



MANITOBA

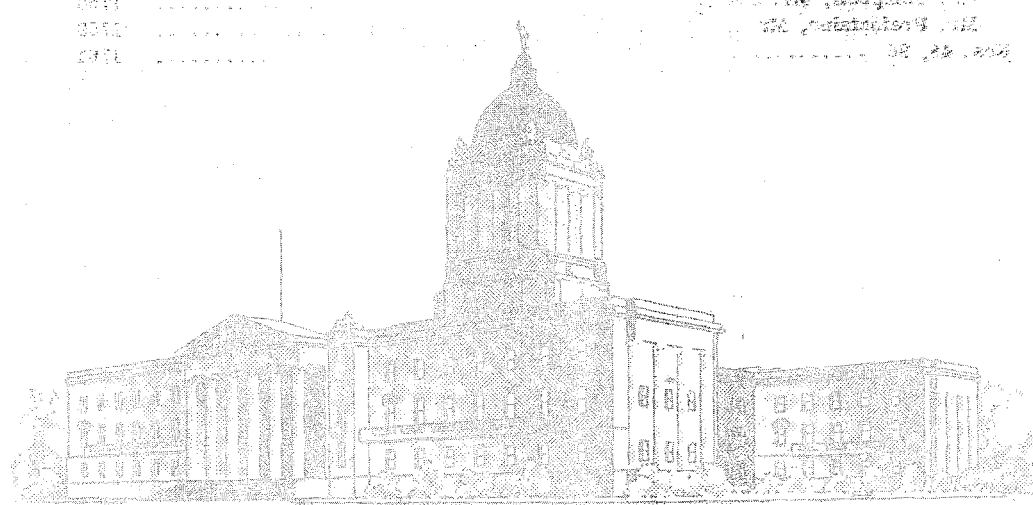
LEGISLATIVE ASSEMBLY

Legislative Assembly Of Manitoba

DEBATES and PROCEEDINGS

Speaker

The Honourable A. W. Harrison



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THE LEGISLATIVE ASSEMBLY OF MANITOBA
8:00 o'clock, Friday, March 18th, 1960

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

MR. ORLIKOW: Mr. Speaker, I would like to say just a few words in connection with the Bill which I introduced. The Honourable Member for Birtle-Russell gave a very interesting reply. I presume that on the whole he spoke for the Government, and while I disagree with much of what he said I think that what he said -- I am satisfied that what he said, he said with the best of intentions, I think that he is wrong, and in my opinion he is wrong: To a large extent it is because he speaks from a somewhat theoretical point of view and with not too much experience with the day to day working of the labour movement and its relationship with management and therefore with the problems which I raised. I am sure he would say much the same thing if I attempted to speak in any great detail about the problems of agriculture. I would, however, like to say just a few things about the objections to the Bill which he raised. I would agree with him completely that my suggestion that section 5 (a) of the present Labour Relations Act be eliminated, would not meet completely the problem which I raised, the problem whereby employers are using the fact that employees working for them live on company property in isolated areas, are using the provisions of trespass to keep union organizers from visiting with the workers. The Honourable Member agrees with me and this is a problem. Now, I agree that my proposal to take this section out of the Act would not solve the problem completely. As a matter of fact all I suggested was that it would eliminate the possibility of double jeopardy. I must say, Mr. Speaker, that I like the honourable member's suggestion that the Act be redefined so that the areas in which people work should be divorced from the area in which people live. I certainly will give it thought in case I should propose to bring in another Bill at the next session. I think it would be much more practical if the honourable member brought it to the attention of the Minister of Labour and the First Minister. I think if they were sold on his idea, it would be much more likely to become part of the legislation than if I were sold on the idea. Although I must admit that I am sold on it as of now. All I am suggesting, Mr. Chairman, with my amendment, is that (a) it would eliminate the possibility of double jeopardy and may I suggest to the honourable member that to my knowledge there is no other Labour Relations Act in Canada which has a provision such as Section 5 (a). It has not been found necessary in any other province.

Now with regard to his suggestions about my proposal that voluntary check-off be made legal by the government. Of course it's true that voluntary check-off is a matter for collective bargaining. There is no question about that. Many agreements provide for that. As a matter of fact, Mr. Speaker, many agreements provide for a good deal more than the voluntary check-off. They provide for the Rand Formula; they provide for compulsory check-off or irrevocable check-off, and this is as it should be in free collective bargaining. My suggestion, Mr. Speaker, is simply that with the passage of such a provision, we would remove from all the reasons for conflict -- and there are already too many reasons for conflict -- one about the check-off. Now the honourable member says that when I compare check-off with the compulsory necessity of doctors and lawyers to pay the fees of their associations, that I'm not being fair. Well, I may not be fair but I think I'm being practical. The honourable member says that doctors and lawyers don't ask their employers, by which he means their clients, to pay their fees. No, of course, they don't directly, but neither do they say to their clients, now I've got to pay my fees to the Bar Society or the Law Society, so for every client I see, I'm including in the bill, 15 or 25 cents as part of my fees for the year to the association. It's just assumed as part of the cost of being a member of the profession. A necessary cost because you couldn't operate for one day either as a lawyer or a doctor, unless you paid the fees. Now, I suggest, Mr. Speaker, that in my amendment, I am not even asking for that, I'm simply suggesting that we recognize the voluntary check-off as the Legislature did when it recognized the voluntary payment of fees by teachers to the teachers' society. I see nothing wrong with it in principle. It has worked with the teachers and I am sure it will work with trade unions.

Now, as far as the loss is concerned, Mr. Speaker, I want to say first of all, as far as the legal aspect is concerned, nowhere in my Bill will the honourable member or any other member of this House find a suggestion, even the suggestion on my part, that the rulings of the Labour Relations Board should be outside of the jurisdiction of the courts. I never suggested,

(Mr. Orlikow, cont'd)....and I don't suggest it now. All I'm saying, Mr. Speaker, is that the Labour Relations Board should hold a hearing which it now already does, it holds a hearing when there is a charge that there is intimidation, that it should if it finds that there is intimidation, issue an order that the employer cease and desist. But there's nothing in my Bill, Mr. Speaker, that would prevent an employer who feels that he is hard done by, that the Labour Relations Board is exceeding its jurisdiction or the Labour Relations Board has not acted within the facts as they find them from appealing the decision of the Labour Relations Board to the courts. This is now permissible and would be permissible even if the Legislature accepted my amendment. So much for the legal aspects.

Now, Mr. Speaker, I want to say to the honourable member, and I'm not being critical — I'm sure he doesn't do it deliberately, but when the honourable member suggested this be left to the court he is simply indicating what I said at the beginning, that he doesn't realize how Labour Relations work in fact and how difficult they can be. A union tries to organize a plant; an employer ignores the law, threatens employees that if they join a union they will be fired, sometimes frequently does fire them. If the union, be it large or small, appeals to the Labour Relations Board, it takes weeks, indeed I must say with a good deal of sorrow, it could take months before the Labour Relations Board were ready to hear the case. Sometimes the employer's representative or the employee's representative is away on holiday or on business, and the case is postponed further. The board makes a finding then the union, even if the board finds that in its opinion there has been intimidation and gives the union the authority to take the matter to court, the union is faced by the very large legal expense, plus the fact that even if it should succeed, by the time it has succeeded, usually the people involved have been dismissed, or have left because they find that they are not welcome, they're not wanted, and so the union may very well win its case in court and in fact, have lost its case as far as union organization is concerned. So, Mr. Speaker, what the honourable member is suggesting is that we continue the present practice, and I agree that unions have a right under the present law to take the matter to court. What I am suggesting, Mr. Speaker, is simply that in fact, this does not work and in fact -- and I'm sure that the honourable member can get the story from the present Minister of Labour or from past Ministers of Labour -- the fact is that the law is being ignored, the law is being flouted, the law is being used. And the difficulties of the law are being used by employers who have no intention of living up to the law, which guarantees employees in the Province of Manitoba the right to join, to belong to unions and not to be persecuted for their belonging to a union. The law is being used in fact, to harass and to destroy unions. And so, Mr. Speaker, for these reasons, while I welcome the suggestions which the honourable member made, I must say that in my opinion, the suggestions which he makes do not, in fact, meet the reasons for which I, and reasons which I consider still to be valid, for my bringing -- for moving this Bill, and I certainly intend to vote for this Bill and I would hope, Mr. Speaker, that even if this Bill is defeated as I feel pretty certain that it will be, that the government will give this matter consideration and that at the next session, possibly, we will have some legislation, which will in fact, not necessarily these three or only these three, but will in fact, remove some of the inequities which experience has shown are part of the present act.

