

THE LEGISLATIVE ASSEMBLY OF MANITOBA
2:30 o'clock, Monday, July 3, 1972

Opening Prayer by Mr. Speaker.

INTRODUCTION OF GUESTS

MR. SPEAKER: Before we proceed I should like to direct the attention of the honourable members to the gallery where we have 40 young people from all across Canada, the finalists on the CBC "Reach for the Top" program. These students are under the direction of Miss Marks. On behalf of all the honourable members of the Assembly I welcome you here today.

Presenting Petitions; Reading and Receiving Petitions; Presenting Reports by Standing and Special Committees; Ministerial Statements and Tabling of Reports; Notices of Motions.

MR. LEONARD A. BARKMAN (La Verendrye): Mr. Speaker, I have the honour to present to you I. H. Asper, Esquire, Member for the Electoral Division of Wolseley, who has taken the oath, signed the roll and now claims the right to take his seat.

MR. SPEAKER: Let the member take his seat.

Introduction of Bills. The Honourable Attorney-General.

INTRODUCTION OF BILLS

HON. A. H. MACKLING, Q.C. (Attorney-General) (Minister of Consumer, Corporate and Internal Services) (St. James) introduced Bill 110, The Statute Law Amendment Act, 1972; and Bill No. 109, an Act to amend The City of Winnipeg Act.

ORAL QUESTIONS

MR. SPEAKER: The Honourable Leader of the Opposition.

MR. SIDNEY SPIVAK, Q.C. (Leader of the Opposition) (River Heights): Mr. Speaker, I have a question for the First Minister. I wonder if he can indicate whether the Provincial Government has studied the possibility of the reactivation of the Bank of Western Canada?

MR. SPEAKER: The Honourable First Minister.

HON. EDWARD SCHREYER (Premier) (Rossmere): Mr. Speaker, there have been some discussions, some analyses made with respect to that subject matter in the course of the past 18 months. However, there is nothing definite to report at this time.

MR. SPEAKER: The Honourable Leader of the Opposition.

MR. SPIVAK: Mr. Speaker, question to the First Minister. Is the Provincial Government preparing a position on Federal-Provincial revenue sharing for the next Dominion-Provincial Conference? This comes as a result of the statement of the Premier of Quebec.

MR. SCHREYER: Mr. Speaker, unless my memory fails me, I have no recollection of any advice received from Ottawa as to the likelihood of a Dominion-Provincial Conference taking place this Fall and accordingly, while there is some work being carried out by the Department of Finance of Manitoba, it is not with any specific date in mind.

MR. SPIVAK: I accept the First Minister's answer but I wonder if he could indicate whether there is any position or change in position that is contemplated by the province with respect to the revenue sharing between the Federal and Provincial Governments which is now seriously being considered by the government for a proposal at such a conference.

MR. SCHREYER: Mr. Speaker, the Government of Manitoba, as I'm sure the previous administration of this province and the provincial administrations of other provinces have made it known to Ottawa on repeated occasions, that the pattern of the entire post-war period has been one of much larger increments of responsibility and spending by the provinces than by the Government of Canada and that accordingly there is some need for some fundamental change and adjustment with respect to the Dominion-Provincial fiscal arrangements.

MR. SPEAKER: The Honourable Member for Wolseley, Leader of the Liberal Party.

MR. I. H. (IZZY) ASPER (Wolseley): Mr. Speaker, I would ask leave of the House for permission to make a statement to the House at this time.

MR. SPEAKER: Leave granted? (Agreed)

MR. ASPER: Mr. Speaker, for the Liberal Party in Manitoba and for me personally this is a proud and happy moment. For three years now the Party that has in this century played every role in this House, that of a non party, that of the Official Opposition and that of Government of Manitoba, has as you well know experienced some difficulty. That frustration ends

(MR. ASPER cont'd.) today as we once again address you, Sir, as an officially recognized Opposition Party. In presenting my pledge of co-operation to you, Mr. Speaker, and to this House, I feel one in my position can do no better than to hope to achieve the same high standards of skill, courtesy and commitments that were set by the most recent predecessors in my post, the Honourable Stuart Garson, the Honourable D. L. Campbell and Senator Gildas Molgat. And I could not begin to discharge my duties to the House without first offering you, Mr. Speaker, and through you to all honourable members of the House, my pledge of respect for this House, its tradition, its origin and its role in the democratic evolutionary process for which free men and women seek to govern themselves.

As one whose profession has called on him to interpret and practice the law of this province, it's a particularly significant moment for me as I join my honourable colleagues on both sides of this House in the highest public pursuit, the making of that law. If I've dwelled a few moments on the close relationship between that of law practitioner as opposed to lawmaker, it's because as I celebrate this very important event, the call to the bar of this House, I'm mindful that it was 15 years ago today that I was called to the Bar of this province to swear an oath of allegiance and loyalty as a barrister and solicitor. If there are two uppermost sentiments I feel on this occasion, they're gratitude and commitment to those Manitobans in the electoral division of Wolseley to have sent me here as their voice, and in the months ahead you will hear me often speak of the people of Wolseley, my constituency, because as I said often, Wolseley is a mirror, a microcosm of Manitoba and it will be my objective to give these people an effective voice in the Chamber.

To the First Minister and all other honourable members of the Assembly, I extend the hand of friendship and co-operation from the Liberal Party and its Leader in our common goal of building a sane, humane, fair and enlightened society. Too often in recent years some political spokesmen have permitted bitterness to overtake them in the heat of debate and by so doing respect for our profession in the eyes of the people we seek to serve is eroded. So let us never substitute rancor for reason, insult for intelligence, passion for patience or temper for tolerance, and let us not dwell on our differences but build on the points of agreement so that the people we desire to serve in our common humanity can feel that this Legislative Assembly is truly "their" Legislative Assembly.

For my part, Mr. Speaker, I intend to offer strong and vigorous opposition, for that's the traditional role of the Leader of an Opposition Party, but it will not be opposition for its own sake, rather an earnest and sincere attempt to be fair, constructive and positive, so that the clash of minds, ideas and ideals in this Chamber will result in a better society for all Manitobans. It's the cornerstone of my political creed, Mr. Speaker, that governments exist to serve not dominate people. That we are all servants and not the masters of the people. That it's our fundamental purpose to expand and not contract individual liberty. That it's the function of the State not to live one's life for him but to see that our society affords each of us the equality of opportunity to exercise all the options that life offers to the degree that each individual's ability, interest and personal capacity allows.

Those are the goals, Mr. Speaker, of an enlightened society as we move in the second century of our province into the twenty-first century of modern civilization. The people of our province look to you, Mr. Premier, and to you, Mr. Leader of the Official Opposition, to the Leader of the Social Credit Party and to me as the Leader of the Liberal Party, to each of us collectively, as the leaders of the political parties in this Assembly to provide responsible and responsive dialogue which will lead to effective action in achieving the goals and overcoming the challenges of our time. In this honourable cause, Mr. Speaker, we dare not fail and in these important endeavours you will have my fullest co-operation and understanding and I ask yours.

Mr. Speaker, honourable members, I thank you for your indulgence in permitting me to make these few remarks as I now take my seat in our Chamber.

ORAL QUESTION PERIOD

MR. SPEAKER: The Honourable Member for Virden.

MR. MORRIS MCGREGOR (Virden): Mr. Speaker, I would like to address my question to the Attorney-General regarding an advertisement in a Manitoba daily paper on June 24th, 1972. And if you take notice, to those who have the copy of it, on the bottom of the first column it says "and profits are guaranteed"; at the bottom of the centre column "we guarantee it and your profit", which does say \$1,000 investment returns \$10,000 in five

(MR. MCGREGOR cont'd.) years, which in turn \$1,000 invested today returns \$100,000. I ask through you to the Attorney-General what legal position do people -- because I certainly got phone calls over the weekend regarding this.

MR. SPEAKER: The Honourable Attorney-General.

MR. MACKLING: I have received information from my Consumer's Bureau, or the Government Consumer's Bureau indicating that they have already made enquiries in respect to this advertising. They have an assurance that there will be a withholding of all operations and that they will be in to see the Consumer's Branch shortly. The matter has also been discussed with the Federal Combines Investigation Branch in respect to misleading advertising, a commercial cross-section of the RCMP in Winnipeg, as well as Mr. A. J. Church, the Director of the Animal Industry Branch of the Department of Agriculture. So it appears, Mr. Speaker, that the matter is well in hand.

MR. SPEAKER: The Honourable Member for Assiniboia.

MR. STEVE PATRICK (Assiniboia): Mr. Speaker, I have a question to the Honourable Minister of Health and Social Services. When will the Dental Mechanic's Act be proclaimed?

MR. SPEAKER: The Honourable Minister of Health.

HON. RENE E. TOUPIN (Minister of Health and Social Development) (Springfield): Mr. Speaker, as the honourable member is quite aware, there has been over the last year many meetings between the Dental Association, the Dental Mechanics and the Dental Technicians and hopefully that these future meetings will permit the government to proclaim the Act in question.

MR. SPEAKER: The Honourable Member for Assiniboia.

MR. PATRICK: A supplementary. Have the regulations been drafted by the government?

MR. SPEAKER: The Honourable Minister of Health.

MR. TOUPIN: Yes, Mr. Speaker.

MR. SPEAKER: The Honourable Member for Assiniboia.

MR. PATRICK: Is it illegal at the present time for the Dental Mechanic to carry on business?

MR. SPEAKER: Order, please. Legal question again. The Honourable Member for Minnedosa.

MR. DAVID R. BLAKE (Minnedosa): Thank you, Mr. Speaker. My question would be to the Honourable the Minister of Municipal Affairs. I wonder if he can inform the House have the Board of Directors of the Manitoba Housing and Renewal Corporation been asked at any time by the government to approve retroactively any transaction undertaken by the Corporation?

MR. SPEAKER: The Honourable Minister of Municipal Affairs.

HON. HOWARD R. PAWLEY (Minister of Municipal Affairs and Commissioner of Northern Affairs) (Selkirk): Mr. Speaker, the question is somewhat a different nature than the allegations that were raised this morning by the Leader of the Opposition. The fact is, Mr. Speaker, that all projects presently under construction or that have been completed insofar as construction is concerned have been approved by the Board of Directors of the Manitoba Housing Renewal Corporation.

There have been times, but quite some months ago when some projects were proceeded with without the approval of the Board, but as I say that was quite some months ago and nothing like a situation referred to by the Leader of the Opposition as something that developed last week. So all projects have been approved.

I would like to further express this due to the reflection that it cast upon my colleagues the Member for St. Matthews and the Member for Crescentwood, that to my knowledge never at any time have the two members referred to by the Leader of the Opposition been involved in any efforts to pressure the Board of Directors in respect to anything of this nature. They can speak for themselves but I take exception to that. I also want to indicate that the Board of Directors as they themselves indicated this morning, a number of them, are continuing as members of the Board of Directors and I have every belief will continue to so do.

MR. SPEAKER: The Honourable Leader of the Opposition.

MR. SPIVAK: Yes? Mr. Speaker, my question is for the Attorney-General. Has any member of his department staff investigated any of the procedures or operations of the Manitoba Housing and Renewal Corporation?

MR. SPEAKER: The Honourable Attorney-General.

MR. MACKLING: I'm not aware of such, Mr. Speaker.

MR. SPEAKER: The Honourable Leader of the Opposition.

MR. SPIVAK: Mr. Speaker, have any complaints about the Manitoba Housing and Renewal Corporation been received by his department?

MR. SPEAKER: The Honourable Attorney-General.

MR. MACKLING: Other than from the Official Opposition I have heard no formal complaints.

MR. SPEAKER: The Honourable Member for Lakeside.

MR. HARRY J. ENNS (Lakeside): Mr. Speaker, in the absence of the Honourable the Minister of Agriculture I direct a question to the Honourable the First Minister. In view of the fact that terminal elevator space at Thunder Bay has been closed, has the government informed the Wheat Board or Federal officials of a serious concern on the prairies in that matter? I understand the reason for the closure of the terminal elevators at Thunder Bay are for lack of ships coming through to accept the grain.

MR. SPEAKER: The Honourable First Minister.

MR. SCHREYER: Mr. Speaker, whatever the technical reasons for the problem as outlined by the Member for Lakeside, I would like to advise the honourable member that the matter will be taken as notice and the Minister of Agriculture or I will provide an answer tomorrow.

MR. SPEAKER: The Leader of the Liberal Party.

MR. ASPER: My question, Mr. Speaker, is for the Minister of Industry and Commerce. In the light of - and I apologize for the possibility that this question may have been asked but I can't find the answer. In the light of the general acknowledgment by government spokesmen that the decision to locate the Flyer Coach Plant in Transcona as opposed to in Morris, may have been based on inaccurate information, has the Minister, or is the Minister in the process of reviewing, reconsidering that decision as to the location of that plant?

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

MR. EVANS: Mr. Speaker, this is a decision that's essentially made by the board of the company in question, Flyer Industries Limited, secondly by the Board of the Manitoba Development Corporation and I would say that they are not in the process of reversing their decision.

I would remind the Honourable Leader of the Liberal Party and all members in the House that the Morris Bus Operation was put there while Premier Schreyer was the Premier of this province.

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

MR. ASPER: Is the statement that I think I heard from the Minister of Labour accurate, that the plant is halfway built?

MR. SPEAKER: Order please.

MR. ASPER: Mr. Speaker, the question was directed to the Minister of Industry and Commerce.

MR. SPEAKER: The Honourable First Minister.

MR. SCHREYER: On a point of order, I believe that it is easy for you, Sir, to recognize that it is not proper to ask a question of one Minister asking whether another Minister's statement was correct.

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

MR. ASPER: My question for the Minister of Industry and Commerce is, at what stage is the construction of the plant, Flyer Coach Plant in Transcona?

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

MR. EVANS: Mr. Speaker, the words of wisdom of my honourable colleague the Minister of Labour should be well taken. I heard it, overheard it and that is the Honourable Leader of the Liberal Party should go around this province and find out what's going on.

