Act and reads as follows: "The cost of transportation of a candidate or an official agent in a rural constituency, or in a constituency all or part of which lies north of the 53rd degree of north latitude, during a provincial general election as substantiated by invoices or receipts thereof, shall not be included for the purpose of calculating the amount of expenses of the candidates that are limited under this Act, "the point here being that: -- the Member for Churchill made the point and I certainly did not take very long in agreeing that in northern ridings in Manitoba really transportation costs are a major factor and any \$500 limit or \$1,000 limit has little relevance, as long as there is a submission of invoices of actual transportation expenses, no problem, and they would not be counted as expenses for general purposes of the Act.

The third motion is simply to delete the words in Section 180, delete the words "representing a recognized political party" so that the requirement of filing with the Chief Electoral Officer a statement of expenses, etc. would be on every candidate and official agent, not just those who were of a recognized political party; and that was not an intention, it was an error that we are correcting simply by deleting those five words.

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

**MR. MOLGAT:** Mr. Chairman . . . while we are on the -- before we get into the specific clauses, then, on the general clause, and I have not checked this in the Act, we have made so many changes in the past few years - where do we stand now on the matter of deferred elections? Are they still allowed under the Act in certain constituencies? Because I think that this is one that we should look at while we are looking at the Act in general.

**MR. SCHREYER:** . . . my honourable friend that deferred elections were a provision of the previous Election Act that we would not be sorry to see removed, and it was really my intention to move to change that provision so that there would not be deferred elections again. Now I am quite sure, however, that that is not included in this bill unfortunately. If the honourable member wants to move an amendment, I think I am safe in saying that we would have no difficulty in accepting it.

**MR. MOLGAT:** If the page boy will bring me the Election Act I will see what amendment I can prepare on it, Mr. Chairman, because this is one that I know has been of considerable annoyance to people in northern Manitoba in past years. They felt that they were, in a sense, second class citizens and that they were not really given a free ballot and a free vote, that you waited until a decision was made in the southern end and then you expected northerners to somehow accommodate to that decision made by. . . . So I would be very much in favour of removing it. As I say, I'm not quite sure what the provisions are. I know we have discussed it in the past. It may be that we made some changes. I'll try and prepare an amendment.

**MR. CHAIRMAN:** The Honourable Member for Birtle-Russell.

**MR. HARRY E. GRAHAM (Birtle-Russell):** Mr. Chairman, on the subject of deferred elections, first of all, Mr. Chairman, I want to say that I am not an authority nor do I profess to be an authority on any matter such as a deferred election, but I believe that if history is correct, one of the principal reasons for a deferred election in the past was the fact that there were certain times of the year in certain areas of the province where it was practically impossible for suitable transportation to be arranged. Now I do not believe that we have a road system that still allows, or allow us yet to arrive at any given community in the province at any time of the year. There are the periods of freeze-up and break-up in the fall and the spring when air transportation, especially by means of water, on pontoons or on skis on aircraft, makes it very difficult to move from one community to another, and it is my belief that this was the reason why there were deferred elections in the northern areas in the past.

Now I don't believe that every community has an airstrip as yet although we are moving in that direction where we could have year-round air transportation into every community in northern Manitoba, but perhaps someone else could give me more information on that matter.

**MR. CHAIRMAN:** The Honourable Member for Churchill.

**MR. GORDON W. BEARD (Churchill):** Well Mr. Chairman, I imagine I would be about of the same mind as the Minister of Transportation in respect to deferred elections. Sometimes they can work for you and sometimes they can work against you. That's the gamble of the game and you never do realize it until the last few days. The unfortunate part that comes about in respect to campaigning in some of the northern areas and particularly in the Churchill area, is that we do not really have a square deal, as far as the Chief Returning Officer goes, in getting the material out to us and then from our Returning Officers out to their deputies. This is not a fault of the man in charge of the election. It's just a point that transportation is very difficult to get these things moving, and to get the typing done and to get the work done that can be done here within 2 or 3 or even 7 days in the city of Winnipeg, it just can't be done in some of the areas in the north. Nor is there any set-up with the press that can be done, and the only reason that it takes a few days in Winnipeg is because the press holds it up or you may not be able to call a contract, or some other system, but in the northern riding it does mean that somebody has, an enumerator has to go in, and an enumerator has to go in again and bring the results of the enumeration out. Then they have to take the box in and they have to bring the box out after, of course, and there are all those things which can hold you up.

When you are flying, it's so much different than when you are driving a car. You can get hung up for three or four days at a time -- if I can think at the last election I was located in Split Lake for 4 days. This knocks an awful lot of time off of a short election and it is no fault of your own; you can't do a thing about it. You have to change your whole schedule. There is no means of advancing your itinerary so that everybody knows in the communities when to expect you, etc. On the other hand, granted, when you get to the community, then everybody

(MR. BEARD cont'd.) . . . . pretty well knows there is a candidate in that community within the few minutes after you have landed your plane, but it's coming to a stage now where there's more and more air fields in isolated communities; the fact that if government don't have to call an election at the freeze-up time, then this doesn't really give us much more of a problem than it does in some of the other communities in rural Manitoba, but the real problem is the legal distribution of hanging up, posting the resolutions, etc., and I doubt very much whether there ever has been an election held in the Churchill constituency, and probably in some of the other northern ones, that was entirely legal throughout the whole of the election period, because of the fact that the material was just not available at the right time nor was it posted at the right time, etc. So those are the things that really you have to contend with. If you stick with the legal dates, then it hangs a terrible price tag on the government for flying the Returning Officer around several times to do the job, and I suppose this is one of the prices that the province has to pay for calling an election, but I don't think deferred elections give us the answer particularly.

MR. SCHREYER: The Honourable Member for Churchill raises the question of deferred elections again and expresses the view that they are not the answer, but does he agree that they do pose a dilemma in that if we do not, in the Election Act, allow for deferred elections in the two northern ridings, that means that in the spring break-up period and in the fall freeze-up period, then there could be no elections -- I mean, a provincial election just could not be called in that six-week period in the spring and that six-week period in the fall because there is no way of getting into some of the remote communities such as my honourable friend is well aware of - Cross Lake, Red Sucker Lake, etc.