Mr. Speaker presented the motion and following a voice vote, declared the motion lost.

MR. ROBLIN: Mr. Speaker, I would like to suggest Sir, that we now proceed to the motions standing in my name with respect to the business of the House. And after that is dealt with, we then deal with second reading of Bill No. 43 and the amendment thereto, and then the second reading of the government bill, shown on the last page of the agenda. And if we are successful in getting through that business, Sir, I would then propose that we go to Committee of the Whole and hear the Bills that are shown in Committee -- up for third reading. So if that's agreeable to the House, Sir, I will move, seconded by the Honourable Minister of Industry and Commerce, that for the remainder of the session the House will have leave to make each night a separate sitting and it will have leave to sit from 9:30 A.M. until 12:30 P.M. each sitting day, each Wednesday night and on Saturday, and to make each sitting a separate sitting of the House and that the order of business shall be the same as on Thursdays.

Mr. Speaker presented the motion.

MR. ROBLIN: Mr. Speaker, I'll just make a brief comment. Members will be familiar

(Mr. Roblin, cont'd) with this resolution. I took occasion to consult with the leaders of the Opposition parties about it and I believe they'll speak for themselves but I believe we're pretty well agreed that this is in order and that we will begin this method of conducting our sessions on Monday next

MR. CAMPBELL: Mr. Speaker, I'm quite in favour of the resolution because I feel that at this time of the session, that the House needs to have considerable elasticity in order to arrange its work to best advantage and to advance legislation as quickly as the membership of the House is willing to see it advance. Frequently we have found in the past that we may have to move from Committee, from the House to the Committee and back to the Committee and things of that kind, and I think when we have so many of these matters well in our minds already that we can with advantage speed up the session, not to the extent of neglecting any of the business because I do not suggest that, but that we can accommodate the practices to the situation much better with a rule of this kind, so I'm quite in favour of it being put through, Mr. Speaker, and this is one place where I have not changed my mind since I have been sitting on this side.

MR. PAULLEY: Mr. Speaker, I have no objection. I'm sure the members of our group have no objections to this resolution. We appreciate and understand the purposes of it. I would like to make a suggestion, however. I'm glad that the effect of the motion will not take place until Monday. It seems to me at this stage in the game, as though there is a possibility that the House might conclude the business of the session by the end of next week -- I'm just hazarding a guess on that-- and I would suggest to the First Minister that if that is the case and in order to achieve that, sitting be held on Saturday the week following, that that be done. But I would suggest to him that if it appears not possible to achieve that by the end of the week, by sitting on Saturday, that we do not sit on Saturday. I just make that suggestion to him; otherwise, Mr. Speaker, as I mentioned, we have no objections to the passing of the resolution.

MR. GRAY: You're a wonderful lion tamer.

MR. FROESE: Mr. Speaker, did I understand the First Minister correctly that we would go into third reading of all these bills listed tonight?

MR. SPEAKER: Are you ready for the question?

After a voice vote Mr. Speaker declared the motion carried.

MR. ROBLIN: raised by my honourable friend from Rhineland, we will see how far we will get. If we get that far we will proceed with third reading of the bills that are listed under Committee of the Whole.

MR. SPEAKER: Adjourned debate on the motion of the Honourable the First Minister that the House resolve itself into a committee to consider of ways and means for raising of the supply to be granted to Her Majesty. The Honourable the Leader of the Opposition.

MR. CAMPBELL: Mr. Speaker, I would like to ask that this Order stand over until Monday.

Passed.

MR. SPEAKER: Second reading of Bill No. 89, an Act respecting the Civil Service. The Honourable the Provincial Secretary. Is that the Order you wish to go into?

MR. ROBLIN: Second reading of Bill No. 43, Sir. The adjournment is in the hands of the Leader of the Opposition.

MR. SPEAKER: Second reading of Bill No. 43. The Honourable the Leader of the Opposition.

MR. CAMPBELL: Mr. Speaker, when the Honourable the Attorney-General moved second reading of this Bill a few days ago, the Honourable the Leader of the CCF Party took rather definite exception to the procedure at that time and ended up by moving the six months' hoist which is now the particular item before the House. I had the uncomfortable feeling at the time that there was a misunderstanding here, because I couldn't be certain of the situation and that's why I adjourned the debate at that time in order to look up the references and I find, Mr. Speaker, that in volume 13 of our current Hansard, that the Honourable the Attorney-General, when this Bill came up for second reading said this on Page 270: " Mr. Speaker, with the concurrence of the House, I would ask that this matter stand, and if the House would give me their further indulgence I would like to request at this time, that we allow the matter to stand for perhaps ten days to two weeks before it's considered." Mr. Speaker said "agreed",

(Mr. Campbell, cont'd) and I said at that juncture, " Mr. Speaker, might I ask the honourable, the sponsor of the bill if the reason for asking it to stand is because it is considered advisable by the government to discuss this matter in the committee that is already going to be dealing with some questions on the Election Act." And the Honourable, the Attorney-General replied, " Yes, Mr. Speaker, that is certainly part of the reason. I think one of the other reasons is perhaps the fact that we have a number of committees already going, the members of which would be on the Elections Committee etcetera." Now, because that was running through my mind that we had some commitment like that and I wasn't certain, I thought perhaps I had spoken to the Honourable the Attorney-General privately on it -- I wanted to check up and be sure before making any further remarks, and I know, I'm quite certain in my own mind, that neither the Honourable the Attorney-General nor the Leader of the CCF Party is wanting in this matter to go back on any understanding or arrangement that was made. I think that we should still be able to get the matter back on the proper track, and I would suggest that we could really do it without considering -- if the Honourable the Leader of the CCF would agree, without pressing the six months' hoist to a final conclusion, because I still think, Mr. Speaker, that the right way to deal with this, would be to have the matter go before the committee that is going to be discussing the matters pertaining to electoral procedure and it may well be, at this stage in our sitting, that there will be little time left for a committee to meet and consider the several things that might come before the committee on this question, and I was going to suggest therefore, that perhaps the government would be willing to consider that either the privileges and the Elections Committee itself, or a special committee, should be allowed to sit during the recess. Now perhaps it's not necessary for that to be done because maybe there isn't enough work to require that, but rather than have this matter decided on a question of rather an arbitrary decision by the government on a six months' hoist motion, I think it would be better for all concerned that something of that nature should be done. I happened to notice that in the proceedings of the House of Commons that on Wednesday, March 9th, the Acting Secretary of State proposed the following motion, that the Standing Committee on privileges and elections be empowered to study the Canada Election Act, and the report and evidence of the Standing Committee on Privileges and Elections 1959, and to report to the House such proposals as the Committee may deem it to be advisable. So apparently the House of Commons is studying the same matters, and I thought perhaps it would be useful for the committee if they decided to sit in the recess rather than at the present time when certainly members of the House are considerably rushed, that they might have some communication with the Ottawa authorities as well.

Now Mr. Speaker, it's a matter that I can be quite happy about, no matter what way it is done. I have no axe to grind in this particular matter. I think there is some advantage to having the Committee sit and consider at this time -- that is well before an election and not too long after an election while difficulties and problems are fresh in the honourable members' minds -- what might be done to make the Act and procedures still better. But whether that's done now, if time allows, that's all to the good; if it doesn't or it's done in the recess -- I've no set opinion on that matter. I would think that it would be better from the government's point of view, and this side of the House as well, that instead of this Bill being pushed through at this time, that it also should be left for committee consideration at that time. So Mr. Chairman, attempting to be a peace-maker, which is an unusual role for me, I would suggest that we either let the matter stand at the moment while the government gives consideration to it, and come up with a suggestion of a recess sitting of this committee or a special committee, or if that's not agreeable, then I have made my small contribution to the debate and whichever way it goes, it will be quite satisfactory to me.