MR. SPEAKER: Orders of the Day. The Honourable Member for Riel.

MR. DONALD W. CRAIK (Riel): Mr. Speaker, I'd like to direct a question to the First Minister. Can he advise whether the Federal Government or the Minister of Environment for the Federal Government has been in contact with the Provincial Government regarding the statement by the Member for Inkster that Mr. Davis had in fact lied about the Fish Processing settlement?

MR. SPEAKER: The Honourable First Minister.

MR. SCHREYER: Well, Mr. Speaker, I can advise my honourable friend the Member for Riel that the Member for Inkster in his former capacity as Minister of Mines and Resources did have an exchange of correspondence with the Honourable Jack Davis, Federal Minister for the Environment on the general subject of the way in which the cases of the fish processes

(MR. SCHREYER cont'd.) should be handled, and I am happy to be able to advise my honourable friend, the Member for Riel that it is now possible to table that correspondence and accordingly it will be tabled this afternoon.

MR. CRAIK: Mr. Speaker, I wonder if the First Minister could indicate whether he shares the view expressed by the Member for Inkster.

MR. SCHREYER: Mr. Speaker, the correspondence between the Member for Inkster in his former capacity as Minister of Mines and Resources and the Honourable Jack Davis, that correspondence on that subject matter is available for tabling; it will be tabled at the appropriate time in this evening's proceedings at 8:05 or 8:10 p.m., and the correspondence will speak for itself and I do believe, Mr. Speaker, that the correspondence as tabled will bear out the basic point made by the Member for Inkster.

MR. CRAIK: Mr. Speaker, I'd like to direct a final supplementary question to the First Minister. Can he advise whether consideration will be given to further support to those who have had to file personal bankruptcies through this situation.

MR. SCHREYER: Mr. Speaker, if the Honourable Member for Riel wishes to talk about the advisability of opening up cases where personal bankruptcies have had to be filed, then I would like my honourable friend to be aware that I will bring some cases to him which go back to 1959 and 1960 when some merchants in and around Grand Beach went bankrupt because of the relocation of PTH No. 12.

MR. SPEAKER: The Honourable Member for Morris.

MR. WARNER H. JORGENSEN (Morris): I should like to direct my question to the First Minister and ask him on the basis of the statement he made in this House about the labour survey that was made in the Morris area, if he is causing a review to be made of the decision to locate Western Flyer in Transcona.

MR. SPEAKER: The Honourable First Minister.

MR. SCHREYER: Mr. Speaker, I made it clear on a previous occasion that I certainly interpreted the labour force survey that was available from the Morden office as being in my opinion inaccurate in certain respects. However, there were a number of other considerations which entered no doubt into the minds of those on the Board of Flyer Coach Industries, and so therefore for that reason plus the fact that the plant is already under construction, it is not a practical matter to contemplate the possibility of commencing construction of the plant in yet another location. In the meantime, as the Member for Morris is well aware, the Town of Morris does have located in or near it the manufacturing of the school buses for Manitoba school needs and that is an improvement over the situation which prevailed prior to 1970.

MR. JORGENSEN: Mr. Speaker, the First Minister has indicated that the school bus line will be located in Morris. Well on the basis of the fact that the plans call for an assembly line of school buses in the new plant in Transcona, how long will the school buses be manufactured in Morris?

MR. SCHREYER: Mr. Speaker, I should hope from now until eternity.

MR. SPEAKER: Order please. Order please. I wish the honourable members would wait till they're recognized. The Honourable Member for Morris.

MR. JORGENSEN: I wonder if the First Minister could give us some indication of how many people will be employed in that plant and for how many days of the year?

MR. SCHREYER: Well Mr. Speaker, I'm sure that the Member for Morris will appreciate that I am not in a position just offhand like this to give a firm indication as to what may happen three or four or five years from now. Assuming we were the government of course, which is a reasonable assumption; but furthermore, I must tell him that --(Interjection)-- but I believe that the Member for Morris will certainly agree, at least I hope he will agree, that it is clearly the intention of this government that the manufacturing of school buses for Manitoba school needs will be continued in Morris without any diminution or transfer of that particular operation. That is a statement of policy intent and only the most dire of circumstances could possibly change that. I can't imagine offhand, what might change.

MR. JORGENSEN: Mr. Speaker, I would wonder if the First Minister then would be able to tell me if that means that the workers in the Morris plant will be employed approximately two months out of the year?

MR. SCHREYER: Mr. Speaker, the Member for Morris has spent too many years in the House of Commons and has acquired the habit there of always putting the worst possible face on a situation.

MR. SPEAKER: The Honourable Member for Fort Rouge.

MRS. INEZ TRUEMAN (Fort Rouge): Mr. Speaker, my question is for the Honourable Minister of Health and Social Development. Could the Minister inform us what supervisory staff was in attendance at Vaughan Street Detention Home on Friday night when some of the juveniles secured and drank Lysol.

MR. SPEAKER: The Honourable Minister of Health.

MR. TOUPIN: No, I can't, Mr. Speaker.

MRS. TRUEMAN: Another question for the same Minister, Mr. Speaker. Will there be other living arrangements made for those juveniles who created this disturbance so that they will be away from those children who are simply being held for Children's Aid Society.

MR. TOUPIN: Mr. Speaker, in answer to the first question I indicated that I didn't know because I didn't - I wasn't advised previously of the question and I didn't have the opportunity to check it out with my staff. And so far as the needs of individuals of Vaughan Street, if other space is needed pertaining to special cases, the spaces will be either rented, leased by the Department of Health and Social Development when the need arises.

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

MR. ASPER: My question is for the Minister of Industry and Commerce. Has the government proceeded through the MDC with its loan to Tantalum Mining Corporation and if so, how much money has been advanced?

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

MR. EVANS: Mr. Speaker, the honourable member is new to this House, although I trust he reads the newspaper once in a while. We have a policy of announcing to the people of Manitoba and to the world any financial assistance we give to anyone through the MDC. And when financial assistance is given it is published on a quarterly and an annual basis.

MR. ASPER: In the possibility that my question wasn't understood, I'll phrase it another way. It may have been the answer that was . . .

MR. SPEAKER: Order please. Order please. I want to indicate I shall have no disturbance from the gallery. This is an Assembly for elected members and as such will be conducted in such a manner. If there's any disturbance from the galleries the galleries shall be emptied. The Honourable Leader of the Liberal Party.

MR. ASPER: Has the government, Mr. Minister of Industry and Commerce, has the government exercised or does it intend to exercise its option to acquire for \$2 million 15 per cent of Tantalum Mining Corporation which option expires on July 14, 1972?

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

MR. EVANS: Mr. Speaker, when a decision has been made through the Manitoba Development Corporation an announcement will be made in due course.

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

MR. SPIVAK: A supplementary question. I wonder if the Minister of Industry and Commerce could indicate whether the government is now negotiating an extension of the option.

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

MR. EVANS: Mr. Speaker, matters of negotiation are matters that should not be discussed in public. Obviously we have a great concern in the development of this particular project and I think the matter is well in hand.

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

MR. ASPER: A supplementary to that, Mr. Minister. Does the Minister have any intention of consulting the House Standing Committee on Economic Development as to the advisability of making this investment of public funds?

MR. EVANS: Mr. Speaker, inasmuch as the Standing Committee on Economic Development does not have responsibility of running the government in Manitoba that committee will not be consulted.

MR. SPEAKER: The Honourable Member for Rhineland.

MR. JACOB M. FROESE (Rhineland): Mr. Speaker, I'd like to address my question to the Minister of Industry and Commerce. Is it the intention of Government to make use of the provision in the Fisheries Act whereby they can compensate fishermen and processors who have now been declared redundant as a result of the Freshwater Fish Marketing Plant being brought into being.

MR. SPEAKER: The Honourable First Minister.

MR. SCHREYER: Mr. Speaker, I believe that the honourable member's question is

(MR. SCHREYER cont'd.) similar in intent to what was asked by the Member for Riel and which was dealt with already.

MR. SPEAKER: The Honourable Member for Churchill.

MR. GORDON W. BEARD (Churchill): I'd like to direct a question to the Minister of Industry and Commerce in respect to the Federal appointed Port Churchill authority. Would the Minister care to comment on the refusal of the Federal Government to finance the operation and the attempts to remove all the community records in respect to the operation?

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

MR. EVANS: Well Mr. Speaker, I have heard some rumour along these lines and the matter is now being investigated. Needless to say if the rumours are correct it is certainly damaging to the Federal Government of this country in its attitude to the Port of Churchill and the Province of Manitoba. I hope the rumour is not true.

MR. SPEAKER: Orders of the Day. The Honourable Member for Portage la Prairie.

MR. GORDON E. JOHNSTON (Portage la Prairie): Mr. Speaker, I address a question to the First Minister. In view of the widespread flooding in different parts of the United States, and in view of the fact that Greater Winnipeg was a recipient of much aid from the United States in the 50s, has this government taken formal action to reciprocate in giving back some form of relief to the badly flooded areas in the United States.

MR. SPEAKER: The Honourable First Minister.

MR. SCHREYER: Mr. Speaker, there are at least two points that could be made in response to the honourable member's question. No. 1, in the case of the disaster, the loss of life that was involved with the Rapid City, South Dakota flash flood, the Government of Manitoba did endeavour to advise of its readiness to provide some form of assistance of an appropriate kind. Contact was established with the office of the Governor and also with the office of the Director of their Civil Defence, but in the end it seemed that there was no really practical means by which the Province of Manitoba could provide assistance. There was a request initially for some foodstuffs and clothing and instructions went out locally here to attempt to marshal together some quantities of foodstuffs and clothing. Then there was some suggestion received about assistance in the form of money, but then one notices that the Congress of the United States has appropriated many millions of dollars for this purpose. So for these reasons plus the fact that the residual of the Red River Flood Relief Fund is now controlled by some agency answering to the Government of Canada, it seems that if anything is to be done, it will have to be done under the aegis of our Federal Government.

MR. SPEAKER: The Honourable Member for Portage la Prairie.

MR. G. JOHNSTON: Another question on the same subject, Mr. Speaker. Can the First Minister advise the House if there's any agency of the Provincial Government through which a citizen may make a contribution which will find its way to flood relief in those areas he mentioned.

MR. SCHREYER: Mr. Speaker, the Manitoba Emergency Measures Organization which reports through the Department of Mines and Resources, I believe that the Minister of Mines and Resources did issue a request that certain quantities of foodstuffs and clothing that were being marshalled by way of private appeal be channelled through our Emergency Measures Organization. I'm not unfortunately in a position to report to the House whether any quantity or any significant quantity of foodstuffs were in fact dispatched to South Dakota. Perhaps the Minister reporting for EMO is in a position to do so, I'm not sure.

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

MR. EVANS: Well Mr. Speaker, if I may amplify on the First Minister's reply, through EMO as was stated, we were endeavouring to organize supplies of food and clothing to be sent to the disaster area. However, shortly after our initial organizational efforts got off the ground, we were informed by Ottawa and through the Federal U.S. Government at Washington that such supplies were not required, were not being requested. As a matter of fact, the Federal Government of the United States declared it a disaster area and asked other jurisdictions to not provide such supplies. However, there's nothing preventing any individual if they wish from sending cash directly to the people there or through our own EMO organization.

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

MR. ASPER: My question is for the Minister of Corporate and Consumer Affairs. In view of the responsibility of his department to safeguard the interests of consumers in Manitoba, could he explain why or what circumstances would cause cherries which were being sold this

(MR. ASPER cont'd.) morning in Winnipeg at 89 cents per pound to be sold only a few hundred miles south of here in Grand Forks at 49 cents per pound.

MR. SPEAKER: The Honourable First Minister.

MR. SCHREYER: I'm really wondering, Mr. Speaker, if it's advisable to permit questions having to do with the comparative retail price of retail items. On one or two occasions we had a question about fertilizer, now about cherries and I suppose tomorrow if we allowed this, we'd hear about potatoes and tomatoes.

MR. SPEAKER: Order please. I should like to inform the Honourable Member for Wolseley, the Leader of the Liberal Party, that if he has an opportunity to visit with me I shall give him a sheet of instructions as I have done for all other members that will indicate to him the kind of questions, the way they can be asked and the number of times they can be asked and also the other thing is that they have to pertain to the procedures of the House. Now I realize he's new and he's going to have some difficulty, but I would suggest that he do observe intensely for at least one question period before he gets into detailed areas. The point the First Minister makes is correct. The Honourable Member for Emerson.

MR. GABRIEL GIRARD (Emerson): I'd like to address a question to the Honourable Minister of Industry and Commerce. I wonder if he has received by now the report from the people who were studying the feasibility of Columbia Forest Products out in Sprague.

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

MR. EVANS: Well Mr. Speaker, as members know, the Columbia Forest Products operation at Sprague is in Receivership and there is a committee of the Board of Directors of the MDC studying the matter and they have a technical subcommittee assisting them. However, as such I have not received a report but I am quite convinced that both the Receiver and the MDC Board and staff are vitally concerned with the matter and they are doing their very best to expedite a decision on the whole question.

MR. SPEAKER: The Honourable Member for Emerson.

MR. GIRARD: A supplementary question, Mr. Speaker, I wonder if it is the intention of the Minister to make the report public when he receives it.

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

MR. EVANS: This was not my intention, Mr. Speaker, and I'm not sure whether I would be getting a report directly because in many ways this may be a decision that is resolved by the MDC Board.

MR. GIRARD: Another supplementary question, Mr. Speaker. I wonder if the Minister could advise the House of the amounts of money that have been made available to the Receiver for operation.

MR. EVANS: Mr. Speaker, I am not in a position to do so at this time.

MR. SPEAKER: The Honourable Member for Rhineland.

MR. FROESE: A supplementary to the questions put by the Member for Emerson to the same Minister.