MR. BEARD: . . . modern day terminology, you're damned if you do and you're damned if you don't, but the Honourable Member for Ste. Rose talks about second class citizens; I suppose they really would think that they were second class citizens if in fact the candidates could not get in to see them. If you're experienced in campaigning, I suppose you can select the areas in which you can get into. Sometimes you can get around the six-week period in that some of the southern areas can be looked after - or the northern areas can be looked after first and the southern areas later on. But I do say this, that it shouldn't be done -- we shouldn't really, I don't think, take it out of the Act, but I don't think that government should use it, be able to use it politically, and I don't think that any one government has ever made a decision on holding an election during that particular six-week period of the year just so that they can defer two ridings. -- (Interjection) -- I doubt very much whether they chose that period of time to have a deferred election. In fact, I don't think we should have had a deferred election at that time.

But, if you wanted to reword it so that it was weather conditions, maybe, or even given them a more extended campaign time - I don't know whether this can be done. I guess this is impossible. But you're going to have to face up to the fact that all the rules of an Election Act cannot be followed to the day in the northern riding as they can be in the urban centres, and that is my real concern. It would be quite frustrating for candidates to go out and fight an election and then have it defeated, the whole campaign defeated because of the fact that one other candidate proved that some small portion of the Election Act was not valid because the resolution hadn't been posted at a certain day, that they were a week old, or something along that line, and then have to go to the expense of having another election in that one particular riding. So I think those are the things that we should take under consideration.

I think government should have the right to hold elections, certainly, on a year-round basis, or else on one particular date, but that's up to the government to decide, not to me. But as it now stands, I think that with deferred elections that if you are not going to tie yourself down to not being able to have them at freeze-up or break-up, which really compliments the rural areas, then I think that both the Member for Ste. Rose and yourself would have to look very carefully at any amendment before you precluded that type of arrangement.

MR. CHAIRMAN: The Honourable Minister of Transportation.

HON. JOSEPH BOROWSKI (Minister of Transportation)(Thompson): Mr. Chairman, I would like to make a few remarks about the resolution that the Member for Ste. Rose is going to bring in. I think it's a good one and I had wanted to bring it in myself but - I think I said this last year when the question was asked - since I raised considerable heck when I was in opposition about the fact that there was deferred elections and then the Member for Lakeside asked me if we were going to rescind it, I said no, there's no problem; I don't expect an

(MR. BOROWSKI cont'd.) . . . . . election, therefore it's not necessary to change the rules. However, it looks like that's not the case today. In any case, Mr. Chairman, this rule was brought in a regulation way back when, I don't even know how long ago, but it was brought in when transportation was almost non-existent in the north and it made a lot of sense to have deferment, particularly if the election fell in the spring or in fall, and there is an area of about three weeks which is impossible to get in because of thin ice. But I think in the last five years there's been a lot of airforce runways, mud runways and gravel runways built in the north, which means you can get in summer and winter. Since we have taken office we have accelerated a program of building runways in the north and I would say right at this moment there's probably very few communities which you can't get in with an aircraft summer or winter, regardless of whether the ice is too thin or not. I suppose the reason I'm hung-up on this is because I recall vividly in 1966 when the Conservatives called an election - there was no crisis, they simply called it because they felt it was politically expedient - the election was held in the south and the northern seat of course became very crucial. I recollect at that time in order to defeat our candidate, the New Democratic candidate, which we felt was a real winner, the Liberals had first of all withdrawn their candidate or made the type of proposition where he forgot to file his papers making it a two-way fight, and then on top of that . . .

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

MR. G. JOHNSTON: . . . on a point of privilege, I would not like that impression left by my honourable friend that the Liberal Party did not withdraw their candidate. I believe my friend will remember that the Liberal candidate was snowed in, or weathered in some hundreds of miles away from his home town of Thompson and his papers could not be filed because of that. There was no withdrawal.

MR. BOROWSKI: Mr. Chairman, I'll correct that statement. The Liberal Party as such did not - the Liberal Party and the people who ran the campaign in Thompson arranged it so that the candidate would not be there to file his papers. The candidate admitted that he thought that he had did what was necessary.

MR. G. JOHNSTON: If the Minister cares to make that charge outside this House I will be satisfied, but as he well knows he has immunity in here. If he wished to make the charge outside the House I dare him.

MR. BOROWSKI: Mr. Chairman, that charge was made by myself, by the executive of the NDP right after the election, it has never been challenged, back in 1966. I'll make the charge in front of the Post Office at high noon if you so choose. I'm not afraid to say what happened and it wasn't challenged at the time. In addition to that . . . .

. . . . . Continued on next page.

MR. MOLGAT: Mr. Chairman, if I may on the point of privilege - because I was the Leader of the Party at that time and I want to make it absolutely clear in the most precise terms possible that there was no such activity that I am aware of. Certainly the Liberal Party was not involved in any kind of an arrangement of any sort regarding a candidate in that constituency who did not run. I was appalled at the fact that the papers had not been presented. I objected strongly at that time to our executive. It was certainly through no action on our part of any kind.

MR. BEARD: Mr. Chairman, on a point of privilege, I happen to be the candidate . . .

MR. CHAIRMAN: I'm not sure the members are in fact speaking on points of privilege. It seems -- (Interjection) -- Order. It seems to me that they are stating their understanding of the situation and should probably enter the debate rather than speak on points of privilege.

MR. BEARD: Well all right I'll let him finish . . .

MR. MOLGAT: Mr. Chairman, I want to make it clear that the point of privilege under which I was speaking - the member suggested that the Party of which I was the Leader was involved in what I consider to be an improper practice and that we had deliberately prevented or arranged for an individual who was our candidate not to be a candidate through some devious means. I consider that - I don't think that the statement he's made is necessarily against the act as such but I certainly consider that it was an indication that I had been involved in an improper and questionable practice.

MR. CHAIRMAN: The Honourable First Minister.

MR. SCHREYER: Mr. Chairman, it seems to me that the point of privilege before you is not that difficult a one to resolve. Unlike the Minister of Transportation, I was not in Manitoba at the time when this incident occurred so I'm in less of a position than he or anyone else to know that much about it. I make two observations for guidance of the Chair. (1) I think we must all agree that human error is possible and takes place not infrequently and may well have taken place in this case back in - when was it, 1966 - on the part of whoever the candidate was. And the other rule Mr. Chairman, is that if an honourable member rises and indicates that this is his knowledge of the matter then we must take his word for it. If the Member for Ste. Rose wishes to rise and say that to his knowledge that this was not an intentional act then there is no problem. We simply take his word for it.