MR. PAULLEY: What would you suggest insofar as the motion before the House now?

MR. CAMPBELL: I would suggest that, for the moment, that it be let stand. That it be not pressed to a vote and that it be let stand while the government, in co-operation with my honourable friend, if so desired decide on the best method to proceed, and let it stand in the meantime, because I don't think that this is the best way for the Committee to begin its sittings by having a motion by one of the Ministers and a six-months' hoist moved by a prominent member of the Opposition, because I think perhaps a better spirit of co-operation could be attained by some other method. So I suggest let it stand for the time being -- unless the

(Mr. Campbell, cont'd)...government's ready to make a pronouncement on it now.

HON. STERLING R. LYON (Attorney-General) (Fort Garry): Mr. Speaker, I will avail myself of the opportunity of speaking on the amendment without using up my time for closing the debate on the bill itself. I've been waiting for some time to be able to speak on this particular matter because of course, as honourable members will recall, it has been left behind on the Order Paper, so to speak, until other business was cleared up. The suggestion which the Honourable the Leader of the Opposition puts forward is certainly one that has been under consideration for some time and I am in a position tonight to make some announcement in connection with it. First of all I should like to go back, though, and say that the original debate on this matter took place on January 21st, page 34 of our current Hansard. I think if the Leader of the CCF and the Leader of the Opposition will refer back to that debate on page 34, they will see that there's never been any misunderstanding insofar as the government is concerned. I don't know how the misunderstanding arose with my honourable friend, the Leader of the CCF, and I think the Honourable the Leader of the Opposition understands only I couldn't be too sure; he not being as parsimonious with words as he used to be with money; I sometimes have difficulty ascertaining what he was getting at. But suffice it to say this, that the committee has not been called and second reading was not given to this bill earlier for the very simple reason that we had a Rules Committee going and that we had the Law Amendments Committee going. There was complimentary membership on two or three of those committees and we just couldn't-- physically couldn't bring the Committee on prior to this time. Now it is the proposal of the government that second reading of Bill No. 43 be proceeded with tonight, that the committee on Privileges and Elections will then be called together at the first convenient time. And I was then going to say at that time we could determine our future course, but I think it only fair to the honourable members now that the suggestion has come forward from the other side, to confirm the fact that we have been giving serious thought to the idea of having a Special Committee formed. I would like to see this recommendation, of course, come forward from Privileges and Elections, a special committee of say nine, ten members which can do more effective work than a large committee of 21 members. That Committee given power to sit during recess, to look into the whole question of the Election Act and to make its report at the next session of business of this Legislature. That is the intention and the suggestion of the government, but we would make the proposal that second reading of this bill be proceeded with, and that it can then go into committee, be dealt with in committee and the -- shall we say-- the more important part of the work dealt with in the resolution which I sponsored on the 21st of January, can then be dealt with by the committee. We can arrange that the Committee agrees to have a report come back to this House suggesting a Special Committee to sit during recess, 10 members. We can consult the honourable members opposite as to the membership of that committee, and I think that we can do fruitful work on this subject during the next summer.

MR. CAMPBELL: Mr. Speaker, may I ask the Honourable the Attorney-General a question? I would like to ask the Honourable the Attorney-General, Mr. Speaker, if he did not feel that he gave a commitment on February 4th, in the quotation that I read to the House. If he gave a commitment that this bill would be -- that the principle of this bill would be considered in the Committee, before it was dealt with by the House?

MR. LYON: The principle of the bill certainly would have to be considered in the Committee -- the Standing Committee on Privileges and Elections, certainly. And on the 21st of January, Mr. Speaker, I made that quite clear in my remarks when I introduced the resolution. I quite frankly don't -- I can't grasp what the misunderstanding is. The intention of the government at all times has been (a) to call together a committee whether it be Special Privileges and Elections or a Special Committee and, (b) as I gave notice on the 21st of January that we would be introducing a bill, one amendment that that bill or that amendment could be considered in the Committee but that the Committee would have the wider power, of course, to look at the whole Election Act. Now I can't make it any clearer; that has been my understanding all the way through and I can't see that there is any divergence from that policy tonight.

MR. CAMPBELL: Mr. Speaker, I'm sure that I have failed, and I want to ask the Honourable the Attorney-General a question. I'm sure that I have failed to get the point over to him that I am trying to make, because may I ask the Honourable the Attorney-General if he

(Mr. Campbell, cont'd) did not understand me to be asking in this question if he wouldn't allow the principle of the bill to be discussed in the Committee before second reading of the bill was proceeded with? Quite frankly, Mr. Speaker, that was what I intended to be asking at that time.

MR. LYON: Well, Mr. Speaker, in reply, I didn't certainly draw that inference from the Honourable Leader of the Opposition's remarks. My thought has been all along that we would give second reading to the bill and in the ordinary course of events the bill would then go to Committee where it would be discussed in the usual way and so on. Now I think we've probably hit on common ground now.

MR. CAMPBELL: Thanks. May I say, Mr. Speaker, because the rule, as you know, is that the only way in which a member can speak a second time is if he may have been misunderstood, I'm sure that the Honourable the Attorney-General and I have a misunderstanding, an honest one in this matter, because I intended my question at that time to suggest to the Honourable the Attorney-General that the principle of the bill would -- I was asking him the question if the principle of the bill would be discussed in there before second reading was proceeded with and I understood him to give an affirmative answer, and I had been relying on that ever since. Perhaps that makes my unparsimonious speech a little more intelligible to the Honourable the Attorney-General

MR. LYON: It does.

MR. CAMPBELL: Page 270. I admit it's not a binding commitment. I don't think I made it too clear. I've spoken for my last time.

MR. PAULLEY: Mr. Speaker, if I may have the privilege of the House in view of the discussion that has taken place, I think it has served its purpose that I had of withdrawing the motion on the six months' hoist.

MR. SPEAKER: Motion be withdrawn. The question now before the House, the proposed motion of the Honourable the Attorney-General second reading of Bill 43, an Act to amend The Election Act. Are you ready for the question.

MR. HRYHORCZUK: Mr. Speaker, I do not think that as a rural member I should let the second reading of this bill go through without making some comment on it. I am opposed to it and I'm sorry I was not in the House when the Honourable the Attorney-General spoke to it on the second reading so that I do not know what the government's reasons are for bringing in the particular bill but probably the matter of enumerators and the DROs that work in the rural constituencies was fully discussed. But in my own constituency, Mr. Speaker, I have well over a thousand square miles of territory to cover during a campaign and so does the DRO and the other election officers, and even with the time as it is now without making it any shorter, sometimes it's pretty difficult to get the job done, if the weather is adverse or if it is at the time of the year when travelling is difficult. But probably in the cities a candidate can contact his electors by way of radio and TV, and I suppose we can also in the rural areas to some degree, but I've always found that the rural electors are anxious to meet the candidates. They like to hear them present their cases alive in front of them, on the stage or out at some picnic, as long as they can see him and hear him and ask him questions directly and receive his answers. And I'm quite sure that if you put this limitation on I won't, for one, be able to cover my constituency as well as I'd like to. But there is something more important than that. I think this is going to make it more difficult for new candidates, new men in the field, who of necessity must meet a lot more people than old candidates who've been in the field before. And I think that not only applies to the rural members, I think it applies to the urban candidates as well, because I know that I've seen candidates work here in the city during the provincial elections and for some of them it's a house to house, or door to door canvass. It takes quite a bit of time to make a thorough canvass. Again I'd say, especially if you're a new candidate. I'm sorry that I didn't hear the reasons for this particular amendment but for the world of me I can't see where it is necessary or where it's going to do any good.