MR. SPEAKER: Order please. The Honourable Minister of Labour on a point of order.

HON. RUSSELL PAULLEY (Minister of Labour) (Transcona): I believe that there are only two supplementary questions. If the Honourable Member for Rhineland desires to ask a separate question it is quite within order for him so to do, but I think, Sir, that we should stick to the rule of the House dealing with supplementary questions, the limitation being two.

MR. SPEAKER: The point is well taken. The Honourable Member for Rhineland.

MR. FROESE: Mr. Speaker, I can make it a separate question; all right, I have no difficulty in doing so. My question is to the Minister of Industry and Commerce in connection with the bankruptcy just referred to. Does the Development Corporation of Manitoba have first charge on the assets or chattels?

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

MR. EVANS: I would hope that the MDC has all of its loan moneys well secured.

MR. SPEAKER: The Honourable Member for Roblin.

MR. J. WALLY MCKENZIE (Roblin): Mr. Speaker, I have a question for the Honourable Minister of Industry and Commerce regarding the scheduled Operations Manitoba Tour which is slated to visit Gimli and Selkirk. Mr. Speaker, I'd like to ask the Honourable Minister will the delegation which consists of the Premier, MLAs, community and labour visit other industrial communities besides Gimli and Selkirk on this tour?

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

MR. EVANS: Mr. Speaker, it was our intention on this occasion to visit the two communities which I referred to. This will take a very full day. As you know, each year or almost each year we do visit various points in the province of interest, and I trust some day we may be able to come up to the Honourable Member's constituency.

MR. SPEAKER: The Honourable Member for Emerson.

MR. GIRARD: I'd like to direct a question to the Honourable the First Minister in the absence of the Minister of Finance, and it has to do with the Greater Winnipeg special levy for equalization of school taxes over the area of Greater Winnipeg. I would like to know if the area now known as St. Norbert will be remaining in that same area that it is designated at present. Will St. Norbert area be included in next year's equalization levy?

MR. SPEAKER: The Honourable First Minister.

MR. SCHREYER: Mr. Speaker, I may have to obtain additional advice on the matter; but I have the impression that this is a matter which may well come before the Municipal Board. In any case at this point in time it is really anticipating and accordingly I am not in a position to provide the information to the honourable member.

MR. SPEAKER: Orders of the Day. The Honourable Minister of Labour.

MR. PAULLEY: I wonder, Mr. Speaker, now that we have finished with the Oral questions, that I might first of all remind honourable members that there will be a meeting of the Committee on Law Amendments tomorrow morning at 10:00 o'clock, and also a meeting of the Committee on Industrial Relations on Wednesday morning at 10:00 o'clock and I would appreciate the Fourth Estates if they would give due mention to the meeting of these two committees. I suggest, Mr. --(Interjection)-- an Industrial Relations, Mr. Speaker, on Wednesday morning. And I would suggest, Mr. Speaker, that our procedure for at least the first part of this afternoon that we would start with the introduction of Bill No. 100 by the Honourable the Minister of Tourism and Recreation and then, Sir, follow seriatims with the bills at the bottom of the first page and thence on with the adjourned debates on second readings.

MR. SPEAKER: The Honourable Member for Radisson.

MR. HARRY SHAFRANSKY (Radisson): Mr. Speaker, before we proceed with the bill, I would like to by leave of the House suggest some changes for the Standing Committees of the Legislature.

MR. SPEAKER: Agreed? (Agreed).

MR. SHAFRANSKY: For the Industrial Relations Committee, substitute the name of the Minister of Education for the name of the Honourable Member for Thompson; on the Economic Development Committee, substitute the name of the Honourable Member for Winnipeg Centre for the name of the Honourable Member for Thompson; also on the Economic Development Committee, substitute the name of the Honourable Member for St. Matthews for the Honourable the Minister of Public Works.

MR. SPEAKER: Proposed motion of the Honourable Minister of Tourism and Recreation. Bill No. 100.

INTRODUCTION OF BILLS

HON. LAURENT L. DESJARDINS (Minister of Tourism, Recreation and Cultural Affairs) (St. Boniface) presented Bill No. 100, The Provincial Park Lands Act for second reading.

MR. SPEAKER presented the motion.

MR. SPEAKER: The Honourable Minister of Tourism and Recreation.

MR. DESJARDINS: Mr. Speaker, the growth of parks of all kinds in the overall use of our outdoor resources for recreation has rapidly outrun form the legislation provided for its administration. During a recent review of our departmental program, the significance of these increases was emphasized. The use of Manitoba parkland will double between 1971 and 1980 as will the influx of tourists from outside Manitoba. Combined with the changing dimension of available leisure time, the entire picture of recreation in parks will change in the next few years.

When Manitoba first adopted a separate Parks Act some twelve years ago, the need was for legislation to build on, to pull together the skills, resources and experience necessary to launch a parks program. It served that purpose very well. It gave the park agency a starting point. That starting point began first with the Parks Division of the old Forest Service of the then Department of Mines and Natural Resources. The primary goals were to provide basic facilities on selected Crown lands. An authority for these improvements was vested in the Forest Act and the Crown Lands Act. A special need for park administration within the overall

(MR. DESJARDINS cont'd.) legislative authority of the department were limited and therefore the Parks Act in 1961 was written more in support of rather than as an independent legislation. The parks system and agency is now a part of the Department of Tourism, Recreation and Cultural Affairs. Since the formation of this department it has become apparent that the Act became inadequate when it is the only legislation respecting park management.

More people spending more time in more parks leads of necessity to more control to best use with resources we have, to see that everyone has a chance to use the parks and does not destroy them. Better control and enforcement will ensure park users a vacation experience free of rowdyism and disturbance. Better regulation can provide guidelines to the managers in meeting the department's objectives. Stronger regulations will protect the parks from the few people who would take personal advantage of public opportunities. Because the system is used by more and more people, the park lands must be more directly managed for their benefit so the consideration of other land used must yield to recreational objectives. Many places, lumbering, mining or commercial fishing have had to be foregone in favour of recreation. Although the principle of multiple use of our natural resources is a major consideration in the management of the parks, there is no doubt with twice as many park users by 1980 other places will have to be withdrawn from these users.

These are the general considerations billed into the Provincial Parks Land Act - in more specific form, will be dealing in use of the parks land restriction of permanent occupancy; the withdrawal of parks land from municipalities, local government districts or local districts; changes in land use of privately owned land; power of an officer to improve those; restrictions on the use of natural resources; expansion of the Park Lands' classification system and park regulations. In summary, the proposed Park Lands Act covers several areas of concern raising from, Mr. Speaker, (a) the matters that establish the framework for a park system with a broad array of public outdoor recreational opportunities; guidelines for land use and planning; the elimination of taxing inequities for improvements on park lands; broader authority over misdemeanours occurring on parks land; departmental rights to modify resources policy affecting park lands. This, Mr. Speaker, will not be Manitoba's final Act with respect to parks. Changing use, pressures, changing resource decisions, better techniques will probably require revisions to be made in the next few years. But this new Act will significantly improve the quality of life in the province by granting authority for a stronger and better system of provincial parks. Thank you.

MR. SPEAKER: The Honourable Member for Roblin.

MR. McKENZIE: Mr. Speaker, I move, seconded by the Honourable Member for Brandon West, that debate be adjourned.

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

MR. SPEAKER: Adjourned debates - second readings. Proposed motion of the Honourable Minister of Tourism and Recreation. The Honourable Member for Roblin. Bill No. 49.

ADJOURNED DEBATES - SECOND READINGS

MR. McKENZIE: Mr. Speaker, reading the daily paper today I note from the columns that Manitoba celebrated Dominion Day at some great length, and supported the philosophy that of all Manitobans that we in this Province are a mosaic of many people from many lands, and I am in complete support with that philosophy and that type of program. But I find it rather upsetting at the same hand, Mr. Speaker, to find also in today's paper where Canada is criticized for the way the Dominion Day celebrations were conducted in Ottawa. And today's headline says, "Canada Day Heavy Use of French Criticized in Ottawa".

I also note, Mr. Chairman, from an editorial of one of today's papers and it's a "boo" to the Secretary of State, who is apparently responsible for putting on a Dominion Day Concert on Parliament Hill but seemed to forget there are two official languages in Canada. And that basically is the type of bill that we are dealing with, Mr. Speaker, in Bill No. 49, an Act to establish the Cultural Centre of the Francophone people in this province. And, Mr. Speaker, I am one person who represents a constituency that's made up of a mosaic of many people from almost every country in the world, and I find that we get along reasonably well at all times and we support that type of a philosophy. I'm glad to be able to associate myself with the Honourable the First Minister in this province who on many occasions has spoken out on that particular theme.

But, Mr. Speaker, I question the legislation that's before us in Bill 49, unless I can get

(MR. McKENZIE cont'd.) the Honourable Minister or the First Minister to stand up and prove to me that equal grants of this - equal amount will be given to all the cultural groups in this province, I find it very difficult to support this bill. I support the philosophy of the cultural people that we should be behind them 100 percent and help them with their cultural centres and help them to care for their culture, be custodians over their property and assist them in every way possible. But I find it very difficult, Mr. Speaker, in Bill 49, unless the Honourable Minister or the First Minister can give me an assurance that we will get equal rights and equal moneys for the Ukrainian community or the Polish community or the German community and for all the ethnic groups that are culturally interested in this province, and give them equal rights and give them a guarantee of equal rights if and when they do request same for their cultural centres. I think the legislation deserves full consideration of the House. I think that we at this stage in Manitoba's history, we are 100 years old now, we must do everything possible to assist the various ethnic groups in their culture. But at this stage for us to be finding ourselves centralizing on one - I have no quarrel with the French people, I am with them all the way, but I would certainly like some assurance that we will treat all groups equally in this province. I find with great interest that the other cultural groups no doubt will be expressing interest in this bill, and I'm sure in the debate of the bill, if we can get the assurance from the Minister and from the government that they will meet a request from all the cultural groups in this province equally, then I would be in support of this legislation, Mr. Speaker. Otherwise, I could not support it.

MR. SPEAKER: The Honourable Member for Portage la Prairie.

MR. G. JOHNSTON: Mr. Speaker, I'll take the time of the House to make a few remarks on Bill 49, a bill which under the provincial auspices will set up a cultural centre in St. Boniface for the use and the good of all those who speak the French language whether unilingually or bilingually. However, after having said, Mr. Speaker, that I support the principle of Bill 49, I do find some serious objections as the bill is now constituted. I believe that when we talk of a cultural centre for a group of people that it should be completely free of any type of government interference or government control. Now it's true that the Provincial Government is guaranteeing or putting up \$100,000 in a year, and probably thereafter there'll be certain grants made, I do not think that any government has the right to impose upon this group the type of control that is being imposed by Bill 49.

Let me give you some examples: "The members of the board shall hold office for such term as may be fixed by the Lieutenant-Governor-in-Council." This is a common phrase I know when government set up various branches or agencies or commissions. But in my opinion it's highly unusual for a government to have this tight a control over a cultural activity of some of the people of the province. I also object to the fact that there's going to be a paid chairman. Surely there are enough people who have this interest at heart who would be more than willing to act in their spare time and out of the goodness of their heart because they love the activity that they're engaging in. Do we have a paid chairman of the United Way? Do we have a paid president of the Winnipeg Football Club? And how often could I go on? The president of the Children's Aid Societies of Manitoba, do we have a paid chairman? I would think not and I think that this is putting a strike if I may use that term on this organization from its very inception. I also find it unusual and almost repugnant when I notice that the government's going to put an MLA on the board. Mind you it doesn't say they're going to pay him, but they're going to pay him out-of-pocket expense. Now why is that clause there at all? Why is that clause there at all if - and they're excepting him from the danger of losing his seat if he's not going to receive any indemnity for serving.

So, Mr. Speaker, while I go along with the principle of the bill that we are a unilingual country and a unilingual province, for sure we're a - or I should say bilingual pardon me - but we are a multilingual society, we're not bilingual. And it's rather strange to me that government would attempt to maintain such tight control over an organization by its very nature must be very free to do and feel whatever they wish to do so, Mr. Speaker, I'd say that when we move into committee on this bill that I will be proposing certain amendments to take out certain of the sections that I have strong objection to. I hate to cover ground that has been covered by other members but I feel I must state it, that the government now has an obligation I believe to look with sympathy upon other groups of the province such as the Ukrainian, the Pole, the German and any other group that feel that they need some government assistance in maintaining and upholding their own cultures. I might also add that if the government feels that they could

(MR. G. JOHNSTON cont'd.) break some more new ground they could look at the desperate need in the province for Young Men's Christian Associations and Young Women's Christian Associations. Outside of a few of the larger centres Winnipeg, St. James, Brandon and a few others, the local populace have not the means, although it has been tried many times, to establish these types of organizations that are for the good of all the people of the area. So with those few words, Mr. Speaker, I do warn the government that I find objection to the tight control that they are apparently setting up to maintain over this Franco-Manitobain Cultural Society.

MR. SPEAKER: The Honourable Member for Rhineland.

MR. FROESE: Mr. Speaker, Bill 49 is to set up a cultural centre in support of the French people and those that have acquired the French language I take it, because in the objects we find that - the objects are to maintain and encourage and foster and sponsor by all means available all types of cultural activities in the French language and to make available Franco-Canadian culture to all the residents of the province. I have no quarrel with the objects as such. Certainly we have adopted in this House - as in some of the other provinces, I don't know whether all of them have come along - the two official languages. I do have considerable population of French people in my constituency and most likely they're knowledgeable of this bill and are in support of it, at least I haven't heard to the contrary, and I do hope these people will appear before committee so that we can hear from them personally on the bill itself.