MR. CHAIRMAN: I think that was my point, that members would be far better to give their interpretation of the question because in part some of these are really disputes in terms of interpretation rather than points of privilege. The Honourable Minister.

MR. BOROWSKI: Mr. Chairman, I want to assure the Member for Ste. Rose that the thought had never crossed our minds that the Liberal Party of Manitoba, even at that time in '66, at no time did we suggest that the Liberal Party as such, because I know at that time the Liberal Party was fighting down south very hard to win the election - There's no question in our minds, never was, that the leader or his party - It was the local group that made arrangements and at that time it was an open secret. I know it was no fault of yours; it's decisions we make in our party - decisions up north that the people down south don't agree with. We, as a New Democratic Party down there we have our local, we make a decision and that's it. And your group made a decision without your knowledge and consent, and I'm certainly not going to fault you for it I can assure you, that we're satisfied that those that were responsible had nothing to do with yourself and your party.

The other thing that we objected to very strongly is after the election was won, I believe there was a margin of 4 seats at that time, so if that seat went that means that there would be a margin of two in the Legislature; one going to the Speaker, would have left a margin of one. The result was that Mr. Roblin who was then Premier and his Cabinet Ministers packed their bags and packsacks full of whiskey and spread out throughout the constituency - and it's a big constituency - and this two weeks gave him an opportunity to go around and campaign at the government expense . . .

MR. JAMES H. BILTON (Swan River): On a point of order, Mr. Roblin is not here to defend himself and I'm perfectly certain that he did not leave with a bag of whiskey to get a candidate on . . .

MR. BOROWSKI: Well Mr. Speaker, there's a good reason why he's not here and that probably contributed. But the fact is the Member for Swan River will agree that it's unfair for us who were fighting an election that was won two weeks before that, to send half the cabinet up to Thompson. I recall our Leader, Mr. Paulley come up there and he ran into

(MR. BOROWSKI cont'd) . . . . Mr. Roblin on the street, there's quite a story and a picture about it, a campaign was waged by high priced ministers that had come there to fight us with our meagre resources and we were certain that we had the election stolen from us - we lost by a thousand votes in spite of the fact that there was only Mr. Beard running for the Conservatives and Mr. Hudson for the New Democrats. With all the high-prices help in there in the campaign we thought it was unfair and this was a pure manipulation of people of northern Manitoba and I think they showed their resentment in the last election. I don't want to see this happen again, I don't want to see it repeated by this government or any other government.

I think that elections are controlled by the government and if this government or any other government is foolish or politically unscrupulous enough to call an election during Spring break-up or Fall freeze-up, they will have to answer to those people. When they call an election at such a time that the candidate, whether it's Mr. Beard or myself, can't get around in his constituency they'll answer for it. I don't think we should leave that type of provision in the Act. I think in this day and age with the modern means of transportation, two-way radio communication and recent announcement that the Minister of Finance made where all communities with 50 people or more will have radio-telephones, there's absolutely no reason for this section to stay in the Act, and for that reason Mr. Chairman, I hope that everybody in the House will vote to have it thrown out.

MR. ENNS: Would the Minister permit a question?

MR. BOROWSKI: Yes.

MR. ENNS: Would the Minister also charge an opposition as being irresponsible for having the audacity to perhaps defeat a government in springtime or in fall-time and thereby causing an election at that time or do we still have the option open to trying to defeat a government at that time?

MR. MOLGAT: I wonder if I might just ask a question of the Minister relative to something he said.

MR. CHAIRMAN: The Member for Ste. Rose.

MR. MOLGAT: . . . and it was earlier in his comments when he said that some months ago he didn't think that the change in the Act was necessary because no election was contemplated but if he felt that the situation has changed could he tell me what is the date of the issue of the Writ?

MR. CHAIRMAN: The Honourable Member for Churchill.

MR. BEARD: Thank you, Mr. Chairman. I haven't heard a more contemptuous bunch of statements in this House affecting me since I've been in here. The Conservative Party did not take up a bunch of whiskey to feed to the people in northern Manitoba and the Minister of Transportation shows his ignorance of the people of northern Manitoba when he says that they can be bought with whiskey. If this is the way he campaigns, and I anticipate it is, that is fine and dandy for him to campaign with whiskey and wine. I would suggest to him that wine is cheaper than whiskey - with my knowledge of prices of liquor - so if he wants to use wine that's fine with me. But I haven't used it, nor has the Conservative Party used it, to my knowledge, in the north, nor have they used it in aid of my campaigns any time when I was with the Party, nor have I used it when I ran as an independent. Let's keep the record clear as far as that goes. If he wants to sling mud that's fine, but he knows the stain's there even if the mud falls off the wall. And he can make statements like that and they'll still stick, whether they're true or not; and I'm here to say that they were not true, they were lies that he said, and I will not retract that; I will not retract it. I have never spent money in that way nor has the Conservative Party spent money on my part, on my campaigns, and I say Mr. Chairman, I want to continue and finish . . .

MR. CHAIRMAN: Order. I'm going to let certain comments pass, I should not, but I'm going to ask the Member for Churchill to watch his language and at the same time I'm going to ask the Honourable Minister of Transportation to curtail his remarks till the member is finished if possible. I don't want a shouting match to develop or some unparliamentary language flying around the Chamber.

MR. BEARD: Then I think it should have been stopped a long time ago, Mr. Chairman. Mr. Walsh who was running as a Liberal candidate was running for the first time and we agreed that it was not an intentional error. It was not an agreement between the Conservative and Liberal Parties, nor was there any intention to gang up to beat the NDP. At that time the

(MR. BEARD cont'd). . . . general consensus of opinion in the constituency was it would either be a Liberal or a Conservative win. This was what the papers quoted before the election started and this is the way the papers quoted it throughout the election and when Mr. Walsh didn't show up to sign his papers then the Liberal Party of course had to drop their candidate. But really I don't know why this was brought in because it was only a chance to throw a little mud, because it had nothing to do with the deferred election, not a thing to do with the deferred election. This could have happened on any date in any election campaign whether it was the Member for Portage or whoever it was - if he had forgot to sign his papers and couldn't get back at that time then he wouldn't have been able to run. And that wouldn't have been deferred election.