MR. SMELLIE: Mr. Speaker, the Honourable Member for Ethelbert Plains suggests that he has a big constituency and it's difficult to cover in a shorter time. I would like to suggest, Sir, that my constituency is approximately the same size as his, and I have some idea of how difficult a constituency is to cover, but if we shorten the time perhaps the Honourable Member

(Mr. Smellie, cont'd.) . . for Ethelbert Plains could spend a little less time in my constituency in the next election.

MR. CAMPBELL: I think there's a general disposition to get along with the business and not have long speeches and it won't take me very long to make my position known on this one.

I listened to what the Honourable the Attorney-General had to say. I recognize the fact that other provinces have been doing the same thing of shortening up the periods and all the rest of it. I still don't think it's right. I think we are not all too long at the present time. Quite frankly I am not in favour of the Bill.

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

MR. SPEAKER: Call in the members.

A standing vote was taken, the results being:

YEAS: Honourable Messrs. Roblin, Carroll, Johnson(Gimli), McLean, Evans, Hutton, Lyon, Thompson, Ridley, Messrs. Alexander, Bjornson, Christianson, Corbett, Cowan, Mrs. Forbes, Messrs. Groves, Hamilton, Ingebrigtsen, Jeannotte, Klym, Martin, Scarth, Seaborn, Smellie, Stanes, Watt, Weir.

NAYS: Messrs. Campbell, Prefontaine, Hryhorczuk, Gray, Paulley, Hillhouse, Molgat, Tanchak, Orlikow, Desjardins, Roberts, Shoemaker, Harris, Peters, Reid, Schreyer, Froese.

MR. CLERK: Yeas, 27; nays, 17.

MR. SPEAKER: I declare the motion carried.

MR. EVANS presented Bill No. 89, an Act respecting the Civil Service, for second reading.

MR. EVANS: Mr. Speaker, the Civil Service Act is old; times have changed; it's no longer possible to patch the Act. The Bill re-writes the Act and I think we can discuss the details best in committee.

MR. PAULLEY: Mr. Speaker, I just want to say a word or two in connection with this Bill. I agree with the Minister--it's a good idea in connection with having a new bill written. Now then I'm not sure whether, in the present legislation, whether or not the members of the staff who assist in the conduct of the sessions of the legislature, were included. Under the present Act, it appears to me that in reading this Act that they are. Now then, it's come to my knowledge by enquiry, personal enquiry, that in respect of the remuneration to the staff who are obliged to stay with us here while we've been having very late sittings, is only, as I understand it, somewhere in the neighbourhood of \$3.00 per evening. Now some of the evening sittings would, I suggest, Mr. Speaker, last the six hours. I think one or two would, if we take a reasonable period of time before the actual start of the sessions at night, which would mean that the remuneration would amount to about 50¢ per hour for the night sittings; and I would suggest and appeal to the Minister, or the Treasury Board, that greater consideration be given in respect of the personnel if such is, in effect, the case as I understand it to be, Mr. Speaker. Now the reason I'm raising this at this particular time is because I note that in the provisions of the Bill, that the provisions of this Act that relate to the employment classification salaries or promotions apply to the officers, clerks and employees of the Legislative Assembly. I don't think that it is very dignified of the administration or of the House to have people who are working because of the business of the House, and only receive for that period of time less than what we have always said is an inadequate minimum wage.

MR. EVANS: Mr. Speaker, if there are no other questions I might answer in this way, that I don't believe the Civil Service Act or this amendment of it will affect the pay plan. I think the matter that the Honourable Leader of the CCF Party raises is worth consideration and we will give it consideration.

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

HON. STEWART E. McLEAN (Minister of Education)(Dauphin) presented Bill No. 99, an Act to amend the Education Department Act, for second reading; Bill No. 100, an Act to amend the School District's Debenture Interest Guarantee Act.

MR. SPEAKER: Are you ready for the question?

MR. PAULLEY: Mr. Speaker, I just want to ask the Minister one question in connection with this. If he recalls that at the resolution stage, I drew to the attention the question of issuing of debentures which had less than the rate stipulated in the, I believe, regulations or the

(Mr. Paulley, cont'd.) .. Bill itself, subject to change, may have prejudiced some school districts getting a lower rate of interest. If I recall at that time, either the Provincial Treasurer or the Minister said they would give that matter consideration. They thought it was interesting. I am wondering if they have been able to do that thus far, knowing of course when I'm asking the question, that we've had a terrifically busy session.

MR. ROBLIN: I've no further thoughts on the subject, Sir. I really don't think the situation is as disadvantageous to the districts as my honourable friend appears to believe. What happens, in fact, is that the rate offered by lenders has a tendency to just come up to the guarantee level or slightly underneath, and in fact we're beginning to think sometimes that we set the rate by setting that, and that has complications both pro and con. I don't think there's a thing can be done about the situation.

MR. GRAY: Mr. Speaker, I'm probably a little ignorant in this question. I see that the Bill takes the interest or guarantees the interest payments on debentures. Who guarantees the debentures itself?

MR. McLEAN: There's no guarantee on the principal of the debentures. The Act authorizes the guarantee as to interest.

MR. GRAY: isn't it? In other words, what's the purpose of guaranteeing the interest alone when the debentures are accepted on the face value? I wonder if I'm clear on this here. You're protecting the interest only, on the debenture of \$1,000, you're protecting \$60. Who is protecting the \$1,000? Who guarantees the \$1,000?

MR. McLEAN: The school district.

MR. GRAY: Well then, what's the necessity of this?

MR. McLEAN: If there are no other questions, Mr. Speaker, the answer to the question which the honourable member has asked is that there is no guarantee given as to the principal of the debenture, and so far that has not been found necessary. It has been found satisfactory to guarantee the interest only.

MR. SPEAKER: Are you ready for the question?

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

MR. McLEAN presented Bill No. 102, an Act to amend the Public Libraries Act (2), for second reading.

MR. EVANS presented Bill No. 103, an Act respecting the provision of planning services to municipalities and agencies of the government, for second reading.

MR. HUTTON presented Bill No. 104, an Act to amend the Crop Insurance Test Area Act for second reading.

MR. N. SHOEMAKER (Gladstone): Mr. Speaker, does this change the required number of acres for an area to insure before it becomes a test area? That is, I understand that prior to this Act and it may be the same now, but prior to this Act, 25% of the farmers in the area or 25% of the acres must come under the plan before it would be a test area. Does this in any way change that feature of it, or is it 25% of the farmers regardless of the acres or 25% of the total acres?

MR. HUTTON: Mr. Speaker, this in no way affects the--

MR. SPEAKER: If the Minister speaks he closes the debate. Does anyone else wish to speak?

MR. HUTTON: Mr. Speaker, this in no way affects the areas, as such, but the amendments permit us to offer crop insurance on flax and they also permit us to offer crop insurance on designated crops. Under the original Act, a farmer could only purchase crop insurance if he insured the total acreage that he had seeded to wheat, oats and barley. Under the amendment he can insure wheat; or wheat and oats; or wheat, oats and barley; in such combinations as the Board of the Crop Insurance Agency lay down in regulations. We have found that this is very desirable, and from our experience with the farmers in the field to date, this also permits us to set the price for flax. As you know, the insured price of the coarse grains and wheat is determined by the initial price at the local delivery point where crop insurance is sold. This method of determining the price of flax could not be used because flax is sold on the open market; and so it has provision, or provision is made in the amendment for establishing the price of flax in the test area. These two points are covered; the question of establishing price and the question of insuring one or more, in combination, of insurable crops.

Mr. Speaker presented the motion and following a voice vote declared the motion carried.

MR. McLEAN presented Bill No. 105, an Act to amend the Teachers' Retirement Act, for second reading.

MR. SPEAKER: Committee of the Whole House.

MR. LYON: Mr. Speaker, I beg to move, seconded by the Honourable Minister of Public Works, that Mr. Speaker do now leave the Chair and the House resolve itself into a committee to consider Bill Nos. 15, 50, 58, 77, 78, 81, 62, 48 and 96.

Mr. Speaker presented the motion and following a voice vote declared the motion carried.