I notice that property has been acquired and is going to be held in the name of the Crown. This certainly means that there will be continuity, that the organization as such has no fear of bankruptcy, that they will be able to carry on. However, as has been mentioned and pointed out by some of the other members of the House, I feel that the same courtesy should be extended to other groups in this province. We have some very large minority groups such as the Ukrainians, the Germans, Dutch and Icelandic and I think most of the groups are represented in this House by the various members and probably by themselves as well. So that I think these people should also have a right probably under legislation as we're doing here, so that they can also make sure that their cultures are enhanced, are nurtured, and indeed not die out, because I think that all the different cultures in Manitoba have something to offer and that if we lose any of them that we are that much the poorer. I certainly don't disapprove of the bill; however, I would like to see the principle extended to include all the different language groups and all the different cultures in Manitoba.

MR. SPEAKER: The Honourable Minister shall be closing debate.
The Minister of Tourism and Recreation.

MR. DESJARDINS: Mr. Speaker, I've been pleased by the remarks of some of members that took part in the debate, surprised by others and shocked by a few. I think that when we're dealing with something that is covered in this bill it should be done in a non-partisan way, this should be something that should be above partisan politics. --(Interjection)-- Yes, I am serious, because I think there are certain things that there's no need to be partisan or to introduce party politics and this is certainly one of them. I might say that this government is just following on the track that the previous government has done in this respect. This centre that we'll be starting to build very soon is an idea that first originated with the former Provincial Government, the Conservative Government. We discussed this with the Federal Government. Now during the centennial year, our centennial year, we received a certain amount of money from the Federal Government for centennial projects. The people that were dealing with the money at the time for these projects was the Centennial Corporation, and after negotiating with the Federal Government it was felt that the Federal Government and the Provincial Government should go into this in a joint partnership. Again, it was two different parties in power in the Federal Government and here in the Provincial field. It was decided that \$500,000 would come from the Federal Government and the same amount from the Provincial Government. Nobody complained at the time. It was understood I think that this government has certainly come very clearly in our policies in such matters.

We believe in bilingualism - but multiculturalism, and this was mentioned many times and that hasn't changed one bit; I think that this government is the first government in Canada to organize a congress, a multicultural congress, to discuss these things. Many people were telling us at the time that this was dynamite, that we had nothing to gain, but nevertheless we believe in this policy of multi-culturalism. I have another bill in front of you now that is asking for the right to name a multicultural advisory board, and I might say that definitely the culture

(MR. DESJARDINS cont'd) of one of the official languages is more pronounced when you're dealing with an official language, this might be one of the reasons why we have this bill. This bill is just to make it possible to administer this cultural centre and that cultural centre is not, and I repeat not, for Franco-Manitobans only but anyone, not only in the Unicity but anyone in Manitoba that is interested in the French culture and believe me there are many non Franco-Manitobans who are interested in such a thing.

The idea here is to set up this board, and this centre will be owned by the Crown, the same as the Manitoba Cultural Centre; and we are not, as the Honourable Member for Portage said we are not restricting them any more than we would any other group. They have the committee - in fact if you will see in the make-up of the board some names are chosen from a list that we will receive from the Franco-Manitoban Association, La société Franco-Manitobain, so I think that there is no fear that we're trying to control. There's something that the Honourable Member from Portage mentioned that I would agree with him. Certainly it doesn't say that you have to pay the chairman, but there's a possibility there that the chairman should be paid and I certainly would be the first one to support any amendment if this amendment would come in second reading. This is something that was in the bill before I could see it and I would agree with him that the chairman should not be paid.

As far as something special for the French people there's nothing that I would like better than to stand in front of you soon and introduce another act that would do the same thing for another ethnic group and I think this will be coming. I'm not saying what amount will be paid, what grant construction; this was a special grant with the Federal Government during the centennial year. I think that we're looking now at the Dauphin Ukrainian Fine Arts Centre and we're looking at many others. You heard me say that we'll take some of this money, some of this money in this lottery revenue to help these cultural groups to retain their culture. This is what we've been saying all along and it's not only lip service I can assure you.

I said in my opening remarks that I was shocked by the way that some of the members chose this bill to drag every possible thing, to try to divide the people of Manitoba, whereas in the last few years we've been trying to unite our people because we believe in unity but in diversity. I feel that we can certainly pass this bill and make it possible for a board to administer this centre. It will be owned by the Crown, but I hope as I say that there will be other bills that will come to make this same possibility, this same possibility of a board to administer for different ethnic groups. I think, Mr. Speaker, that all the members remember just a few weeks ago when I stated that we were looking at the empty Bank of Commerce, that the First Minister had written the Prime Minister of Canada asking his help so we could again join some partnership to have a multicultural centre to promote the different cultures in Manitoba. And we're expecting an answer fairly soon and we hope that this will be a reality, and probably next year we will come back again with an act suggesting that a board be established to determine to run this new multicultural centre and maybe others. So all I can say, Mr. Speaker, in closing, that we have always said that we believe in multiculturalism and nothing has been changed; I think this is just the first step in the right direction.

MR. SPEAKER: The pleasure of the House to adopt the motion? The Honourable Member for Crescentwood.

MR. CY GONICK (Crescentwood): I have a question, if the Minister would answer. I thought that the Minister said that the \$100,000 was for administrative costs, and I would ask him therefore if we could expect that this would be a continuing expenditure each year; that the Legislature would have to approve expenditure of \$100,000 or a like amount to administer this centre on an annual basis, or just a once and for all expenditure.

MR. SPEAKER: The Honourable Minister.

MR. DESJARDINS: First of all, I might point out that there is no guarantee, no obligation in the Provincial Government to make a grant of \$100,000 a year. This is the clause that has been taken from all such bills including the Manitoba - the Centre on Main Street, the Centennial Centre, and the operating of this building will be done the same as any other, the same as the Planetarium, the same as these people. They would probably not come to government but go to the Manitoba Arts Council, submit their budget and then they could probably - they will no doubt get some kind of a grant. No obligation, nothing states here that they will receive \$100,000 a year; this is exaggerated, they will have to show their budget, the same as they do in the Centennial Centre in Brandon, the Planetarium, the Art Gallery and all these other cultural facilities.

MR. SPEAKER: The Honourable Member for Thompson.

MR. JOSEPH P. BOROWSKI (Thompson): Could I ask a question of the Minister? In view of the legislation passed during this session where the government will pay taxes now instead of grants in lieu of taxes, I wonder on what basis is the government exempting the corporations from all municipal school and business taxes.

MR. SPEAKER: Order please. I would indicate to the honourable member that the rules provide questions for clarity not for opening for the debate, and I'm sure you can ask that question in committee. Is it the pleasure of the House to adopt the motion? Agreed? So ordered.

On the proposed motion of the Honourable Minister of Tourism and Recreation. The Honourable Member for Churchill. Bill 67.

MR. GORDON W. BEARD (Churchill): Thank you, Mr. Speaker, on the Bill 67, of course, it's the one on The Museum of Man and Nature, and I can clearly recall when this was introduced. I enthusiastically supported it some years ago as a concept of it and I do today, but I suppose hindsight always proves to be advantageous, and in looking back I wonder whether I just wasn't a little hasty in my thinking and when we relate it to today's thinking I just wonder if the obvious location has to be Winnipeg for such a building and such a project. I believe, as I believed all along, that it is ideal to have a provincial building in which we have a museum, a provincial museum of Man and Nature but it doesn't necessarily have to be in the City of Winnipeg. And I just wonder why we didn't think of having it in maybe Portage or Brandon, two of the larger areas in the central part of Manitoba and I stay away from the north in this respect and say if we move why couldn't we decentralize this as part of a government project and see if we can't move a little way from Winnipeg rather than put all the cement in one place.

When I look around and see the Centennial Hall and the Planetarium, and Winnipeg Art Gallery, sitting down there with a few pictures hanging around, I think that maybe we are over-expanding on our arts; I think that maybe they could have with a little thought a few years ago got together with somebody and hung all those pictures in one of the other buildings and could have done away with one of the buildings that we voted for. I believe that there's an astronomical growth in recreation and entertainment facilities in the City of Winnipeg and eventually those costs are spread throughout the whole of the province. And so the Province of Manitoba pays for it. They're paying to make the City of Winnipeg even bigger than it is today. And I believe those are some of the things that concern us who live outside the City of Winnipeg and who are struggling to remain outside of the boundaries of the City of Winnipeg, and if you want to continue to entice people to live outside of the City of Winnipeg, then you have to find ways and means, Mr. Speaker, of passing along some of these goodies and some of the nice things to make it an enviable place to live outside just as it is in the inside. Because most of our people when they come to Winnipeg see all the things that are located in the City of Winnipeg which they do not have in the rest of the Province of Manitoba and if you took statistics of the hundreds and thousands of children that sit in the galleries throughout our sessions and ask them what they saw in Winnipeg, or what they liked about Winnipeg, you would find that they were in fact visiting all these things that they do not have the opportunity to see in their cities and towns and communities, and within driving distance of the places that they live in.

The more things that we build in Winnipeg and more support, financial support that it takes to look after them, the less there is for the rest of the province. And the things that we have to build in the City of Winnipeg have to be bigger and larger to accommodate the greater crowds that will come to those areas and those buildings and so it becomes something that becomes so large that it eats up all the money that becomes available for the whole of the Province of Manitoba and there's nothing left to contribute towards the rest of the province. So consequently when the rest of the province comes and asks for money for their small communities for recreation areas and parks, as the Member for Thompson said, small zoos, the things that they had to come to Winnipeg to see, there's no money left for those, no money left for them. And the only way there will be is dividing up the pie a little more sensibly. Maybe it won't be equal in respect to population but representation doesn't mean the whole thing. Because if the City of Winnipeg wanted to control the rest of Manitoba completely, economically, and physically, then they'll be living by themselves. But I'm sure that's not the case. I think it's necessary for them to consider some of these things and for government to consider some of these things when they're building in the future.

I'm not against the museum of Man and Nature, I believe it's a wonderful thing, I think they picked a good name for it. I've been through it; I believe they've done a very good job on it. I wish we could say the same thing about the Art Gallery, but at least what we've lost on one

(MR. BEARD cont'd) we've picked up on the other.

But I believe that in the future when we're considering public buildings and spreading out of government, then I think that they better reconsider and say, where are they going to build it? Because a few weeks ago, Mr. Speaker, when we were listening to the Minister of Public Works talk about the plans to the new building, provincial building to be built in Winnipeg, I was wondering why does it necessarily have to be in Winnipeg? Why couldn't it have been somewhere else?

And I believe that the planning in the future will have to be channelled along these ideas, and I know I've strayed away from, or used Museum of Man and Nature to try and get over this other point in respect to the rest of Manitoba, but I for one don't want rural and northern Manitoba to become a museum. I want it to become live and --(Interjection)-- I want it to become a viable part of the Province of Manitoba and contribute to its economics. The only way we can do it is by having government involved and interested in the things, in the investments that they have in the rest of the province.

MR. SPEAKER: The Honourable Minister shall be closing debate. The Honourable Minister. The Honourable Member for Rhineland.

MR. FROESE: Mr. Speaker, I beg to move, seconded by the Honourable Member for Churchill, that the debate be adjourned.

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

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MR. SPEAKER: Proposed motion of the Honourable Minister of Tourism and Recreation, The Honourable Member for Inkster. Bill 70.

MR. SIDNEY GREEN, Q.C. (Inkster): Mr. Speaker, this bill has caused some stir in this House for reasons which rather escape me because if the bill was everything that the Honourable Member for Thompson said it was, I'd be much more enthusiastic about it. If it was everything that the Attorney-General said it was, I would be inclined to vote against it. And therefore I am rather confused as to why the positions that have been taken with respect to this bill have led to the repercussions that have obviously flowed therefrom.

Mr. Speaker, let me say at the outset that I believe that the greatest freedom possible should be permitted to people to decide for themselves what they will see, what they will read, and what they will hear. As far as I am concerned there is no adult human being, or otherwise, who is able to tell me better than myself what I am able to see, what I am able to hear, and what I am able to read. And, Mr. Speaker, in saying this, I am quite aware that however one proceeds in an organized society that it's likely that one doesn't achieve this result, and in voting for this bill it will come as a contradiction possibly to the Member for Thompson that I am voting for some censorship because after all the bill is going to result in a group of people looking at something and then classifying it as adult, general, or some other classification, and that in addition -- (Interjection) -- and violence. And, Mr. Speaker, as far as I'm concerned, that kind of gratuitous assistance that the state is proposing to give to me, I can do better without, and therefore the Honourable Member for Thompson will say well this is a contradiction in term, because you are voting for just that type of bill.

Well I always remember, Mr. Speaker, a rule that was given to me by the former Member for Lakeside, and the former Premier of this Province, D. L. Campbell, when we were discussing liquor legislation. The Honourable Mr. Campbell at that time removed what up until then had been a problem of contradictions which I had had for many years. For instance how do you vote for a limited capital punishment when you are against capital punishment? And many abolitionists, Mr. Speaker, in the House of Commons actually kept capital punishment for a longer period of time because they couldn't get out of this hangup, and the fact is that when a bill came in to reduce the amount of capital punishment that was taking place, they did not vote for that bill because there still remained in it a remnant of capital punishment. Now Mr. Campbell solved that problem for me when he spoke on liquor legislation because he gave me a rule. He said, and he gave the House the same rule, Mr. Speaker, anything that is more restrictive insofar as liquor legislation is concerned, Mr. Campbell said that he would vote for. Anything that is less restrictive insofar as alcoholic beverages is concerned, Mr. Campbell said he would vote against. And at that point, Mr. Speaker, he solved many a problem for me because I got up and said, anything that is less restrictive I will vote for, anything that is more restrictive I will vote against. And from that day forward, Mr. Speaker, and I assure you that it was on that day, from that day forward I have never had a philosophical or in principle hangup on questions of this kind, and indeed, Mr. Speaker, on questions of most kind as I will make clear when we are debating the school question which is going to be proceeded with.