But if the actions in this House today have caused the Member for Thompson to make his decision that there must be an election - and he has indicated by what he says, shortly, then I would say that that was an election speech he gave. He started to kick it off, and I hope he gets out of the gutter before he finishes the campaign if that is supposed to be an election coming up. He can get out of the gutter if he wants but if he gets into it, I'm not going to get into it with him. But he can stay there if he wants. Maybe that's where he belongs when he says things like that. But Mr. Walsh ran, Mr. Walsh was weathered in at Moose Lake and I say that it was the people that were heading Mr. Walsh's campaign who were experienced and knew what should be done that weren't paying attention to their homework. I wasn't happy. My campaign was set up for three candidates and there isn't a politician in this House that wouldn't be a little concerned if on election day all of a sudden one man dropped out. That is the concern of all candidates - you don't know what's going to happen then. And I don't think, have no reason to believe, that the indication would have been any different if Mr. Walsh had run - or the results. It was either vote for government or against government and there were approximately 1000 people actually that decided they wanted to vote for government so they voted for it and that was it. But for a man to get up today when we're talking about deferred elections and start to campaign for the next then I don't know, I think that he should wait until at least the Writ is announced so that we all get a running start.

MR. CHAIRMAN: I would just like to clarify a point here for a moment. I assume that we're dealing with amendment (n. 2) is that the motion of the First Minister?

MR. SCHREYER: Mr. Chairman, if I may on a point of order try to help you achieve some clarification. I read the amendments out only because we were unable to distribute copies to honourable members who asked for them. They have now been distributed and I suggest that the best way to proceed is to go clause by clause in the normal way, unless the Member for Rhineland has some point to raise that doesn't relate to any of the clauses, in which case he may wish to speak now. If it relates to a particular clause, I suggest he could wait till we get to it.

MR. CHAIRMAN: I assume that we're on the section (n. 2) at the top of Page 2?

MR. MOLGAT: We haven't entered the bill. I started the comments before we entered the bill because there were some general points. I might point out that I have another general point before we enter the bill as well on a clause that's not in the bill. So I think we're at the point before the entry of the bill.

MR. CHAIRMAN: We're still before the actual passage of the Section 1 then? All right. The Member for Rhineland.

MR. FROESE: Mr. Speaker, my comments will be brief at this point. I have listened with interest to the other speakers that preceded me here this afternoon and also listened carefully to the comments from the Member for Churchill as well as the Minister of Highways, and I think I should mention one or two points, and one is to do with the matter of a recognized political party. There is a proposed change being brought in, which I needlessly not object to; I think we should have some description. Naturally I would have preferred it the way it was - this would have excluded certain people at this point, but at some later point no doubt it would apply so I don't really object to the amendment. But the point is this, that I think once we have this set out in the Act that this also apply to the rules of the House and that the same privileges be afforded groups in the House here which will henceforth be recognized political parties - so that the rules will apply to us as well and that some of the privileges that other members who are of recognized parties in the House will also apply to us. I hope that this thing will be followed through when the Committee on House Rules will be meeting later and in between sessions.

(MR. FROESE cont'd)

The matter of deferred elections - this is I think, a matter that should concern all of us and we should pay attention to. I really don't know just how to correct the situation, but could it be worked out that Nomination Day could be earlier in the northern ridings so that election day would be the same but that they would have a little more time.

I know the time between the time that the writs are issued and election day is very short; I think is a minimum right now and I don't know how the Clerk, the Chief Electoral Officer would be able to do the necessary work and get everything done as was pointed out by the Member for Churchill. If there was some way of doing this, I think I would certainly favour it.

The matter of travel costs. Rather than eliminating it entirely as far as certain members are concerned in the northern ridings, should we not eliminate it completely for all members then so that we would be on an equal basis? I don't know whether the Premier and the members of the government have given consideration to this point, whether to eliminate that completely so that it would not enter the picture. Maybe there are things that I might not be thinking of and that might be valid reason for retaining it in the Bill. If so, I would certainly like to hear from the government benches on this point.

On the matter of accounting. I'm not sure whether all parties have chartered accountant audits done of their books. Certainly the way I read it now this will be mandatory and that books will have to be audited by competent people and reports made.

In general, I support the Bill and I do hope if we can make improvements on it I'd be certainly for it.

MR. CHAIRMAN: The Honourable the First Minister.

MR. SCHREYER: Mr. Chairman, I listened with interest to comments and views expressed relative to this Bill. There were some that arose that I did not anticipate . . .

MR. J. WALLY MCKENZIE (Roblin): He's not closing the debate, is he?

MR. CHAIRMAN: There's no closing of debate in committee.

MR. SCHREYER: No, I wasn't suggesting that debate was being closed. It's clause by clause, committee of the whole stage.

I was saying, Mr. Chairman, that even some of the views that I didn't anticipate hearing with respect to this Bill, I was interested in listening to. I refer to the difference of opinion expressed by the Member for Churchill and the Minister of Transportation. However, I don't suppose there's any point in pursuing that at this time.

I come now to refer to two specific suggestions that have been raised by honourable members, the one by the Member for Ste. Rose. I know that he will be presenting an amendment in due course, in clause by clause consideration. I would like to go on record as saying that it is my view that there is a clear dilemma here because if we remove the deferred election clause from the Elections Act, it will make it very difficult administratively to operate the election machinery in the northern riding, especially if the election takes place at that date in the year or that period of the year coinciding with the spring break-up and the fall freeze-up period when you cannot land a float plane and you can't go in with a ski plane and no other access is possible.

I am therefore of this opinion, that despite that, we should remove reference to deferred elections so that the onus becomes complete on government not to call elections except at such time as it is possible to have all round transportation access across the province. If we continue to have the deferred election clause in the Act and say simply but government shouldn't use it, or shouldn't call elections at a time when that clause would have to be invoked, you're putting a kind of moral obligation, a non-statutory moral obligation on the government and sometimes - I was going to say some governments would honour it, others wouldn't. In order to make that appear less offensive, let me say that the same government might at one election honour it and the next one not, depending on what they judged to be circumstances of the moment. So I don't think it's tenable to have it in the Act but say don't use it or use it as little as possible. You either keep it in in the full knowledge that more often than not it will be used by government to defer elections in one or two northern ridings or you remove it completely and make a perfect onus on government to call elections when they know that they will not have to violate the Act. I'm inclined to the latter.