MR. SPEAKER: Would the Honourable Member for St. Matthews please take the Chair?

Bill No. 15, an Act to amend The Judgments Act, was read a third time and passed.

Bill No. 50, an Act to amend The Game and Fisheries Act--Sections one to five were read and passed.

MR. CAMPBELL: There's an amendment here, Mr. Chairman.

MR. LYON: On the amendment here, Mr. Chairman, you will recall that in Law Amendments Committee we deleted Section six as it appeared originally in the Bill, and then we agreed to bring forward an amendment which would provide for the suspension of hunting privileges; and I would move the following amendment in the absence of the Minister of Mines and Resources: It will read as follows; "Section Six. Section 90 of the Act, as amended, (a) by numbering the present section as subsection (1); and (b) by adding thereto the following subsections: Subsection (2), where a person is convicted of an offense against any provision of this part, (a) he shall not hunt, trap or take any game; and (b) no licence or permit shall be issued to him under this part during such periods being not less than one year or more than five years after the conviction as the Magistrate or Justice shall direct when making the conviction." And I would so move, Mr. Chairman.

MR. CAMPBELL: Mr. Chairman, I was absent from the committee on the day that this was discussed, the second or the third time when this amendment was approved of. Might I ask the Honourable the Attorney-General if the representatives of the Game and Fish Association were quite satisfied with this amendment?

MR. LYON: Mr. Chairman, as I recall, Mr. Whellams was at the meeting but I don't recall him speaking, and I have no knowledge as to whether or not he was agreeable to this. I rather have doubts that they do agree to it because their position was rather firm when they last appeared before us and spoke, but I can't speak for any subsequent conversations that may have been had between them and the Minister of Mines. This amendment seemed to express the general sense of the committee at the time. It was moved by the Honourable Member for Turtle Mountain I believe.

Bill No. 50--The remaining sections of Bill No. 50 were read a third time and passed. Bill No. 58, an Act to amend The Mechanics' Liens Act, was read a third time and passed. Bill No. 77, an Act to amend The Hospital Services Act, was read a third time and passed. Bill No. 78, an Act to amend The Mineral Taxation Act, was read a third time and passed. Bill No. 81, an Act to amend The Legislative Assembly Act, was read a third time and passed. Bill No. 62--Section 1 to Section 2 (1) (c) were read and passed.

MR. ROBLIN: Mr. Chairman, in paragraph (c) the definition of the Corporation. I'd like to make an amendment there to change the name. The Corporation means the Metropolitan Corporation of Greater Winnipeg established under Section 3. This was requested by a recent meeting of the Reeves and Mayors and other representatives concerned, and we are glad to accede to their request.

MR. CHAIRMAN: All agreed? Metropolitan Corporation of Greater Winnipeg--that will appear here in No. 1 and also in the title.

MR. ROBLIN: When we come to the title I'll move an amendment there too. It's The Metropolitan Corporation of Greater Winnipeg.

MR. CHAIRMAN: The Metropolitan Corporation of Greater Winnipeg. So that (c) reads: "The Corporation means The Metropolitan Corporation of Greater Winnipeg".

Section 2 (1) (d) to Section 3 (3) were read and passed.

MR. DESJARDINS: Mr. Chairman, I'd like to move that subsection 3 of clause 3 be amended by deleting the word "all" in the third line and by adding the following words: "except all the land lying within the boundaries of the City of St. Boniface, said boundaries being described in the St. Boniface Charter, clause 3, subsection 2.

(Mr. Desjardins, cont'd.) . . Mr. Chairman, I do not intend to speak too long on this matter because I've already made my views known on previous occasions. Normally I'd have no reason to speak at this time at all, but on second reading I stated why I could not, in conscience and as the representative of St. Boniface, vote for the principle of this bill. In closing the debate the Honourable the First Minister made certain remarks about me and my speech, and later on in Law Amendments he suggested that perhaps there should be a record of the way I voted--it should be noted. This, Mr. Chairman, left me no alternative but to clarify and correct certain matters. This I now intend to do. I made but one promise to my constituents, and that was to always follow the dictates of my conscience; to fight for their rights and defend them if need be. No one, Mr. Chairman, and I repeat, no one in this House will prevent me from doing so, or pressure me into keeping quiet when I think it is time to speak up. Not even the Honourable the First Minister will intimidate me. It is discouraging, maybe it's politics and if so, it's dirty, rotten politics, but I find it discouraging indeed to see someone like the Honourable the First Minister making false and unwarranted accusations and trying to change the meaning of my words. When things are not going exactly as he would like them to be, he often resorts to belittling his opponent. For instance, he thinks nothing of calling the Honourable the Leader of the CCF "silly". I find it so discouraging, because especially on the occasion of my speech on second reading of the Metro Bill, when I looked at all aspects of the matter and I've tried so hard to be fair, honest, broad-minded and clear. When I prepared the speech I started by writing some of the things I wanted to say; the different parts and sections that would make the framework of this speech. To me it was a very important speech. I must admit that my command of the English language is far from perfect. My gallic ancestry and characteristics come through once in a while and I admit that I might be emotional at times, but my honesty and my good intentions were never before questioned. Going back to my speech of a few weeks ago, these are the notes around which I built this speech. Part one--(1) acknowledge these are the things I wanted to say--

MR. ROBLIN: If it will make my honourable friend feel any better, let me say that I do not impugn in any way his honesty or his good intention.

MR. DESJARDINS: Thanks very much. (1), acknowledge the courage of Roblin and his government for having brought in such a controversial bill, which I did; (2) acknowledge the work done by the members of the Cabinet; (3) give them credit for doing their best to bring in a fair bill. I did all that. Now, Mr. Chairman, if I must dot the i's for the Honourable the First Minister I'm prepared to do so. I can very easily read that part of my speech. Part 2--(1) admit that there are many advantages; (2) that it might be good for some municipalities, but bad for others; (3) make it clear that we do not intend or want to fight with Winnipeg; that they, like us, are trying to get what is best for them. Now if it is the wish of the committee I could read that part too. Part 3--make it clear that I would not try to speak for other municipalities. They have their own representatives, but I have a duty towards the constituency of St. Boniface. Part 4--(1) some improvements, some changes were needed; (2) not only criticize but point out different alternatives; (3) in the case which alternatives would be the best for St. Boniface; (4) admit that St. Boniface should co-operate and should have some responsibility in sharing the cost of certain commodities and services; (5) that the question of education should remain exactly as it is and completely divorced from any municipal or metro government. Then came some of my personal views on certain disadvantages, the most important one being the fact that this bill would certainly lead to total amalgamation--in my mind anyway.

Mr. Chairman, I then said that my speech might, (a) make the members of this House realize that an inter-municipal committee would be preferable; (b) that it could be accepted as constructive criticism;--After all, the Honourable the First Minister had promised that he would listen to everything that was said. --(c) that it might not be accepted at all and even ridiculed by some. And I know it was. I then chose some historical data on St. Boniface as I felt that total amalgamation would surely be detrimental to the City of St. Boniface, as it would lose its autonomy. I brought out the fact that St. Boniface was not just another suburb such as North Toronto or Scarborough, but one of the oldest cities in western Canada and very rich in history. I wanted to show that St. Boniface was truly a cosmopolitan city where people of many national origins lived together in complete harmony. Although the French Canadians had at one time been the majority, they have never abused the situation. I asked the Honourable the First

(Mr. Desjardins, cont'd.) . . Minister to consider the objections of St. Boniface as I felt that they might be valid for St. Boniface alone. I begged him to consider this and assured him that the City of St. Boniface could and would work and was anxious to co-operate with either a metro government or a large Winnipeg.

MR. CHAIRMAN: Does the Honourable Member for St. Boniface move that--?