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

I have one problem, Mr. Speaker, which I want to bring to the attention of the Attorney-General. Apparently as the law now stands, I as an adult can take my child to any movie that I wish to. As the law now stands, or as the bill is presented it would appear that if a child is prohibited from attending a certain movie, his parents cannot take him to that movie. And, Mr. Speaker, if that is what the bill says, then I will vote against that particular provision because it is more restrictive than the existing law.

Mr. Speaker, the last time that I had to speak on censorship in this House was in 1968 and at that time members may recall that the film Warrendale, which was a documentary on an emotionally disturbed children's home, was reviewed for censorship by the Manitoba Censor Board and one Hank D. Scott censored that film for me; Mr. Scott said that you Sid Green, or

(MR. GREEN cont'd) you the Member for Riel, or you the now new Member for Wolseley, shall not be permitted to see this film because it's going to do you harm. And Hank Scott made that judgment for the Member for Wolseley, for the Premier, and for me. And these are the terms that this man who played God for Sid Green and everybody else in this House, this is what he said. H. D. Scott one of the four members of the Board said in a telephone interview Thursday that the film was banned because of the foul language, amongst other things. And I said, Mr. Scott objected to the foul language. I don't know how many of you knew Mr. Scott but I assume some of you did. I met Mr. Scott you know and I enjoyed talking to him, Mr. Speaker, and I would say that if other members spoke to Mr. Scott at all they would wonder how he would say that he objected to the foul language. He thought that this would be too sensitive for my ears -- that's me speaking -- he's censoring what I'm going to see and that's what I regard as important to hear. And then Mr. Scott went on to say the following, this man who is now telling me what I can see, what I can think, what I can hear. "Documentary, is that what you call it? Documentary, I thought it was meant for entertainment. Isn't that what films are all about? We wouldn't allow language like that in any film in our province," Mr. Scott said. I wonder if Mr. Scott can go around the province and stop the type of language which he says he wouldn't allow in a film. I wonder whether the Member for Thompson can stop that type of language in the mines in Thompson in which he worked. And Mr. Speaker, which frankly although we all sort of go on the impression -- (Interjection) -- we all go on the impression that this language is somehow terribly foul and debases us, and if I were to use the four letter words that are referred to in Mr. Scott's objections, if I were to use them in the House everybody would look at me somewhat ascant. We can walk across the hall and have a drink of coke and engage in that language very easily, and we've all done it, let's not be hypocrites about it, and we seem to live the same way, we seem to be the same good people, but somehow we have to create an aura, Mr. Speaker. -- (Interjection) --

MR. SPEAKER: Order.

MR. GREEN: Mr. Scott wants to do it and now the Member for Thompson wants to do it. Mr. Chairman, apparently we believe that we are better people if we somehow have a public presence which is different from what we really are. And, Mr. Speaker, this is the real objection which I have to the notion that censorship somehow makes us a better group of people to live with. I am of the impression, Mr. Speaker, and I took the same position with regard to the liquor legislation -- by the way I conclude my remarks in 1968 in saying that I would not have Mr. Scott telling me what I can see or what I can read or what I can think, and with all due respect to my honourable friend the Member for Thompson, I would not have him telling me what I can see or what I can read or what I can think. Nor do I choose to tell him what he can see or what he can read or what he can think. Well, Mr. Speaker, I regard that as one of the basics upon which I have participated in public life. That that runs through everything I do. It runs through my position on the school question; it runs through my position on censorship; and it runs through my position on the government in any way involving itself in the area of the mind. As far as I'm concerned I can see a lot of room for the public to involve themselves in the economic conduct of its affairs. But I see no room whatsoever for the government to involve itself in the affairs of the mind. And this bill which goes a very short distance is to some degree an improvement because it is dismissing the notion that there is a group of people in Manitoba who have all of that wisdom which makes it possible for them to tell other people what they can read, what they can see, what they can hear, and what they can think.

And throughout all of these questions, Mr. Speaker, I have taken the position that freedom is a better regulator than governments are. That as far as I'm concerned, Mr. Speaker, the Honourable Member for Thompson, regards anybody who doesn't believe in censorship as somebody who thereby promotes pornography. And I say, Mr. Speaker, that I do not believe in censorship because I am convinced that a free society and free human beings will not deem it worthwhile to produce pornography. That the price of pornography and the value which we place on pornography in our society is created by the censor boards and by people who think that they are able to preclude people from seeing what they want to see, hearing what they want to hear, and thinking what they want to think. Mr. Speaker . . . -- (Interjection) --

MR. SPEAKER: Order, please.

MR. GREEN: . . . I am convinced, Mr. Speaker, I am convinced that if we had a society in which there were no rules regarding what can be filmed or what can be written or what can be seen, that there would be less pornography and that there would be a lower price on -- (Interjection) --

MR. SPEAKER: Order.

MR. GREEN: . . . pornography, Mr. Speaker -- (Interjection) -- we'll get to the drug question. What . . .

MR. SPEAKER: Order, please. I'm going to indicate to honourable members that interruption is not one of the procedures of this House. If any member persists I shall just have to name him and he shall have to leave. The Honourable Member for Inkster. Order.

MR. GREEN: I thank the Speaker for his assistance but I rather enjoyed the barbs that are thrown out by the Member for Thompson because I think that each one of them reduces the position which he is attempting to advance.

Mr. Speaker, I'm going to relate to honourable members some passages from a book which has greatly affected my thinking on this question and on many others. It's a book called the Autobiography of Lincoln Steffens. It was written by a reporter who was engaged in looking at American society around the 1900s. And one of the things that he was involved in, Mr. Speaker, was an incident where a group of radicals were going to create, to have a meeting in Union Square in New York. -- (Interjection) -- Radicals, yes. And what had happened was that they had this meeting and some violence took place, there was fights between the police and demonstrators, and they announced that the following week as a result of this violence they were going to hold another demonstration and this one, Mr. Speaker, was advertised in all of the papers and the police were loaded for bear and the radicals were loaded for bear. And Steffens went to the City administration and he said, "I can stop the riot which is scheduled to take place on Saturday because of the demonstration and meeting that is going to be held by the radicals." And the administration said, "How can you stop it". And he said, "Just don't have any police present." And the administration said, "Well if there is no police present these people will be free to do anything that they want to." And Steffens said, "That's true. And what they are saying is that they want to speak. And if you let them speak and nobody prevents them from doing something and there are no police present to prevent them, then there can be no riot." And he went on in this way until he convinced the administration to not recall all the police absolutely but to station the police four or five blocks around the circumference of Union Square, where they couldn't be seen and where the radicals did not know that they were present. And, Mr. Speaker, the meeting took place. And as the meeting took place the people who were there found out that they could say anything that they wanted to and nobody stopped them from speaking. And so they started to speak and now, Mr. Speaker, I am going to describe what happened as a result of this exercise in freedom which resulted in no violence. "Nothing happened. They did not move, they listened, nobody heard but the audience. Schmittberger who is the Commissioner of the Police let me run it. He watched me, not the meeting. And I thought he was learning what free speech was till along late in the afternoon he pointed to some men pulling up boxes to the outer edge of the crowd. 'Who are those butters-in?' he asked. I walked down there; learned that they were socialists who had decided since speech was free to talk socialism. I told Smittberger who they were and he grasped his stick, 'Not your friends' he explained. He was evidently minded to sock those socialists but I looked at him held his eye and grinned. He got it. 'Well let them speak. Hell, let em all speak. What do we care.' And they did speak, more and more of them. I heard the Chief telephone to Colonel Wood that there were lots of meetings, not only one. There were orators shooting off their mouths all over the square and not the least trouble. How could there be trouble with no policemen present. Only the organizers of the meeting were in trouble. Toward the end of the day as it was growing dark I happened to walk down through the crowd past where I saw the leader standing in a cross group. They called me a name, the name you don't mention without a smile. Since they did not smile I did and I asked them what was the matter. 'You're always butting in and spoiling something' they said in various versions. 'But I got you the free speech you wanted.' 'Ah, go to hell. You know damned well that isn't what we wanted.' And it isn't. Why can't the police, the governments, the law abiding people everywhere learn what the English know, that free speech is what they want not what the reds want. It is their salvation. Liberty to talk, to write, to meet is a safety valve for feeling which unexpressed might cause action."

Why can't the people, Mr. Speaker, who want to eliminate pornography, why can't they know that freedom and the absence of censorship is what they want. Not what the pornographers want. Because, Mr. Speaker, the censorship and all of those inhibitions which we have built into our society, especially with regard to acts sexual, has created a market for pornography

(MR. GREEN cont'd) and has raised the value of pornography to the extent that would never occur, Mr. Speaker, in any free society. And therefore, those who say that they want censorship because they want to destroy pornography, have not been able to produce, and as a matter of fact the reverse is true, they have not been able to produce a single case which demonstrates that censorship destroys pornography.

But, Mr. Speaker, you have society, and I'm not talking about the fairly recent ones where it's like a new thing. But you have societies that have existed for many years where nothing is censored and people live, and you know everybody isn't thereby writing and making, drawing lewd pictures, if my honourable friend will like that term, or pictures which he would consider lewd. And that all of the things that have come to us from generations past, Mr. Speaker, from years and years and generations past, all of the art work, all of the things that we treasure, have not demonstrated that when there was no censorship that man given his freedom runs to draw what my honourable friend would call dirty pictures. Man draws those kind of pictures when society creates an attitude whereby these things become the thing to look at.

Mr. Speaker, let us take the story in Genesis, -- (Interjection) -- the Garden of Eden, that's right. I remember when we were discussing liquor and the Honourable D. L. Campbell, Mr. Speaker, was talking about the fact that if liquor is advertised, more of it will be sold. As far as I'm concerned, Mr. Speaker, if we removed all our liquor laws, all of them, and had man behave as a free human being, I am convinced we would have less trouble with alcohol than we have at the present time. The Honourable Member for Thompson can't challenge me because we know that with our existing laws on liquor, with our existing laws on pornography we have loads and loads of pornography, and we have loads and loads of liquor problems. And by the way, Mr. Speaker, we have loads and loads of drug problems. And I, Mr. Speaker, am convinced that man given his freedom registers his most highest qualities and he doesn't run to register what my honourable friend would call his most lewd qualities. Mr. Speaker, the fact is that all of the problems that we have with regard to things sexual, and this whole society has that problem, have been created and exist and let us hold back they have been created . . . , but they do exist with all of the things my honourable friend would like to enact to prevent them. We have the liquor laws, we have the censorship laws, we have laws in the criminal code prohibiting obscenity, we have besides that generations, Mr. Speaker, we have besides that generations of, and I use this as an adjective only, puritan-like attitudes which have made almost the entire society grown up on the basis that sex is some kind of a bad dirty thing. And, Mr. Speaker, that hasn't helped society. It hasn't made us into what my honourable friend would like to think as morally sexual people. All of the perversion that he is talking about, all of the over regard for pornography has resulted in spite of the fact that you've had these laws and had these attitudes. And, Mr. Speaker, I go further. I say that they have resulted because of those facts.

I have a 16 year old son, Mr. Speaker, who when he was making a speech at school in trying to be humorously profound and trying to speak like politicians sometimes do and to -- (Interjection) -- Yeah maybe to speak like his father. He said, Mr. Speaker, in an apparent joke in trying to outwit his audience to say something that maybe they wouldn't understand, he said, "The cause cannot be separated from the effect." And he said it, Mr. Speaker, in such a way as to really get by with having made a completely unprofound, a completely meaningless statement, with the intention of impressing his audience, which sometimes happens. And as I started to listen, Mr. Speaker, as I started to listen to the words that were said in apparent humour and apparent jest, the cause cannot be separated from the effect, I say that in this case the cause cannot be separated from the effect. The effect that my honourable friend is describing, the talk that he gives us about perversion; the talk that he gives us about sex attitudes; the talk that he gives us about immorality, exist with all of the laws that he is talking about. And I had gone back to try to display this with regard to the liquor advertising. That we know that in the Garden of Eden, Eve didn't try to run around, eat everything else that existed there. She had her mind on one thing. The apple. And she, Mr. Speaker, she didn't, I believe that the story has meaning. You know, there is a difference between being a fundamentalist and believing everything that the Bible says literally . . . But, Mr. Speaker, I believe that the Bible contains a lot of meaning. And just because I don't believe that Eve literally ate the apple and that the serpent was suffered to crawl around on his belly instead of his legs, just because I don't believe that that literally happened, doesn't mean that I don't

(MR. GREEN cont'd) think that they have a great deal of meaning and something that we can learn from. And maybe the honourable member for Thompson would learn that Eve ate the apple not because it was advertised but because, Mr. Speaker, it was prohibited, and that that prohibition was the best advertising that you could have produced for it. And, Mr. Speaker, the same is true about films, movies and everything else. The fact, Mr. Speaker, is that nobody, hardly anybody, and I know from the theatre owners nobody was going to see Joe -- and I'm talking about the movie -- until the Member for Thompson said it should be prohibited then they had lineups every day.

Mr. Speaker, when I was a youngster, when I was a youngster -- maybe I was a bad youngster, maybe I was evil -- but the books that I looked for, which I couldn't find but which I always wanted to find, were two books which the titles to which were known to me and to every other youngster that I went around with, Lady Chatterley's Lover and Fanny Hill. So why, Mr. Speaker, why was I looking for those two books. Do you know why? Because they were prohibited. Well, Mr. Speaker, those books are not prohibited any more, and I suggest to you that very few, that, Mr. Speaker, that very few, that the attitude, and maybe very few would be an exaggeration, but that the attitude of younger people to those books has not degenerated because they are not prohibited any more. That some of the stuff that is now written would make Fanny Hill look like Anne of Green Gables. And yet the titles are unknown. And, Mr. Speaker, not only are they unknown but I suggest to the Honourable Member for Thompson that they are doomed to oblivion because given freedom of thought, freedom to read what we like, freedom to see what we like, freedom to hear what we like -- I don't accept the fact that man will choose the most degraded. I don't accept the fact that the free human being in matters of the mind is the most degraded human being.