Now some honourable members here perhaps have a good idea as to what the practice is at the federal level. I know that years ago they used to have deferred elections in northern



(MR. SCHREYER cont'd) . . . . federal ridings. I do not believe that that is the case any longer and I say that if the Federal Government can succeed in holding elections and running the machinery of elections in all of Canada, including all of northern Canada and the high Arctic, then surely the Province of Manitoba has to meet that same challenge. But while I appreciate the administrative difficulties, I come round to say it has to be offensive to the democratic electoral process to have elections in 56 ridings and hold back two and have the people vote when they know the outcome in the large majority of ridings; it just has to be offensive and I think, on balance, unacceptable.

So I would not hesitate, although normally it's not good practice to write law you know, in a hurry, nevertheless, I'm sure members have considered the deferred election problem and if the amendment is being proposed I think we all have enough understanding of the matter to be able to vote on the amendment when it comes before us.

Now the Honourable Member for Rhineland says that he is not greatly opposed, but nevertheless a little opposed to the deletion of the reference to five percent as being the criteria for defining a recognized political party. He would have preferred to have that remain. I don't want to sound offensive but I take it from that that this would not harm the party of which he is the House Leader, Social Credit having received more than five percent in the last election or two or three. But I say to my honourable friend that if he looks at the amendment we are proposing, it in no way affects the recognition of the Social Credit Party one way or the other. The honourable member's problem is rather one of his recognition here in the House, in the Legislative Assembly, and I want to say to him that I have really, I've had great sympathy for his position but there is, again, a real dilemma here, for more than one reason.

In the first place, much as I would like to see the honourable member recognized as a political party, nevertheless it seems to me that party by very definition in the most generic sense of the word "party" has to have at least two in a given place to be recognized; my mind boggles at the idea that one person can be recognized as a party. You know the expression, "it takes two to tango" - one person can't tango; two can. You don't need four to tango. I would not need convincing personally that perhaps the criteria should be two rather than four, but it cannot be one; to me that is self-evident, it cannot be one.

Having said that, I would like to indicate to the honourable member one other reason why we have changed the definition of "recognized political party" to remove the five percent figure, without mentioning parties by name. It might well be that if we leave it at the five percent mark and exempt parties -- and there are some parties who function pretty actively in Manitoba and in Canada and who receive less than five percent of the vote but nevertheless who have headquarters, etc., -- they wouldn't have to report on their finances and it seems to me that they should not be let off just because they receive less than five percent, so that's why we removed it. The Honourable Member for Wolseley had some involvement in that change.

So on balance, I think, Mr. Chairman, that the best course now is to simply go clause by clause and deal with whatever specific amendments arise.

MR. CHAIRMAN: The Honourable Member for Roblin.

MR. MCKENZIE: Mr. Chairman, I just had one brief section to comment about with the First Minister and that's the one pertaining to the program to be logged by the radio and television stations and I thought I had the copies of correspondence with me today with regard to this matter and unfortunately haven't got them, but if my memory serves me correctly, the question was raised as to whether or not we have the jurisdiction in this province over the medium of television and radio in this particular field. I believe the Attorney-General maybe has had some correspondence from the Canadian Association of Broadcasters and also from the Canadian Radio and Television Commission - or maybe he hasn't, I'm just assuming that maybe it was directed to his office. I would just like clarification on the point, Mr. Chairman.

MR. SCHREYER: Mr. Chairman, the honourable member raises an interesting, if not fine, constitutional point. It is our contention that surely a province must have legal authority to govern its own election, its own Electoral Act, and to govern its own electoral practices. There can be no disputing that. I don't think the honourable member would dispute that. On the other hand -- (Interjection) -- Yes, obviously matters pertaining to broadcasting, since Privy Council decision back in the early 1930's, broadcasting comes under the constitutional jurisdiction of the federal government and so there you have what seems to be an apparent conflict. However, I think that the conflict is more apparent than real. I cannot contemplate, I cannot really envisage any federal agency so exercising its constitutional authority as to

(MR. SCHREYER cont'd) . . . . . impinge on the ability of a province to govern and conduct its own election affairs.

MR. MOLGAT: Mr. Chairman, I would like to refer to another section which is not in the proposed Bill which I think does need some clarification.

I'm referring to Section 12(3) of the Act - not of the Bill, but of the Act - Section 12(3) of the Act is Time for Nomination of Candidates and it reads: "The time for the nomination of candidates fixed in the Proclamation shall be from 12:00 o'clock noon until 1:00 o'clock in the afternoon of the day fixed for that purpose."

Now it seems to me that this is a section that should be changed, Mr. Chairman, which the Bill doesn't do, because every year I'm sure the Returning Officer gets the same question asked of him, is that the only time that you can file nominations and I suppose if you were to follow the Act to the letter that is the time when you have to file your nomination papers. I know in practice what has happened - (Interjection) - I beg your pardon?

MR. SCHREYER: It happened to me once - the first time.

MR. MOLGAT: Yes, I'm sure it happens and it is probably - going back to the comments of the Minister of Transportation, it's probably what happened in Churchill, that they thought that there was only that one hour when you can file, and really what happens in practice is that most of us who are old hands at it, we go in and we file very very early, we insist on getting a receipt, we do it by cheque, certified so that we have a copy of it, and we do all these provisos, but still, if you go back to the Act, it's that one hour. I think we should amend that and simply have it so you could file at any time up to one o'clock on . . .

MR. SCHREYER: Would you permit a question?

MR. MOLGAT: Yes, certainly.

MR. SCHREYER: The honourable member having just demonstrated how aware he is of The Election Act and all of the things that have to be done to be done properly to avoid risk, did he communicate all of his wisdom to the Liberal candidate in Churchill in 1966?

MR. MOLGAT: Yes. As a matter of fact we communicated it; we sent telegrams in advance to make sure everyone files - we do this regularly - we put it in our candidate's material, but as things go in election campaigns there are so many things to be done that they just don't seem to happen. So just to make sure this doesn't happen to some unfortunate candidate, I think that we should consider amending that section.