MR. DESJARDINS: Just a minute. I'm not through. I just wanted a glass of water. Mr. Chairman, the Honourable the First Minister seemed to take offence at the part in my speech where I referred to his television interview of February 11th. I stated that he had said that the government had every right to establish a metro form of government; that the government was the creator of the municipalities; that it could do whatever it wanted with them. I also said though that technically he was right. He interrupted me at this point and told me that I was misrepresenting him. I replied that I certainly did not intend to do so, but that I had definitely heard him say that the government was creator of the municipality. And again I repeated that technically he was right, but when I heard the word "creator", I could not help but think of the Supreme Being. And I went on to say that I knew that he did not mean it--I said that I knew he didn't mean that, but that the first thing that came in my mind, my first reaction was a word of warning--a word of warning not to play God--not an accusation. In other words, I was telling him not to think only of the right and the privileges of the government; but to remember his first duty, his first responsibility, that of being a servant of the people. My speech did not appeal to the Honourable the First Minister. He wonders if it was necessary at all. Because I told this House how I felt in my heart when I heard him speaking, I had been tactless, absurd, and silly; I had been rude. The constituents of St. Boniface should elect a more perspicacious member than the one who claimed to represent them.

Mr. Chairman, I suggest that the remarks of the Honourable the First Minister were most unfair, unwarranted and insincere. Perspicacious is a new word for me, but I've known the meaning of sincere for a long time. It comes from the latin word "sine cere" which means "without wax" and was first used by honest sculptors to guarantee their work--sine cere--because less scrupulous competitors used wax to cover the faulty work. The wax would melt and the merchandise fell apart, hence the word sine cere--without wax.

I spoke on February 26th; the Honourable Minister made his accusation on February 29th. He had had ample time to read Hansard, but he chose to pretend that I was trying to impute the thought to him that he was the creator of the municipalities. I'd say that this is just a coat of wax to get away from the real subject. If we look at Hansard of February 29th, at page 1042, we have the words of the Honourable the First Minister. "Now, Sir, I want to deal with a speech which did not appeal to me nearly so much as the one made by my honourable friend from Carillon. I really wonder whether most of it was necessary and I'm referring to the statements put before us recently by the Honourable Member for St. Boniface". It is clear that he finds nothing of value in my speech and this is his privilege.

The newspaper reporting on delegation to Law Amendments has this to say--the Tribune--"The most determined area of the resistance was St. Boniface. All three briefs, from St. Boniface Council, the Chamber of Commerce and the 200-member citizens' army, were echoes of the position already taken in the Legislature by Larry Desjardins, Liberal member for St. Boniface constituency". The Free Press said, "The brief made essentially the same points that Larry Desjardins, Liberal member for St. Boniface, outlined in his speech in the Legislature two weeks ago". And it also reported the words of the Honourable the First Minister to the delegation--"Premier Duff Roblin said no other municipal body had shown as much interest in the bill. 'A number of very valuable ideas had been presented', he said, 'and all would be taken into consideration by the Law Amendments Committee. . . What a difference 200 people make.'" Did the Honourable Minister really think that or was he trying to make me look a little worse than I really am?

Mr. Chairman, I'll let you in on a little secret. This was not really the reason why the Honourable the Minister is annoyed with me. He knows it and I know it, but I reminded him in a last paragraph of something that he said, and I asked him to prove that he really meant it. Now on page 1044 of Hansard, the Honourable the First Minister gives me some advice and I would like to quote: "My honourable friend is very fond of words like 'rubber stamp'; he's very fond of matters of that sort. That's because he simply seems to lack the understanding,

(Mr. Desjardins, cont'd.) . . Sir, of how representative parliamentary institutions work, but if he wants to listen; if he wants to find out how it should be done; if he wants to find out the theory and practice on which parliamentary government operates instead of using his emotions when he could very well use his brain, because I know he has one; he could consult with his leader who can give him as well as anybody in this House, I think, an authoritative statement as to how parliamentary government works. And I say that I am convinced without ever having any conversations with my honourable friend the Leader of the Opposition about it, that he will give him a fair and accurate statement of the facts. I'm convinced of that and my honourable friend will find out that these charges of dictatorship and all that sort of thing have no place, no place in the House, and no place in fact when referring to the processes of parliamentary government. And if he had the honour to be a member of this caucus, which he has not, he would have an opportunity to learn that that is not the case and that members on this side have minds of their own and haven't the slightest hesitation in informing all and sundry how they think on the various matters that are before them".

Mr. Chairman, I took the advice of the Honourable the First Minister. My leader took me by the hand and led me in his office, but I came out of there convinced that I was right. My leader agreed with me that no one forces any member of this House, including the Premier, to run for office, but if and when elected, that we have certain responsibilities and duties. Those of the Premier are more important and more difficult because he has the responsibility of the whole province in all matters, and must do what he feels is best for most. It is a very difficult job; he can never please everyone. That is why, Mr. Chairman, I did not call him absurd, silly and rude when I started by telling it would be wrong and unfair to start a long tirade against the government. That is why that in my name, and the name of my constituency, I congratulate the government for courage shown in a controversial matter; that is why I would like, at this time, to congratulate him especially, and the members of his government, for the excellent amendments that they have brought in in committee. But my leader also agrees with me that I also have responsibilities, the main one being the one to work for my constituents. This is the only form of democracy; to show and tell and warn the government that certain things are detrimental to those that I represent. And in this, I refer especially to clause 210 of this Bill which, in my mind, will make it possible to have total amalgamation. Many are afraid of total amalgamation; others want it. Politically, it is a very difficult situation but that's where the courage comes in. The government said that those wishing amalgamation, we will see in 1965; to those opposing it, just certain services are mandatory. If they get away with it, it is good politics; but my duty is to point out to the government and my constituents that it could be very dangerous.

The duty of Mayor Juba is to tell the government that he favours a plan, the plan if it is the first step to total amalgamation; and they might think it's detrimental if it doesn't intend to go any further. Just because I did my work right, it is no reason for the Premier to attack me, to bulldoze me and push me around. I might suggest at this time he picked on the wrong man. I would have been satisfied with my first speech. My duty would have been done in the fact that I pointed out the disadvantages of the Bill to the Premier and his government, and the fact that I told him that the best thing would be to leave St. Boniface out of the plan. And in return, that St. Boniface would work with and bend over backwards to co-operate with a Metro form of government or a large Winnipeg city. But the Premier has given me no alternative but to reaffirm myself, to show his lack of sincerity in criticizing me personally for doing my duty. That is why, Mr. Chairman, I again warn that this Bill is not fair to St. Boniface; and in the long run, will hurt it. I hope, I sincerely hope that I will be proven wrong, and when Bill 62 is passed, I and all the constituents of St. Boniface, I am sure, will do our best to make it work. We do not intend to be rebels. It is our privilege; it is our right, however, and our duty to oppose it, if our conscience so dictates, until the Bill is read a third time and passed. That is all we have tried to do. It is all I was trying to do when I spoke on the second reading.

I know how the system of democracy works; and in the short time that I have had the privilege of representing St. Boniface, and it might well be that the Premier will be proven right and that the citizens of St. Boniface will soon replace me with someone more perspicacious, more intelligent, more suited for the job; but as I say, in the short time that I have been here, I have always tried to do my best and I've always been honest to myself. I have, with sincerity,

(Mr. Desjardins, cont'd.) . . congratulated the Honourable the First Minister and the members of his government on many occasions; I have brought in unpopular subjects; I have admitted that the former government made some mistakes and I even voted alone against the government and the members of my party.

Mr. Chairman, I would like to suggest to the Honourable First Minister that if he is the man that I think he is, the man I hope he is, he will realize that his political by-play did not work and apologize for the way he tried to ridicule a member who has only been trying to do his duty, to meet his responsibilities; a member who begged him to realize the danger in which a certain Bill could place his constituency. I hope that the Honourable the First Minister will see fit to show the courage to meet his responsibility the same as he told the Leader of the Opposition yesterday, however difficult, and we know it is difficult, without trying to find a scapegoat however. But if the Honourable the First Minister still feels as he did when he criticized me, I will issue the following challenges: (1) to permit a referendum in my constituency, and if my constituents vote for this Bill, I will accept this vote as a vote of non-confidence and resign my seat, because it would show that the people had no confidence in me and that I'm not worthy and capable of representing them; or that the Honourable the First Minister commit himself to run against me in the constituency of St. Boniface at the next provincial election. The Honourable the First Minister on many occasions praised my constituents. He has given them all the credit in the world but he also accused me of not being perspicacious enough; of not understanding the workings of democracy; of being silly, absurd, offensive and tactless. If he meant this, if he said this sine cere, without wax, sincerely, it should be a cinch to defeat me. And if I have all these faults, I have no business representing the good people of my constituency.