And, Mr. Speaker, I could go further than that and I would say that in almost any area, but we are discussing at the moment censorship. I think that the Minister of Labour is right. I think that the free relationship of employer and employee relations is conducive to industrial stability because that's what his Labour Act says. The Labour Act says, Mr. Speaker, and I am completely at one with it, he says that whereby there's a whole group in society who says that if you pass laws which permit people to be free they will immediately run away from their jobs, start walking up and down the streets and hope to collect a few dollars strike pay, and that employers because if they are free, they will close their businesses. Well, Mr. Speaker, that is not the case. Free labour has always shown to be able to create a greater degree of industrial stability, a greater degree of productivity than has any form of restricted labour including the worst which to some would be the best. You know to some if you wanted to have a law which said that people could never go on strike, that their terms and conditions would be set for them by others, that they would be required to work under those terms and conditions, Mr. Speaker, then slave labour should be the best productive labour, but we find that that was the worst. Mr. Speaker, we found that that was the worst of productive labour. Well, the Honourable Member for Thompson says, why do we have minimum wages? And I say that we have minimum wages because we have built into our society a whole set of restrictive practices which then have to be compensated by other restrictive practices. And as far as I am concerned, and I've said it many times and the Minister of Labour has heard me say it, that labour would be better off if there were no labour laws, that soon enough they would get what they are entitled to by virtue of having the same laws that affect other people and they would work for it and they would get it. Now if there are going to be minimum standards, if there is going to be monopolies set up, if there are going to be other restrictive situations on the labour market, you are going to have to compensate that with others, and inevitably with others and others and others, and that is why we go in this direction. Mr. Speaker, this particular bill doesn't do what I hope will be done, and what I say should be done.

If the Honourable Member for Thompson is really concerned then let me say to him that the Attorney-General's point to some respect is sound, that all of the laws which we have regarding obscenity, and which exist in the criminal code, we have no power to change, nor have we any real power to alter them, and that censorship for years in the Province of Manitoba has been a rather casual affair that under the previous administration that all they were doing is classifying, that many of us all we wanted them to do was classify, that in effect it's been a facility, as is proved by the case of the Stewardesses, it's been a facility to the theatre owners who then know that they will not be prosecuted by obscenity because it's gone through the Censor Board and that somehow obscenity has been prejudged and they therefore don't have to worry about it.

(MR. GREEN cont'd)

Well, Mr. Speaker, at the present time if this bill is passed, each theatre owner will not be able to carte blanche take a movie, he will still be worried about the obscenity laws, and he will not have the Attorney-General's mark of culture on it and say that the film is okay. And to that extent, Mr. Speaker, I would say that maybe the Member for Thompson is getting more out of this bill than I am, but certainly I still think that it is a move in the right direction. I want the honourable member to know that if I had my way I would abolish the obscenity provisions of the criminal code. They would not exist. And if the honourable member says that I am doing that in order to promote pornography, then I say that it makes as much sense, Mr. Speaker, it makes as much sense for me to say that he wants censorship in order to push pornography because that's what censorship has done.

Well, Mr. Speaker, -- (Interjection) -- Mr. Speaker, I am telling that as far as I am concerned the existing provisions of the criminal code make as much sense as the Nova Scotia criminal law used to make when it said that adultery was a criminal offence. You know that there was a law, Mr. Speaker, in Nova Scotia, part of the criminal law, which said that adultery was a criminal offence. Does my honourable friend think that this thereby in some ways restrained adultery? I'll tell you what it did it made convictions of that criminal sentence impossible to obtain because the very people who were prosecutors and judges, and other well known and important people in society, were worried as to whether this would ever come back to haunt them. And secondly, Mr. Speaker, well, you know the honourable member may be Simon Pure, I am not. I have never claimed to be so. If the honourable member thinks that he is going to create that type of society I would say, . . . , because I don't think that the honourable member is any purer than any of the rest of us and that the only -- (Interjection) --

MR. SPEAKER: The Honourable Member for Thompson on a point of privilege.

MR. BOROWSKI: Mr. Speaker, the Member for Inkster said I am not - he made the statement that I am not purer than anybody in this House. I want him to know that I object that if he compares me to those like the Minister of Finance and himself who openly push pornography.

MR. SPEAKER: Order, please. The matter is not a matter of privilege. The Honourable Member for Inkster.

MR. GREEN: Mr. Speaker, I say that it would make just as much sense for me to stand here -- I believe that my honourable friend sincerely believes that there should be less pornography. And what he has just said makes as much sense as for me to say that he is openly pushing pornography, that he is the champion of pornography in this Legislature. Mr. Speaker, I want the honourable member to know that the people who engage in gambling in the United States want there to be a law against gambling, that is the only way they protect their market. And the people who want to sell pornography want there to be laws against it because that raises their market. It's true, they don't want to personally go to jail, and they would like to avoid that, but they live on the capital that is created for them by people saying that this is a dirty thing because, Mr. Speaker, that's what makes it saleable. That is what makes it saleable.

This bill is not going to move a great deal in my direction. I can tell the Attorney-General that his remarks to the effect that he has prosecuted pornographers, and that he has put them in jail, don't make me feel particularly proud. As far as I'm concerned his statement that evil is in the eyes of the beholder is correct and that if he really felt for that statement he would say that he cannot judge when something is obscene and therefore will not institute a prosecution, that he will let those people who say that something is obscene institute the prosecution of that obscenity, and that way have their judgment as to whether it is or not, that this is not an unusual precedent. I know that in British Columbia, or in another province, there was a riot in a prison, oh no there was an allegation of police brutality, the Attorney-General found that indeed there was some evidence of police brutality but he would let the individuals who claimed that the brutality existed, he would let them follow through on the prosecution. I would have hoped, and I'm not entitled to demand it because the Attorney-General runs his department as he sees it, not as I see it. But I would have hoped that the Attorney-General could say with regard to obscenity that neither he nor the Member for Thompson, nor anybody else, has the right to say whether somebody else has indeed seen something which was obscene or not, and that he, the person that complains, should go ahead and prosecute the obscenity. Because it is in his eyes that -- (Interjection) -- Mr. Speaker, yes at his own expense, there will be groups led by the Honourable Member for Thompson who

(MR. GREEN cont'd) will build up funds for these prosecutions, as occurred in other countries, and I would let them prosecute the obscenity, because I don't accept the fact that somebody else has the right to say for me, Mr. Speaker, that something is obscene. And in doing so, Mr. Speaker, I repeat, -- (Interjection) -- I believe in less pornography rather than more pornography. -- (Interjection) -- Well, Mr. Speaker, I'm telling the people of Manitoba and if it happens to go beyond these borders, anybody who wants to know my views on them didn't have to wait until I spoke today, I said the same thing in 1968, and I rather think that I will be saying the same thing in 1975. I don't think that my position on this is going to change any because, Mr. Speaker, I don't see how anybody is able to tell from me that something is obscene. I know that today a nude is obscene. How many people in this Chamber don't pause at the middle page of Playboy, I mean put up your hands -- (Interjection) -- How many people? -- (Interjection) --

A MEMBER: What's Playboy? What's Playboy?

MR. GREEN: How many people? Oh they don't know what Playboy is. -- (Interjection)-- How many people, Mr. Speaker, -- (Interjection) -- I can tell you, Mr. Speaker, -- (Interjection) --

MR. SPEAKER: Order.

MR. GREEN: That as far as I am concerned, our attitude, our attitude, our attitude towards things sexual in this society whether by law or by tradition or by religion, has created more difficulties in relation to matters sexually, both of a perverse nature and of a problem with regard young people, and a problem with regard to married couples, than anything that has been written in any book that these are the things that have created problems and that to me sex is one of the lesser of things to be considered obscene. I would think that there are many things, Mr. Speaker, which represent obscenities to me rather than sex. The things that we showed as sex, Mr. Speaker, the things that we showed as sex during the years that we had the most strictest of censorship, as far as I'm concerned created more sex problem than anything that is now shown. If I was a censor, Mr. Speaker, and the Member for Thompson will have a problem understanding it, but if I was a censor and I accepted censorship, which I do not, but I had to say that something was obscene I would censor "Andy Hardy Goes to College". To me that is the most obscene type of movie that was ever produced in our society. "Andy Hardy Goes to College", or any one, Mr. Speaker, of those good old movies that we used to see which showed the two young people falling in love and then embracing and then the camera faded off and the music flowed in and everybody was supposed to imagine what happened. And a lot of people, young people took that as the sex act, and didn't know, Mr. Speaker, or were completely hungup, and I know this as a fact. -- (Interjection) --

A MEMBER: What a confession, he must have known.

MR. SPEAKER: Order. The Honourable Member for Rhineland.

MR. FROESE: Would the Minister consider a question? How would you improve the Act. -- (Interjection) -- Could we hear that?

MR. SPEAKER: The Honourable Member for Inkster.

MR. GREEN: Why does it come to members of such gleeful amusement to think that perhaps, and you know I didn't, but perhaps that I made an admission with regard to my own sexual hangup. Why would that come to all of the members in this House of such glee? The fact is that I wasn't referring to myself, but I could have or other members in this House, so let's not laugh about it. The fact is that I was referring to people who came to me when I was in the law business and who told me what their problems were and those problems exist in our society, and they exist because of the attitudes that I have referred to. And it is not a joke. We make a joke of it because, Mr. Speaker, the worst part of this whole censorship bill is that we are such hypocrites about it. Mr. Speaker, we know -- the Honourable Member for Thompson says that the 40 minutes are up. The Honourable Speaker tells me that I have about three left. The fact is that we know that the prosecutor, the judge, the other pillars of our society who talk about censoring for others have all in part been part and parcel of what is going on. Do we know that we all march in in band alignment and to beer and skits where the things that take place are far worse than what the Attorney-General got up and said that he's going to go out and talk to the Free Press about a silly ad that they had in their paper. We know that this is taking place. I know that there were stag films, from my honourable friend's point of view that have been seen in the houses of the "best" people of our society, and when we put somebody in jail because he is involved in the selling of so-called "dirty picture", I can't feel that

(MR. GREEN cont'd) power. I'd feel a guilt, a bit of conscience, Mr. Speaker, because I know that what we are doing is picking a few scapegoats to make ourselves appear pure to the rest of society. All of whom know we are not pure; they know we are not pure; we know we are not pure, and if my honourable friend thinks that greater purity will come from greater laws, I tell him that it will not. That greater purity in his sense will come from greater freedom.

Mr. Speaker, I remember the words of Bob Edwards, Eye Opener Bob, who wrote the Calgary Eye Opener. He had I think a very penetrating view on this question. He said that to be virtuous is easy when sin ceases to be a pleasure. The fact is that everybody in our society is hung up on this question that the so-called perversion that my honourable friend refers to have been built up on the very attitudes that he now wishes to enshrine. And I am quite satisfied, Mr. Speaker, that the free human being is a loftier human being not a more degraded human being, and that the free human being doesn't need people like the Member for Thompson, like the Attorney-General, or myself, to tell him how he can be a better person. You let him be free and he will be a better person.

MR. SPEAKER: The Honourable Member for Fort Garry.

MR. L. R. (Bud) SHERMAN (Fort Garry): Thank you, Mr. Speaker. Well obviously, Mr. Speaker, when the Honourable Member for Inkster and I were young men he got hung up on the wrong kinds of movies. He got hung up on "Andy Hardy Goes to College" and that type of thing while the rest of us were going to the Hemingway movies across the river and into the trees, and we possibly learned some different lessons from those early exposures to the movie industry than he did. But, Mr. Speaker, what one is left with on this side of the House after listening to the Honourable Member for Inkster is the fervent plea and question to that member, where were you when we needed you? Where was the Honourable Member for Inkster in other debates in this House on the principle of freedom, on the principle of free choice? Where was he on the Autopac debate for example? Where was he in some of the taxation debates that have been carried on in this Chamber?

MR. SPEAKER: Order, please.

MR. GREEN: Would the honourable member permit a question at this point? I want to indicate to the honourable member that in my speech I indicated that I was prepared to have a lot more government involvement in the economy but not in the affairs of the mind. -- (Interjection) --

MR. SHERMAN: Mr. Speaker, that's a neat juxtaposition of values and the Member for Inkster, the Honourable Member for Inkster is entitled to that. But he stood in his place in this Chamber and talked about freedom and freedom of choice in a manner besetting the best Conservative in this House. And all I ask him is, where was he when we needed him? He's two years too late; he's three years too late in talking that way. There are debates that were held in this Chamber where we could have really used him because he spoke out for freedom of choice, which is the principle on which I take my stand on this legislation and on other legislation that has come before this House. There have been many conversions in this Chamber, Mr. Speaker, but the richest one the greatest one, and there have been a great number in the past few weeks, relatively great. The richest one is the one that we have now seen before us with the conversion of the Honourable Member for Inkster to a freedom of choice, a free option point of view. And I for one am very grateful and very much heartened that he should move to that position. I hope he'll continue to move over to the Conservative side of the Chamber.

Mr. Speaker, I rise principally to support this bill. I believe that the concept of the bill and the principle of the bill is consistent with the principle of freedom of choice, with the philosophy of freedom of choice, and with the approach that a person in our society has a right to make his own choices and his own decisions as long as those choices and decisions are consistent with social order. This bill turns on the question of replacing the Censor Board with the Classification Board. At least in the minds of members of the Chamber it obviously does. There are aspects of the bill which I think are weak and I will be prepared, perhaps with some of my colleagues, to suggest amendments to those areas of the bill that we think need improvement when we reach the committee stage of consideration. But in principle, Mr. Speaker, my ability to support the bill stems from a very simple rationale, and that is the one that I've mentioned, that it turns on the right of a person to make his or her own decisions. Those who speak out like the Honourable Member for Thompson has done and the Honourable Member for Point Douglas and others have done, are no doubt sincere in their opposition to the legislation.