Now I would be prepared to move an amendment when we reach that portion of the Bill, but I think possibly the debate that has gone on to date, Mr. Chairman, -- (Interjection) -- I'm referring to Section 12 (3), Page 8 of the Revised Statutes. It seems to me that the discussion we've been involved in now regarding deferred elections, regarding this section, maybe should indicate that we ought to spend more time on the whole review of The Election Act and I wonder if the government - and I'm not proposing it as an amendment at this time - but I wonder if the First Minister would be in any way interested in referring the present Bill to the Special Committee on Rules which we have set up or are in the process of setting up. We're setting up a Special Committee of the House on the Rules and Standing Orders of this Assembly and I wonder in the light of the need for other changes, whether we wouldn't be wise to refer the present Bill to this Committee for complete study and go through a complete review of the Election Act to make sure that we are making the changes that need to be done. We've discussed two today, deferred elections and this section and there are undoubtedly others. We are doing this with other bills now. Would the Minister consider this, the advisability of referring it for further study?

MR. SCHREYER: Mr. Chairman, I'll certainly be prepared to consider the advisability of referring it to the Standing Committee inter-sessionally, but I think it is still worthwhile and necessary that we continue with clause by clause for now to see what other views and amendments will be proposed. I think that if in the next half-hour we can deal with most of the clauses and see if there are other ideas that need to be considered, if we can't deal with them by 5:30, simply carry on on Wednesday. I can assure my honourable friend that it will receive serious consideration.

MR. MOLGAT: I'm concerned further that we look carefully into the impact of some of the changes that we are making as to how they will, in fact, work out in practice, because some of these are going to impose substantial rules and regulations for political parties, for candidates and it's a question of whether they can really adhere to what's laid down for them. The standards are good. I'm all in favour of high standards but they have to be the type of standard

(MR. MOLGAT cont'd) . . . . . that can be met; in fact, that the information which this says must be produced, can in fact be produced; I don't know.

MR. CHAIRMAN: (Subsections (a), (b), (c) of Section 1 were read and passed.)  
(d) (n. 1) — passed; (n. 2)—

MR. SCHREYER: No, Mr. Chairman at this point, I would like to move, seconded by the Honourable Minister of Mines and Resources that proposed new clause (n. 2) of the Act as set out in Section 1 of the Bill be struck out and the following clause substituted therefor:  
(n. 2) Recognized political party means an affiliation of electors comprised in a political organization whose prime purpose is the fielding of candidates for election to the Legislature; or (2) conducting a political campaign by advertising or otherwise.

CHAIRMAN: 10 (2) The Member for River Heights.

MR. SPIVAK: Let me ask the First Minister. Would this mean that a person who is running as an independent would not be subject to the same specific provisions of the Act?

MR. SCHREYER: I can answer my honourable friend, the honourable member — the candidate who would be running as an independent would be subject to the same provisions and requirements of the Act as any other candidate in his capacity as a candidate. However, obviously the independent candidate would not be subject to those provisions of the Act which require political party offices for any certain information. So, to recapitulate, an independent candidate would be subject to the same requirements as any other candidate; the only difference being the political party office requirements, of course, he would not have to meet because he would have none.

MR. CHAIRMAN: The Member for Ste. Rose.

MR. MOLGAT: Mr. Chairman, I wonder if I might ask a question of the First Minister? It's relative to something he said earlier — that he would be agreeable to consider a motion to refer this to the special committee, possibly next Wednesday. Could he ensure me that we will meet next Wednesday?

MR. SCHREYER: I don't know why my honourable friend is so — anticipating some unusual moves. Without sounding self-complimentary, I would like my honourable friend to believe me when I say that I am not the kind of person who moves in devious ways, am quite open about things, and when a course of action is to be followed it will be announced well in advance.

MR. MOLGAT: Well what occasioned my question was what I thought was an announcement by the Minister of Highways a little earlier in the debate.

MR. CHAIRMAN: (n. 2) as amended — passed. The Member for Rhineland.

MR. FROESE: On the same subject matter of referral, I think we could pass this bill and then probably refer the subject matter of it later on to committee, but pass the bill first.

MR. CHAIRMAN: (n. 2) as amended — passed. The Member for Fort Garry.

MR. SHERMAN: I may have missed a point that the First Minister made a few moments ago, but on subsection (1) of (n. 2) I wonder if there be a case that could be made for stipulating that it should be the fielding of "a candidate or candidates for election to the Legislature."

I recognize what the First Minister — (Interjection) — subsection (1) of (n. 2) — (1) of (n. 2) in the amendment. I recognize what the First Minister was saying a few moments ago with respect to what constitutes terms of accepted definition, a political party, but it seems to me that there is a shade of difference, a nuance of difference in the terminology as it's applied here in this amendment, because conceivably a recognized political party could be concerned with the fielding of "a candidate", rather than candidates for election to the Legislature. For example, in the interests of a by-election, Mr. Chairman.

MR. SCHREYER: The Honourable Member for Fort Garry having been a member of the House of Commons will recall I'm sure, certain exchanges in the House with regard to interpretation of statutes. One of them is, you know, that the plural apparently always includes the singular and I think that's the explanation here. That the plural includes the singular.

MR. SHERMAN: That's fine; if the singular is implicit in that wording then that meets my point, Sir.

MR. CHAIRMAN: (n. 2) as amended — passed. (b) — passed; 1 — passed. I'm sorry I left out (e) in 1. 2 (a) — passed. The Member for Ste. Rose.

MR. MOLGAT: Before we reach section 2, it amends Section 36 of the Act, so I would like to move an amendment and this deals with Section 7 (2) of the Act and the present 7 (2)

(MR. MOLGAT cont'd) . . . . of the Act is the one that provides for the deferred election, simply stating "the order-in-council may instruct electoral divisions that are specified therein, not exceeding three appointed days for the nomination of candidates, not more than 60 days from the date of the Writ, being a later day than the one appointed for the purpose in the other electoral divisions of the province."

So I beg to move, Mr. Chairman, that a new section to be numbered Section 2 be added to the bill to read as follows:

New 2. Section 7 (2) be deleted and that the other sections of the bill be renumbered accordingly.