I would like to go on record as saying, Mr. Chairman, that I oppose this Bill in principle. I'm afraid--I AM afraid that it will lead to total amalgamation which, in this case, would be detrimental to my constituency. I would also like to go on record as saying that when, but only when this Bill is passed, I will do everything in my power to help make it a success. I accept this democratic way of doing things. I know that I will no doubt make mistakes, many mistakes probably, but I will continue to do what I think is right, knowing full well that if I make too many of these mistakes, my constituents will soon replace me. But one thing, Mr. Chairman, that I want to make clear is that I will never be intimidated by members of this House, my constituents, or anyone else.

.....(continued on next page.)

MR. ROBLIN: I find it interesting, Mr. Chairman, that my honourable friend finds it necessary to indulge in this self-justification for the stand that he has taken. I don't think that he needs to do so; I don't think that he needs to justify that part of what he said the other day at all because he has the right, and as he conceded it, the duty to do what he has done. The adjectives that I applied to him I'm afraid he has quite misunderstood, because I was making reference at that time to his personal remarks, not to his remarks as a representative of the constituency of St. Boniface. And when he becomes the Leader of the Liberal Party, I'll be happy to run against him although I'll probably have to brush up my French a little bit if it's going to be in the constituency of St. Boniface. I don't intend to pursue this debate any further Sir. We could have a little discussion perhaps on some questions that arose this afternoon in connection with my honourable friend, but I don't think it would be advantageous to the committee if I should do so.

I would simply like to say this, however, that I expect that the citizens of St. Boniface will co-operate loyally in the implementation of this piece of legislation. I was quite sincere and meant what I said when we had the delegation before the House the other night, and I think it was productive. In fact, the gentleman who led that delegation had another meeting with the Reeves and mayors of the Greater Winnipeg area and came in to see me the other night and we had a very amicable interview. He presented to me a letter, which I hold in my hand, in which he asked the government to do certain things in connection with the Bill and I was able to assure him that we would do those things. I don't think I am betraying any confidence if I say that, in the letter, he was very generous indeed in his expressions of appreciation for the opportunity given to him and to his friends to speak on this Bill and for the reception given them by the committee and also by the government in connection with it. And I may say that I have his expression of opinion here that he agrees with my honourable friend that the government has undertaken a difficult task here and he was kind enough to say that we had done it very well. He also expressed the belief that St. Boniface, having let its feelings be known about Metro and they're certainly well known, that it will co-operate to the fullest extent in helping to provide the best administration for this new form of government.

Now I think that with those few words, I'll simply resume my seat. I'm certainly not intending to prolong the discussion between my honourable friend and I on this matter because it is something obviously about which he feels very strongly. I think that he will perhaps, on reflection, agree with me that it perhaps is inadvisable to make a reference such as he did to my statement and put on it a gloss which I object to, and which I think he will agree is not borne out by the facts. The Committee was in to see me - or rather the Chairman of this Committee was in to see me, we had a very friendly meeting as I say, and I'm very happy to have this assurance of the Chairman of the Committee that they will co-operate with the government in this Bill. And while I'm on my feet I should say that - we have one amendment in front of us have we not, Mr. Chairman? Well when that's disposed of, I have another one.

MR. CHAIRMAN: It's been moved by the Member for St. Boniface that sub-section 3 of clause 3 be amended by...

MR. ROBLIN: I'm sorry Sir, I should have made an amendment to sub-section 1, clause 3. I thought we were on that, and my amendment is that the name be changed to the Metropolitan Corporation of Greater Winnipeg.

MR. CHAIRMAN: Agreed?

MR. DESJARDINS: Mr. Chairman, what about my motion?

MR. ROBLIN: Well that's coming next.

MR. CHAIRMAN:I'm coming to.....of this part. It establishes a constitute body corporate under the Metropolitan Corporation of Greater Winnipeg. Agreed. Passed. 2 - passed. Now 3....

MR. CAMPBELL: Does that made any difference in sub-section 2. Do you leave that..

MR. ROBLIN: That remains as is. That's the short title.

MR. CHAIRMAN: 3. The amendment by the Member for St. Boniface that sub-section 3 of clause 3, be amended by deleting the word "all" in the third line and by adding the following words, "except all the land lying within the boundaries of the City of St. Boniface, said boundaries being described in the St. Boniface Charter" clause 3, sub-section 2...

Are you ready to vote? Those in favour say aye....

MR. PAULLEY: Mr. Chairman, before this motion is passed, I think it's incumbent on me as one of the representatives for that great City of St. Boniface to make a comment on this. I'm sure that what I have to say will not meet with the satisfaction of the mover of this amendment. When the committee that the First Minister referred to, and also the Honourable Member for St. Boniface referred to, that met in Law Amendments Committee the other night I, as one of the members of that Committee and as a representative of part of the City of St. Boniface, said to them at that time that I appreciated their public spiritedness in appearing as a group before the Committee, and I also said, however, that I might not agree with the proposals that they were putting before the Committee. And that was accepted - my position was accepted, I think, by those who were in attendance at that meeting. It may be, Mr. Chairman, that in saying what I'm saying at the present time, that I may lose some of the support which I had in that portion of St. Boniface which I represent, but I want to say this, I oppose this resolution or this amendment, because while there may be, insofar as some of the outside skirting areas contained in the Bill, some question as to whether they're in or whether they're out. It is my considered opinion that the provisions within this Bill cannot be accomplished with the exclusion of the great City of St. Boniface. I was just re-reading the brief that was submitted by the City of St. Boniface, and I appreciate very much that within that brief they do make one or two statements in opposition to the Bill itself and feel that an inter-municipal committee could handle it, in their opinion. They do express in no uncertain terms, that in the year 1965 when the Commission reviews the thing, that they sincerely trust that that Commission can take into consideration the net effect of Bill 62 on such purposes as taxation and the likes of this, and state that they will be firmly opposed to any total amalgamation. And I accept that, but I do not think that we, as members of this Legislature, can attempt to accomplish the purpose of this Bill and exclude an area such as the City of St. Boniface. So I want it clearly understood that insofar as I personally am concerned, representing a considerable portion and a rapidly growing portion of the City of St. Boniface, that I cannot support, in all honesty and sincerity, the amendment as proposed. Because I think that unless we get together and stay together and work together in the interests of the Greater Winnipeg Metropolitan area--if we do not do that unitedly, even though with some reluctance, and I appreciate that reluctance, the whole principle behind the Bill will be defeated. And I merely rise at this time, Mr. Chairman, so that there is no misunderstanding of how I stand in respect of this matter, and I intend to vote against the amendment proposed by my honourable friend, and should I say fellow representative of the City of St. Boniface, because while my honourable friend does have in his name, as the representative of St. Boniface, I, too--and I'm also well aware of the fact that the Honourable Member for St. Vital represents a large portion, a very considerable portion of the City of St. Boniface--so while in name, my honourable friend does have the name St. Boniface, I, too, represent part of it and I'm prepared to accept the decision of the electors in that portion of St. Boniface that I have the honour to represent, because I'm taking my stand here tonight.

MR. E. PREFONTAINE (Carillon): Mr. Chairman, I just want to say one word, and it is this, that as the members know, I'm against the Bill itself and I would like to say that I would vote in favour of the motion, and I would do so if it was in respect to taking away from the Bill another portion like East Kildonan or St. James. I would support such a move also, because I believe this will lead to total amalgamation. It will cost taxes - I know that it is going to be passed compulsorily without a vote, and it's because of those reasons that I support the motion.