(MR. SHERMAN cont'd) But those who speak out in that manner I think are living behind the times and are tilting at windmills that vanished long ago. And I think that in the worst of their performance they're alarmists, that they conjure up a vision of a society gone immoral, gone morally mad, which is a segment of a worried and anxious, and an irresponsible imagination where this particular question is concerned. There are some things wrong with the bill, Mr. Speaker, but the concept of allowing people to make their own choices where their intellectual approach to life is concerned, supersedes and over-rides all the dangers and the weaknesses that may be worthy of at least passing consideration in this legislation.

Legislation to be valid and viable and acceptable has got to reflect the mores of a society; it's got to be legislation that people can live with; it's got to be legislation that they can respect. The other course, Mr. Speaker, is a breakdown in respect for law and order, a breakdown in respect for the law itself. We have seen this in our society and North American society in many facets, and on many hands, most of which have been the consequence of the hardcore puritanical ethic which has underlaid much of our social behaviour on this continent for 200 years.

There is an anecdote about the English people who were waving goodbye to the Pilgrim Fathers when they were leaving the shores of England and sailing for America and the New World, and as the story goes the English people saw these expatriots to be, these explorers and adventurers who purportedly were of such high principle and such high conviction, sailing away into the distance and the people who saw them go said, "There go the Pilgrim Fathers from our shores, thank God for that." And it's an anecdote that really reflects the realities of a responsible and a rational society in my view, Mr. Speaker. It reflects a position of men and women who don't need to be harnessed and harassed by shackles and by controls over their minds and over their intellectual activities, who believe that life consists in its best sense in the fullest development of the capacities of men and women, consistent with their respect for others, and as I've said, the order of society, but not in a kind of a regimented civilization or regimented society where people are denied the right to make their own intellectual choices. And so I think there's much in that anecdote; it was a case of goodbye and good riddance to those people who wanted to impose their kind of narrow, rigid, doctrinaire view of manners and morals and social behaviour on society and were not willing to permit others to live and let live.

I don't believe, Mr. Speaker, that I'm enriched or enlightened or ennobled, or in any way advanced by allowing a civil authority to determine for me what books I can read, what plays I may choose to patronize, what films I may choose to see. As I've said there may be some evils, they're not evils, that's too strong a term, but there may be some difficulties and dangers in removing a censor board and replacing it with a classification board, in moving away from the whole entrenched concept of censorship that has been with us for so long, but the inherent respect for the individual intellectual rights of man far outweigh those dangers. The respect implicit in this kind of legislation for the inherent intellectual rights of men and women far far overrides whatever difficulties and whatever transitional problems will confront us for the first few months of this different kind of social approach.

The problem with censorship in any form is that it is a state of inhibition, a state of a limiting of man's freedom which leads in the wrong hands to an extension of that kind of control, and carried to its logical or illogical, and certainly irresponsible extreme, Mr. Speaker, it leads to a form of mind control, control over the thinking of a society. One form of censorship, in my view, any form of censorship, always contains within itself the seeds of a greater form of control, the seeds of a tighter and tighter environment of restriction over the people of a society.

In any event if there's some dangers and some difficulties in the new approach embodied in this legislation, what's wrong with that, Mr. Speaker? There's some difficulties and some dangers in life; there's some difficulties and some dangers in politics; there's some difficulties and some dangers in everything. That's no reason, that's no rationale, that's no excuse for saying we should keep the shackles on, and we should keep the blinkers on, and we should keep people in a suspended state of tutelage where the state dictates for them and decrees to them what they can think, and how they can go about it. The phrase, "Do your own thing" is popular today, Mr. Speaker. There's nothing new in that phrase except in the choice of words themselves. It's the modern counterpart for the ancient adage or the ancient proverb, "To live and let live", and this is really what's at the base of the principle implicit in this legislation. The

(MR. SHERMAN cont'd) concept of "Live and let live"; of let people make their choice as to how they're going to exist intellectually.

I don't equate the situation where pornography is concerned with the drug situation however, Mr. Speaker, and this is a point, the fork in the road, where I branch off on a different track from that expounded and taken a few moments ago by the Honourable Member for Inkster. The fact of the matter is that the record, and it's clear for everyone who wants to take the trouble to check it, the record where there have been no puritanical shackles, where there have been no restrictions of censorship, demonstrates quite clearly that the freedom that people have in that environment, that freedom from censorship does not produce evil, it does not produce rampant lewdness, and in fact it doesn't even produce pornography. If anything, as the Honourable Minister for Inkster pointed out, it has a tendency to reduce the existence of pornography because it takes the *raison d'être* out of the whole exercise and it normalizes the whole realm of social sexual behaviour that is not the subject of so much controversy, and so many different moralistic and legalistic approaches, so that I don't equate that field and that position, and any decision being taken in the direction in which this legislation is moving, with the kinds of things that we perhaps will be looking at in the near future in this Legislature and others across this land where drugs are concerned, and I differ with the Honourable Member for Inkster on that point. The jury is still out on drugs. There is considerable evidence that drugs are extremely damaging, in fact in my view there is sufficient evidence to convince me at this point that they are lethally damaging to society, but we're not discussing drugs in this bill, in this legislation, we're discussing censorship.

I believe that where there is freedom from censorship the evidence and the record is perfectly clear in those countries that have moved in that direction of freedom, that there is no damage to societies, that there is no threatened suggested counterbalancing thrust of immorality and lewdness, such as some of those who have spoken against this legislation would have us believe. So that my position, Mr. Speaker, is one that does not have to be rationalized in terms of the ancient story of the Garden of Eden and the beginnings of our Judeo Christian legendary heritage from the Old Testament. It's one that is basic and fundamental to my political and philosophical beliefs, and that is that men and women should have the right to choose for themselves freely within a framework of social order what they want to read, see and do intellectually and even physically to the extent that it does not violate that tenor of social order which of course all legislation is designed to enshrine and protect.

So I find no difficulty, Mr. Speaker, in supporting this bill. There are some weaknesses in it; there is one aspect of it which in my view extends the area of censorship to a far greater extent than it exists today and I intend if one of my colleagues doesn't do it, to move an amendment and hopefully to take care of that situation when we get to that stage in consideration. There is another area that opens up concern for me and that is the area of the small independent rural motion picture house operator who might find himself much more vulnerable to charges laid under the obscenity section, the Criminal Code of Canada, than a major and well-financed operator in a big city might do, and we'll have to look at that section of the bill. But these are weaknesses that can be improved in the committee stage, the principle is that we don't need censorship and the principle is right, Sir.

MR. SPEAKER: The Honourable Member for Portage la Prairie.

MR. G. JOHNSTON: Mr. Speaker, I move, seconded by the Member for La Verendrye that debate be adjourned. If anyone else wishes to speak, I'm agreeable.

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

MR. MACKLING: Call Bill No. 71, Mr. Speaker.

MR. SPEAKER: Bill No. 71. On the proposed motion of the Honourable Attorney-General. The Honourable Member for Assiniboia.

MR. PATRICK: Mr. Speaker, I wish to make a few comments on Bill 71, an Act to amend The Consumer Protection Act. I'm very glad that the Attorney-General has paid some attention to the remarks that I made on his Department when the Consumer Department was before the House some little while ago, because the areas that he has amended, the areas that he has zeroed in are certainly the ones that I elaborated at some length. And of course I'm referring to deceptive sales practices, pyramid selling, misleading advertising warranties, and that's some of the areas that really concern me. There's some of the other areas that he has not amended at the present time, but I agree that there has been a considerable amount of deceptive sales practices, pyramid selling, and I, at that time, requested the Minister to amend the Act so that he would have powers to enjoin prohibitive actions and to have the power

(MR. PATRICK cont'd) to issue, cease and desist orders and this is what he has done. So I'm very glad that he does pay attention to some of the recommendations that come from this side of the House.

As well that I was very critical of the Minister at the time when he proposed his Estimates when he did not do very much about misleading advertising. I stated to him the time is much past due that the Minister of Consumer Affairs in the Province of Manitoba would say that advertising is a responsibility of the Federal Government and at the same time I requested him that the government must amend the Act and give some powers to the Consumers Bureau in the Province of Manitoba and I'm very happy that he has been able to do this and in fact gone as far as to say that if there is a misleading advertising that the advertiser must correct and run corrective ads. I believe this is only the right thing to do and the Minister has taken the right action.

I've talked about warranties and I'm sure that the Minister is quite aware that I did deal at some length, I said the unfortunate part was that the contract is usually between the dealer and consumer or the purchaser while the manufacturer is many thousands of miles away and in my opinion the warranty must also tie the manufacturer as well, it must be very explicit, must point out what is under warranty and I see that the Minister has taken some action and I'm quite happy about that.

I have for quite some time -- I believe, before the Consumer Bureau was introduced in this House I had done a considerable amount of research into the consumer affairs and I believe one of the best information I was able to find was the study that was done by Senator Warren Magnusson on a Commerce Committee in the United States who has done a tremendous amount of work in this area and as a result has published one of the finest books on consumer protection which is "The Dark Side of the Marketplace". So every year that I have an opportunity, for the last some six years I have pursued this matter and have requested the Minister to really do a proper job instead of have window dressing legislation which wasn't doing very much.

The other point I'm somewhat disappointed, I think that we should expand and have a better information as far as the general public is concerned. It's not much use having legislation on the books if the consumer is not aware of the consumer legislation and in my opinion the Minister must move into better consumer education in the Province of Manitoba, otherwise the legislation will not be of much use. So I wish this is the area that the Minister would move a little more than he has and do something as far as I'm concerned because if the consumers are not aware of the legislation certainly it will be quite difficult for them to avail themselves of the protection that they can from the Consumers Bureau.

The other area that I have really pursued and I've had some experience from a few people phoning me long distance and trying to get parts for a very expensive machine, which I briefly touched on as far as I'm concerned are warranties to do with the farm machinery. I know I had on a few occasions a man phone me for a part for a combine that cost \$18,000 and the machine was new. It was probably just put into operation, a couple of weeks old, and there was nowhere within a distance of 150 miles he was able to get a part. In fact the best time that he had for harvest time, the weather was permitting and the machine was tied up for a few days. I raised this point to the Minister I believe last year and again this year on Consumers Department and he has moved in that area to a little extent but I feel that the manufacturer certainly has to be to a great extent responsible. I know that we're making the seller responsible to some extent because the contract is between the seller and the purchaser, but as well the seller should be responsible to some extent because he's making a profit. On the other hand, there's not much he can do, it's the manufacturer that really is the one that should be pointed at and the problem, this is where it should be corrected.

The other point that I feel the Minister has not moved in is the Conditional Sales. I thought that he was going to move into register conditional sales, lien notes or chattel mortgages, which I believe they should be registered. When somebody's buying a used car, a used automobile, or equipment he should know if there's any liens outstanding against that article. I believe this is done in some of the other provinces. Perhaps the Minister can look into this area as well. So I do not want to take the time of the House at this stage because I did take my full allotment during his estimates. I've made quite a few recommendations. At least the Minister moved in the four specific ones that I think are most important in this Bill and I certainly support the legislation.

MR. SPEAKER: The Honourable Attorney-General will be closing debate. The Honourable Attorney-General.

MR. MACKLING: Mr. Speaker, the notes that I have reflect the contributions as accurately as I recorded them of the honourable members who have spoken and if I don't touch on every facet of the arguments they've advanced it will not be a deliberate oversight on my part but it may be in the interests of economizing the time of the House.

The Honourable Member for Fort Garry in speaking in consideration of Bill 71 made some observations about his concern for the conscientious administration of this act inasmuch as there was a latent fear that overactivity in this area could well frustrate the effective and free working of the marketplace. But I wanted to say to the honourable member that, and this in part answers some of the concerns of the Honourable Member from Rhineland too, that the honest and reputable merchant has nothing to fear from consumer protection legislation either federal or provincial which is designed to protect the consumer against the nefarious retailer, one who wishes to take advantage of either ineptitude on the part of a buyer or take advantage of the technicality of the law, if some advantage appears favourable. It's true that we're really dealing with the fringe of the economy and I recall the words of the Honourable Member for Crescentwood who accused the consumer protection laws as really tinkering with the major problems in society. But although it is minor in scale to the total problems in our economy of the practices of now international conglomerates in dealing with the marketplace, nevertheless to those small people in many instances who are affected by those who are concerned to take advantage on the marketplace it has a high degree of importance and is very useful. And I want to assure honourable members that the intervention that this department makes through the Courts will be very carefully considered before they are taken.

The Honourable Member for Fort Garry was concerned for much more venture capital and went into other areas that really don't come under the aegis of this department. But I want to assure him that this government is concerned with the quality of life in Manitoba and is prepared to co-operate with business, both private, co-operative and certainly public enterprise to bring to the people of Manitoba the fairest marketing systems that are possible. But we will not stop short of our responsibility in bringing before this House and into effect legislation to protect people from those who would design to use the marketplace to line their pockets through unscrupulous practice.

The Member from Roblin was concerned about interprovincial consumer problems and I want to assure the Honourable Member from Roblin that that of course is the reason that the Federal Government is concerned to play a vital role in consumer protection itself; and we are from Manitoba's point of view prepared to co-operate wholeheartedly with the federal consumer protection branch in any interprovincial marketing problems. Now he mentioned a problem in connection with rabbits and I frankly hadn't heard of that -- someone just shot the rabbit. I hadn't heard of any particular problems respecting that industry. But if I am made aware of them I certainly will enlist the co-operation of the federal authorities in dealing with any problems that arise or have arisen.

The Honourable Member for Rhineland was concerned about this degree of overprotection as I indicated before, but as I again indicate, Mr. Speaker, the honest conscientious businessman has nothing to fear from consumer protection legislation. As a matter of fact, it improves the situation for his marketing, because the nefarious fly-by-night operator doesn't move in, make his so-called killing and take off leaving a lot of disgruntled and very unsatisfactory situations behind. This has so often happened where there has not been effective consumer protection legislation, and the result has been that the honest conscientious merchant who may have to charge a little bit more than the fly-by-night people, therefore is vindicated because he stands behind his warranties and his undertakings in respect to the products he markets.