Now Mr. Chairman, I did not check that with the Legislative Counsel; he may want to suggest a different type of wording but the effect of the amendment would be to delete the section which permits a deferred election.

MR. SCHREYER: Mr. Chairman, I wonder if honourable members would agree to a procedure whereby any clause in the bill to which an amendment is moved, and particularly because we haven't had a chance to get copies, that we agree to have that clause stand and move on, and the same . . .

MR. MOLGAT: That would suit me perfectly, Mr. Chairman. I would request in that case, that the Legislative Counsel be asked to have a look at the wording and see if he can provide wording which would be more acceptable within the Act and that suits me.

MR. CHAIRMAN: On the proposed motion of the Honourable Member for Ste. Rose that a new section to be numbered section 2 be added to the Bill to read as follows: 2. Subsection (1) of section 7 of the Act is repealed and that the other sections of the bill be renumbered accordingly.

MR. SCHREYER: Mr. Chairman, it is at this point that I would ask for agreement to have this clause with the proposed amendment stand and proceed on to the other clauses. (Agreed)

MR. CHAIRMAN; Section 3-- so we'll pass Section 2 as is and hold the amendment.

MR. MOLGAT: Well I have a further amendment, Mr. Chairman, which I think has to come in here as well, because it would be amending Section 12 (3) of the Act, so it would have to come in before the amendment present 32 which deals with Section 36. The present 12 (3) of the Act is "Time for nomination of candidates" and reads as follows: "12 (3) The time for the nomination of candidates fixed in the proclamation shall be from 12 o'clock noon until 1 o'clock in the afternoon of the day fixed for that purpose."

Mr. Chairman, I would like to move the following amendment: That a new section to be numbered section (3) be added to the bill to read as follows: New 3. Section 12 (3) of the Act be deleted and a new Section 12(3) to read as follows be substituted therefor: Section 12 (3) new "The time for the nomination of candidates fixed in the proclamation shall be from the date of the issue of the Writ until one o'clock in the afternoon of the day fixed for that purpose."

MR. CHAIRMAN: The Honourable First Minister.

MR. SCHREYER: I think it should be clear, it's clear to me, that there is nothing wrong with that amendment at all and the implications of it I think present no problems, but nevertheless to agree to the arrangement just agreed to of having it stand and proceed on to the next clause.

MR. MOLGAT: Mr. Chairman, again I have no objection to that practice being followed because I think it's unfair in a sense to propose amendments without other people seeing them first. I would like to say while the matter will be taken up by the Legislative Counsel, that while I say "the date of the issue of the Writ," I'm not really that concerned that it be that specific day, if for the purposes of the chief electoral officer there is a better date to be used, whether it be six days after or what it be; but what I would like to have is that there be a clear period over some days when this can be done, or maybe no beginning period and simply have it that it shall be before 1 o'clock on a day to be fixed, whatever really fits out better, and here I would appreciate the recommendation of the chief electoral officer who has had to deal with this in the past, and then put in the Act a reasonable proposal. I have no objections to Legislative Counsel making appropriate changes here in consultation with the chief electoral officer if need be.

MR. CHAIRMAN: Just on a point of procedure, I wonder whether it would not be a preferable method for the Honourable Member for Ste. Rose to have brought in his amendments as a separate bill. He appears to be dealing with sections of the Act which are not contained

(MR. CHAIRMAN cont'd) . . . . contained in the Bill before us. The Honourable First Minister.

MR. SCHREYER: Mr. Chairman, on a point of order. The Chair's suggestion may have merit but it in no way alters - I suggest we shouldn't alter the arrangement we have just agreed to of letting the amendment be received, having it stand and proceed on to the other clauses. I see no problem.

MR. CHAIRMAN: Then I will pass Section 2 as is and hold the amendment. The Honourable Member for Birtle-Russell.

MR. GRAHAM: Mr. Chairman, at the same time, are we going to be allowed to debate some of the proposals that are being put up, are we allowed to debate them at the present time?

In that case Mr. Chairman, I would like to say a few words on the proposed amendment presented by the Member for Ste. Rose which in effect leaves the field wide open for the receipt of nomination papers prior to the deadline that is set by the proclamation. May I say that speaking from experience as one who has in the past acted in the capacity of a returning officer, and knowing some of the duties that a returning officer has, I might point out that to do his job properly the returning officer must follow a very tight schedule because he has certain things that have to be done by certain days throughout the process of the election. I'm just wondering if this would not possibly put an undue hardship on the returning officer in that he may have to be in his office for specified hours during the day to be there in order to receive nominations. It could be argued that a political candidate would appear at the office of the returning officer before that date and not have the returning officer there. Everyone knows that the returning officer has many duties that carry him beyond his office into every part of the constituency at various times throughout the election, so it may pose more of a problem than first appears on the horizon at this time.

I don't know if the Chief Returning Officer has been consulted on this matter at all; he knows full well that a returning officer has to follow a very close timetable and this may have been why there was a certain specified relatively narrow time limit set down in the Act for dealing with the subject of receipt of nomination papers. I think that perhaps this is a subject that should be discussed with the Chief Returning Officer before we consider this matter later.

So with those few remarks, Mr. Chairman, I'll reserve judgment on this till later.

MR. CHAIRMAN: So to complete Section 2 just to proceed with the bill, holding aside those amendments. 2 (a)--passed; (b)--passed. Section 2--passed. Section 3 37--passed; Section 3--passed. Section 4, (a)--passed; (b)--passed. The Honourable Member for Fort Garry.

MR. SHERMAN: Mr. Chairman, I wish to move an amendment or propose an amendment in section (a) of subsection 62 (6) of Section 4, which doesn't derive entirely from personal considerations but has a particular impact for me and for others who are perhaps as well known or better known by certain nicknames than they are by their own legal names. Subsection (a) states that "contractions or abbreviations of full legal names are acceptable" but that does not cover the area of nicknames into which the commonly accepted Christian names of many political candidates fall; and I would, therefore, like to move, Mr. Chairman, seconded by the Honourable Member for Arthur, that section (a) of subsection 62 (6) of Section 4 of Bill 134, be amended by adding the words "salutation or" before the word "contraction" in the second line thereof.

MR. CHAIRMAN presented the motion.

MR. CHAIRMAN: The Honourable Minister of Finance.

MR. CHERNIACK: I just want a dictionary definition or a legal one of the word "salutation".

MR. SHERMAN: Mr. Speaker, I think the point raised by the Minister of Finance is a good one. I chose the term "salutation" rather than the term "nickname;" it might be better to use the term nickname. As I say, the reason I suggest it is because it has been possible up till now for people with nicknames like my own which is possibly better known than my legal Christian name, to use that name on the ballot and I don't have the impression that it's the government's intention in any way to eliminate that privilege.

Now I know that when you talk about many nicknames you are talking about contractions or abbreviations of legal names and so in 90 percent of the cases where nicknames are used, subsection (a) in its present wording would cover that contingency, but in my own case, and in the case of certain other persons whom I could name, but won't, . . .

MR. CHERNIACK: . . . dictionary definition.

MR. SHERMAN: Yes, but I was just going to say, certain other persons whom I could name, but need not, the nickname is not a contraction or an abbreviation of the legal name.

MR. CHERNIACK: Mr. Chairman, "salutation" according to Webster's 7th New Collegiate Dictionary, reads "(1) - an expression of greetings, goodwill or courtesy by word gesture or ceremony ; (b) regards to the word or phrase of greeting (as gentlemen or dear sir) that conventionally comes immediately before the body of a letter."

MR. SHERMAN: Mr. Chairman, I must confess, as I say, that I really used it as an euphemism for nickname and perhaps this was my error. I thought nickname sounded like too common a term, but I would prefer then to use the basic term and amend my amendment, or alter my amendment to read "nickname" rather than "salutation".

MR. GREEN: Surely better than nickname, something like "name by which one is commonly referred" because all it is, or if you took out the word "legal" then you'd be all right, wouldn't you?

MR. CHAIRMAN: The Honourable First Minister.

MR. SCHREYER: Mr. Chairman, may I suggest that while there is some difficulty in agreeing as to how best to express the intention of the Honourable Member for Fort Garry, I don't think there is any objection to giving effect to this intention; therefore if we simply agree to follow the factors already agreed to of deferring consideration of this clause and going on to the next, I'm sure that between now and when the bill is next taken up, there will be ample opportunity to work out the best expression.

MR. CHAIRMAN: Agreed to withhold this amendment for further consideration? (Agreed)

Continuing - Section 4, 62 (6) (a)--passed; (b)--passed; (c) -- The Honourable Member for Osborne.

MR. IAN TURNBULL (Osborne): Mr. Chairman, section (b) and (c) of 62 (6) contain words at the end of each clause which seem somewhat redundant and inane. They are the words "in the electoral division". I would like to move, seconded by the Member from Radisson, that the proposed new subsection (6) of Section 62 of the Election Act, as set out in Section 4 of Bill 134 be amended by striking out the words "in the electoral division" where they appear in clause (b) thereof and again in clause (c).

MR. CHAIRMAN: The Honourable First Minister.

MR. SCHREYER: It appears to me at first glance that the proposed amendment of the Honourable Member for Osborne has merit. It is my impression that perhaps those four words are redundant and unnecessary. If I could have confirmation of that from Legislative Counsel, I think we could accept the amendment without anything further being said. On the other hand, if there is any question in any member's mind, then we will defer this as well.

MR. CHAIRMAN: On the proposed amendment of the Honourable Member for Osborne that the proposed new subsection (6) of Section 62 of the Election Act, that's Section 4, 62 (6), as set out in Section 4 of Bill 134 be amended by striking out the words "in the electoral division" where they appear in clause (b) thereof and again in clause (c) thereof.

MR. CHAIRMAN: The Honourable First Minister.

MR. SCHREYER: After consulting with Legislative Counsel I think that I have my impression confirmed that the four words are unnecessary to the meaning or to the intent of the section, so we could accept deletion thereof, but then in order to clarify, we would like to propose the insertion of the word "residential" in front of the word "address", and in light of that I would ask that this clause be held and we proceed on to the next clause.

MR. CHAIRMAN: Agreed to hold the clause aside? (Agreed)

Section 4, 62 (6) (b)--pass . . . The Honourable Member for River Heights.

MR. SIDNEY SPIVAK, Q. C. (River Heights): You are now dealing with (d), is that correct?

MR. CHAIRMAN: We are now dealing with (b) as in boy.

MR. SPIVAK: I thought that was going to stand.

MR. CHAIRMAN: All right proceeding 62 (6) (d). The Honourable Member for River Heights.

MR. GREEN: . . . honourable member was going to speak on this I was going to suggest it was a good time to stop. I didn't really mean it from that point of view. It just happened to work out that way.

MR. SPIVAK: My suspicion, Mr. Chairman, is that there have been enough speeches

(MR. SPIVAK cont'd) . . . . today. I would just like to point out to the government if they are going to be considering this and we are obviously going to be reconsidering other matters, one of the problems with (d) is the whole question of definition of "recognized political party" and I point out the very real situation that could develop whereby a group of people would be quite capable under this section of forming the Social Democratic Party of Manitoba and running as Social Democrats. Now there's nothing objectionable to that, but I really truly wonder whether you want to be in a position where anyone will be able to form, organize a group, take a name and thus become a recognized political party for all purposes, including being able to be recognized specifically on the ballot in that way. This is a decision you will have to make on this in terms of your majority position but I wonder truly whether this is really what is desirable.

MR. CHAIRMAN: The Honourable House Leader.

MR. GREEN: I would move, Mr. Chairman, that the committee rise.

MR. CHAIRMAN: Committee rise. Call in the Speaker. Your committee has considered certain clauses of the Bill and wishes to report progress.

#### IN SESSION

MR. RUSSELL DOERN (Elmwood): Mr. Speaker, I move, seconded by the Honourable Member for Kildonan, that the report of the committee be received.

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

MR. SPEAKER: The Honourable House Leader.

MR. GREEN: Mr. Speaker, I believe there is general agreement that we will not sit again until Wednesday at 9:30.

The Member for Lakeside looks surprised, . . . I take it as a joke.

I move, seconded by the Honourable Minister for Cultural Affairs that the House do now adjourn.

MR. SPEAKER presented the motion and after a voice vote declared the motion carried and the House adjourned until 9:30 Wednesday morning August 5th.