The Honourable Member from Assiniboia, I appreciate the warmth of his enthusiasm for the bill. I noted an apparent lack of concern on his part for that very juicy and fruity and pithy concern of his Leader in respect to cherries in Manitoba. I certainly recognize that it may well be that the Leader of the Liberal party and perhaps some of his members may wish the Consumer Protection Department to be involved in some measure of price control. I don't know whether they have dialogued that with the Chamber of Commerce but certainly we'll be interested in any representations that the Leader of the Liberal Party or others wish to make advocating price control of cherries or any other product in Manitoba. I note his concern in respect to the development of systems for the registration of conditional sales contracts.

(MR. MACKLING cont'd) bills of sale and so on, and of course I've indicated in the past in this House that we have on stream a target date for the implementation of legislation to bring into being a uniform approach to registrations of this type. I expect hopefully next year, at the next session, to be introducing a comprehensive statute dealing with personal property, securities registration.

With those few remarks, Mr. Speaker, I am happy to see this bill go to Committee.

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

MR. SPEAKER: Proposed motion of the Honourable Attorney-General, Bill No. 75.

The Honourable Member for Lakeside,

MR. ENNS: Yes, Mr. Speaker, we've had occasion to peruse the contents of this Act and we have no objection to seeing this move forward to the Committee at this particular time, Mr. Speaker, Thank you.

MR. SPEAKER: The Honourable Attorney-General shall be closing debate. The Honourable Minister.

MR. MACKLING: Mr. Speaker, I don't believe that it's necessary for me at length to review any of the provisions in this Bill. I think that in my initial remarks I went into some detail as to the provisions and I'll be happy at Law Amendments Committee if there are any further explanations that are necessary.

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

MR. SPEAKER: Proposed motion of the Honourable Attorney-General, Bill No. 79, and the amendment thereto. The Honourable Member for Portage la Prairie.

MR. PAULLEY: I notice the honourable member is not here. Unless some of his caucus -- I notice a couple of them -- are prepared to go ahead with this we could leave this until this evening, Mr. Speaker.

MR. SPEAKER: The Honourable Member for Assiniboia.

MR. PATRICK: Mr. Speaker, I wish to ask leave to have this matter stand -- he's in here.

MR. SPEAKER: Agreed? So ordered. Proposed motion of the Honourable Minister of Labour, The Honourable Member for Emerson, Bill No. 81.

MR. GIRARD: Mr. Speaker, I'd like the indulgence of the House to leave the matter stand until after supper hour.

MR. PAULLEY: Mr. Speaker, I didn't hear my honourable friend.

MR. GIRARD: I beg the indulgence of the House to have the matter stand until after supper.

MR. PAULLEY: Oh, well sure I think you should have a good supper before dealing with this Bill. But if anybody else wishes to speak, Mr. Speaker, I'm sure that it would meet with agreement.

MR. SPEAKER: The next one, the Honourable Member for Portage is absent, No. 82.

MR. PAULLEY: The Member for Sturgeon Creek has the adjournment on 88. I wonder if he's prepared to go?

MR. SPEAKER: Proposed motion of the Honourable Attorney-General. The Honourable Member for Sturgeon Creek, Bill No. 88.

MR. FRANK JOHNSTON (Sturgeon Creek): Thank you, Mr. Speaker. This is going to go fairly fast also, Mr. Speaker. The Attorney-General's explanation of the bill was very thorough and it does bring our Securities Act into line with other provinces and mainly into line with Ontario where the Securities or Head Offices and what have you are. So we have no objection to the passing of this bill, it's basically housekeeping, and would see it go to Committee for any questions. The Attorney-General while he was speaking said he would have people there to answer questions and I'm sure that'll be satisfactory.

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

MR. SPEAKER: Proposed motion of the Honourable Attorney-General, Bill No. 91. The Honourable Member for Sturgeon Creek.

MR. F. JOHNSTON: Thank you, Mr. Speaker. This bill, Mr. Speaker, has been a very long awaited piece of legislation and as the Attorney-General knows that the question has been asked on our side when something was going to be done for the establishment of a body such as we are doing now for magistrates and judges where they will have the opportunity of hearings before there is any dismissal made for the reasons shown in this bill.

There are a few things that I would like to wonder about and that we wonder about on this

(MR. F. JOHNSTON cont'd) . . . side of the House, in that on the board we have one judge, two lawyers and two other persons and when we get to the area of how many were there to make a quorum we have three for a quorum and we would like to think that one of the members of this quorum would be the judge. I think that he would be in a position to recognize very fast many of the arguments or reasons why the judge had been brought before the group or for the Council, and also that we are very happy that the legislation really calls for the function of the Judicial Council to only be questioning the judge or magistrate on his activities, his inabilities or the way he carries out his duties. Certainly the bill is correct in not interfering with the decision of a judge and the bill does not do that in any way, shape or form.

Another area where it says "chief judge", I believe in this part of the bill, Mr. Speaker, they're looking to have two judges, I believe one for Family Court or one for Criminal Court, but the way that it really is set up it looks as if there is going to be just a chief judge by the heading of one of the sections.

The other area that concerns us, Mr. Speaker, is where it says a judge can carry out no other activities. I really know what the Attorney-General is getting at here. We agree that a judge should not be in business anywhere else or be carrying on any other activities for money. And we would wonder if that couldn't be spelt out. There are many times when a judge or a magistrate or somebody in that position could be appointed to the chairmanship of a fund drive or something of that nature, or be president of a non-profitmaking organization and we wouldn't like to see because the man has got the appointment that he could not carry on many of those duties that I'm sure some of them are doing at the present time.

The other area is in the section of voting, Mr. Speaker, and we would have to say that we agree that the judge or magistrate could take, should take no part in political activities. It's desirable but it really looks as if, that he shouldn't even vote. I would say that the interpretation isn't that way but it could be interpreted that he shouldn't even cast a vote.

So if the Attorney-General would look at those sections of the Act. We are very glad that this has come through. We are aware that it has been waiting quite a while for this bill to come through and we believe it's only fair to the magistrates and judges in this province. Thank you, Mr. Speaker.

MR. SPEAKER: Is it the pleasure of the House . . . The Honourable Member for Rhineland.

MR. FROESE: Mr. Speaker, I beg to move, seconded by the Member for Portage that debate be adjourned.

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

MR. SPEAKER: Proposed motion of the Honourable Minister of Industry and Commerce. Bill No. 92. The Honourable Member for Portage la Prairie

MR. PAULLEY: . . . the Honourable Member for Portage la Prairie, we're prepared to proceed with this because even though, Mr. Speaker, the Bill is in the name of the Honourable Minister of Mines and Natural Resources I'm quite conversant in the proposition.

MR. SPEAKER: The Honourable Member for Portage la Prairie.

MR. G. JOHNSTON: Mr. Speaker, Bill 92, we know it's very simple - one page, two sections. It has been explained to us that it deals with the premature death of three men who were logging with the Moose Lake Logging Corporation. I had occasion to speak to someone from Moose Lake and according to my information the gentlemen in question who lost their lives were -- and I say again, according to my information because it could be incorrect -- that the best information I have is that the three men were returning home from work when the fatal accident happened.

Now, Mr. Speaker, while saying at the outset, I'm for the principle of the bill and I certainly do not wish to stand in the way of the widow and families receiving Workmen's Compensation. But if my information is correct, then every workman in the Province of Manitoba until he arrives at his home, back from work, is entitled to the same thing. So I would ask the government to give this consideration, that if we make an exception for someone then that same law should apply to everyone. In this case again I say to the best information I have, and it's from a resident of Moose Lake, the three men were returning from their day's work. Now I'm not conversant with the Moose Lake function that well although I did attend the Public Utilities Committee and I heard some of the explanation. It is my understanding that loggers work not mostly by the hour, they work by either you call it piece work or by the cord or whatever, so that an efficient logger receives a higher rate of pay based on his production than one who's merely serving time.

(MR. G. JOHNSTON cont'd)

So when the Minister of Labour rises to close debate on Bill 92 I would like him to, number one - place on record every workman in the province has this same right; if he's injured or he's killed returning from work and until he gets from his place of work to his residence, is he going to be covered hereafter by Workmen's Compensation? The next point that I would ask the Minister to consider is, is the compensation for the three men going to be equal or is it going to be based on the pay that they earned that day or that month or whatever?

MR. SPEAKER: The Honourable Member for Rhineland,

MR. FROESE: Well, Mr. Speaker, I haven't got a copy of the bill before me but perusing it the other day I more or less came to the same conclusion as the Member for Portage that once we make exceptions I think we're leaving ourselves open to this and that when applications are received from other parties that we give them the same consideration. I think this is a valid point that he raises. I certainly won't object to the bill on second reading to have it go to committee; probably in committee some of the points can be ironed out and also some of the questions that we may have can be answered. Maybe also the Minister when closing debate on the bill could give explanations to some of the points that have been raised already. I don't want to duplicate what has already been said but I too have some reservations on that very point.

MR. SPEAKER: The Honourable Member for Charleswood,

MR. ARTHUR MOUG (Charleswood): If nobody else wishes to speak, Mr. . . .

MR. SPEAKER: The Honourable Minister of Labour,

MR. PAULLEY: Well, Mr. Speaker, . . . the bill. Because I am the Minister responsible for Workmen's Compensation, I think it would be fitting and proper for me as the Minister responsible, Mr. Speaker, to participate in this debate and to try and clear the record.

The Honourable Member for Portage la Prairie seemed concerned about an exception being made in this case. I want to assure him that there is no exception being made whatsoever. By inadvertence the Workmen's Compensation were not notified that employees under the Moose Lake Loggers were part and parcel, or were in effect a government agency. The workmen concerned took part in an undertaking connected with their work and unfortunately on returning from their operation the canoe upset or whatever it was - the details I'm sure members won't worry about - the canoe upset and the men were drowned, while in effect performing the duty required under their term of contract or under the provisions of their contract, Mr. Speaker, with the Logging Corporation.

So first of all, by inadvertence, not the fault of the workmen concerned, they were not registered as being provided for under Workmen's Compensation at that particular time. So there's no exemption being made or exception being made. Had it not been for this, Mr. Speaker, the workmen would automatically have been covered under Workmen's Compensation. The Workmen's Compensation Board were asked a question, in effect, if they had of been deemed as being employees of a Crown corporation under Workmen's Compensation Act, what would their compensation have been; and what would their decision have been, made in the course of their normal occupation. The Workmen's Compensation Board considered the matter, as a matter of fact after reference by myself in conjunction with the former Minister of Mines and Natural Resources. They concluded that had in effect the employees concerned been registered, or the corporation, the loggers entity, had been in effect registered under Workmen's Compensation Act, they would have been covered under the terms of Workmen's Compensation. But as I say, Mr. Speaker, due to the inadvertence, the non registering, they weren't, so there was a technicality.

First of all, Mr. Speaker, to me there's no real problem at all, that they would have been covered had they been registered, or Moose Lake Loggers had been registered as a government agency under Workmen's Compensation. The next technicality came as I indicate whether or not had they been, would they have been covered. The Chairman and the Board of Workmen's Compensation at the request of the administration considered whether they would have been in this particular instance covered; the answer was "yes".

The then next consideration, Mr. Speaker, was to what degree would they be covered or how can we compensate the widows and survivors for the loss of their breadwinner. There were two ways in which this could be done. It could have been done by setting aside a special fund within the Department of Mines and Natural Resources for the widows and survivors of the employees. The other way in which it could be done was the method being used and

(MR. PAULLEY cont'd) suggested at this particular time, to bring them under Workmen's Compensation, or in effect under Workmen's Compensation.

Now I want it clearly understood, Mr. Speaker, that bringing them under Workmen's Compensation is not imposing upon anyone other than the government the costs of the provision for the survivor and the children, because the Government of Manitoba is self-insured under Workmen's Compensation and any charge that is made for spouses and children is assessed directly to the Workmen's Compensation Board plus administrative costs. So rather than set up a new and different reserve account within the department, having received the information from the Board that if it hadn't of been through inadvertence that they hadn't been covered, they would have received the same and this is the basis on which this bill is proposed.

The question was asked insofar as the relationship with the pay earned in respect of the individuals, Mr. Speaker, all I can say is the terms and conditions of the Workmen's Compensation Act will apply and the compensation will be based as if in effect the employees who were drowned were at that particular time with the wages that they were earning had of been covered under Workmen's Compensation. So there's no exceptions, the Board has taken into consideration the circumstances and this is the recommendation and there will be no charge to anyone other than the charges that would have been made in effect to the Treasury of the province had they been registered, and as I indicate, Mr. Speaker, they were not registered due to an inadvertence.

MR. SPEAKER: The Honourable Member for Portage la Prairie.

MR. G. JOHNSTON: Would the Minister permit a question? Mr. Speaker, I didn't quite get the reference to how the fatality happened, and I did ask the question, were the men returning from work when it happened?

MR. PAULLEY: Mr. Speaker, the men were returning from work in performance of their normal duties when the unfortunate accident happened. It was part of their job --(Interjection)-- That's right. As my colleague from Inkster says, part of their job was getting to where they were going and getting back again, and unfortunately I suppose the lake blew up as they were getting back, the canoe upset and they were drowned. So I say, Mr. Speaker, in direct answer to my honourable friend, it wouldn't have mattered anyway, had they been registered, the Board would have ruled that they were eligible for compensation.

MR. SPEAKER: The Honourable Member for Charleswood.

MR. MOUG: I'm satisfied with that explanation, Mr. Speaker.

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

MR. PAULLEY: Mr. Speaker, it now appears to be the hour of the supper adjournment. I move, seconded by the Honourable the Attorney-General that the House do now adjourn and stand adjourned until 8 o'clock this evening.

MR. SPEAKER presented the motion and after a voice vote declared the motion carried and the House adjourned until 8 p. m.