MR. TANCHAK: Mr. Chairman, I too intend to support this amendment on the same principle as I did mention before, that I feel that a referendum should have been called, and I at this time feel if this amendment carries, the Bill will be defeated, and that's my aim at it and that's the reason I'm going to support the amendment.

MR. GROVES: Mr. Chairman, I feel that I should say a few words following what was said by the other two members--the three of us together who represent the whole City of St. Boniface. I feel, as does the Honourable Leader of the CCF, that the working of this Metro bill is not possible if we exclude the City of St. Boniface and I don't go along with the amendment. I think that, in area at least, and probably in population that although I can't prove the last statement, that between the Honourable Member from Radisson and myself, we represent as much of St. Boniface as does the Honourable Member from the constituency of St. Boniface. I would like

(Mr. Groves, cont'd.)....to point out too, that St. Vital was also originally a French settlement, and also has a glowing history that reaches back to the days of the old fur traders and that even today the letterheads of the Municipality of St. Vital are printed in both of these languages and I would like to submit, Mr. Chairman, that the Municipality of St. Vital will not be swallowed up by Metro and that the City of St. Boniface will not be swallowed up by Metro. That the ancient history, the French language, the religious traditions and the unique culture of St. Boniface and of early St. Vital will live on forever regardless of Metro. Metro boundaries will never change this, and it will never obliterate these places in the hearts and in the future of these communities who have, over the years, built up for themselves important historical, religious and community spirits.

MR. FROESE: Mr. Chairman, I would like to say that I will support the amendment because the people of that city are not given the chance to vote on the matter and therefore I feel that we should not take the step to include them automatically.

MR. CHAIRMAN: All the members in favour say 'aye'. Opposed 'nay'. In my opinion the 'ayes' have it and I declare the motion lost.

Sub-section 3, passed.

MR. SCHREYER: Mr. Chairman, members of this Committee know that when we went into second reading of this Bill that I voted for it. I still think that, and I still look at Metropolitan government as a necessity wherever you have an expanding growing urban complex and I voted accordingly. Now we all realize that this is a lengthy Bill, many provisions in it are controversial and that it is not an easy matter to pass a Bill such as this, and quite frankly, as one on this side, I must commend the government for making as many changes as they have, all in the public interest. That is not to say, however Mr. Chairman, that all - shall I say, misgivings, all uneasiness with regard to this Bill have been cleared up, and I rise now particularly to bring to the attention of this Committee, the fact that one of the municipalities which is, in large part, being included in this Metropolitan plan--the people of that municipality are opposed to it and they have rather good reason I think. It's not because of municipal fear or shall I say municipal jealousy or anything of that nature but they are opposed to it because they feel that they are definitely not a suburban area, and they are not a suburban area, Mr. Chairman. The municipality is a distinctly rural one and I feel that we will not be jeopardizing the future success of Metro if we did allow for this municipality or a larger portion of it to be left out of the plan. They realize of course, and we realize that the southern portion of the Municipality of East St. Paul is somewhat industrialized, there being some oil refineries and there being some indication of another oil refinery being built in that area. And while as I said they are opposed to being included in Metro, they have agreed and have resigned themselves to go along with it, rather graciously I should think, so insofar as that goes that's fine. But what they cannot see, and what I, too, cannot see, is why as much of that municipality has been included, as indicated in Section 3 of this Bill. I tried to get information as to why the pattern of Metro boundary was not adhered to around the whole city, because if you look at a map of the Metro boundaries, you will see that the boundary seems to follow a pattern of being within a half a mile of the Perimeter Road. Two exceptions being St. Norbert, which is distinctly residential, built up in suburban environment, and the Municipalities of St. Paul. I tried to get information as to why this exception was made, and I was told that because of the refinery and because of McColl-Frontenac Company having land there upon which they contemplate building a refinery, that this jog in the boundary was made. And I found out after all, that the refinery and the McColl-Frontenac property which is the most northerly industrial property in that municipality is on lots 102 to lots 108, inclusive. In other words Mr. Chairman, what I am saying is this--that all immediately potential industrial property in that municipality seems to end at lot 101. The people of the municipality through their council have asked me to bring to the attention of this Committee the fact that some 20 lots, lots 80 to 101 -- 21 lots, are being included here, which are of a type, the landscape of an environment which are not industrial which are distinctly rural, and therefore how can they have a bearing on Metro? And if they cannot have any bearing on Metro then why should this be included in the Metro Bill. I know that it is a rather difficult thing to ask to have certain parts, certain municipalities or parts of municipalities, to ask that they be excluded from the Metro plan. But I feel that I am not asking much- and the people involved are not asking so much here because East St. Paul is

(Mr. Schreyer, cont'd.) . . . not near the nub or the nexus of Metropolitan Winnipeg, they are as a matter of fact on the periphery and especially lots 80 to 100, decidedly on the periphery of anything that Metro might want to do in the next 15-20 years. Now then, there might well be some argument that this is an area that is building up and who know 20 years, 25-30 years from now it will be all one insofar as industrial development is concerned, be all one with Greater Winnipeg. But I believe that as time goes on, as areas build up, they can be included into the Metropolitan Plan, that's one of the purposes of the secondary zone I dare say. And so I cannot see why a distinctly rural part of the municipality, which is part of a municipality which lies completely on the periphery of this Metro scheme of things, why it should be included. I would not make this request, Mr. Chairman, if this were North Kildonan involved. North Kildonan is a suburb, it is distinctly suburban; the people live in a suburban way and even though I represent a large part of North Kildonan I would have some fight within my conscience to come here and ask that it be left out because I would realize Mr. Chairman that this would perhaps jeopardize the functioning of Metro, but to ask that East St. Paul--the most northerly part of it--be left out, I feel is quite in keeping with my views on this and consequently I ask the First Minister, the members of the Treasury Bench to give this serious thought.

MR. CAMPBELL: Mr. Chairman, before the First Minister replies--just to get the locality settled in my mind as nearly as I can, might I ask the Honourable Member for Brokenhead where is this area, can he fix it for us with respect to Highway 59, and Henderson Highway and Imperial Oil Refinery and some of those points of that kind?

MR. SCHREYER: Well I can try Mr. Chairman. This bill proposes in Section 3 to include all that portion of East St. Paul Municipality lying south of Lot 80. Now Lot 80 would then be the northern boundary of Metro in East St. Paul and Lot 80 would be north of the Hoddinott Road, that's the Henderson Highway - Bird's Hill 59 Road. North of that yes, because the Hoddinott Road is on Lot 95, between Lots 94 and 95. Now the Imperial Oil Refinery is on Lots 102 and 103 - McColl-Frontenac has property from 102 to 108, parts of 102, 103. But this proposes to extend the boundary considerably further north.

MR. ROBLIN: Mr. Chairman, I sympathize with the points that the honourable member raises because this has given us a great deal of difficulty, too. It doesn't only apply to areas such as the one he mentions but there are some other areas that are now in Metro, some of them actually within the Perimeter Road that could put up much the same argument that he has and we've looked at this request very carefully because we did get it from the municipality of which he speaks. It's not tied in necessarily with the industrial development, although that's important but also with the anticipated expansion of residential or other types of urban development as well, and when one considered all those factors together with the fact that in this as in one other location, a couple of highways run through it, around which we are getting a good deal of ribbon development and that sort of thing, and in view of the fact that this is designed for future use in particular and for the planning aspect of the matter our advisors made it clear that in their view that while there was an argument, and they considered it very carefully on the balance, they thought we had better leave it the way it was, so that's the situation that faces us. We have the two projections over the general line of the Perimeter Highway the one to the north and the one to the south. In the south they asked us to extend it a little, which we did; you've asked us to cut it down. We've looked at it very carefully, but on balance I'm afraid that we can't agree that we think it's the right thing to do.

MR. SCHREYER: In speaking I became so involved in what I was saying, I suppose that's not a good thing, but I forgot to do what I set out to do. Now I am not sure whether I should go ahead and do it; that is I was going to move an amendment. Mr. Chairman, I move, seconded by the Member for Kildonan that Section 3, Clause 3 of Bill 62 be amended by deleting the word "eighty" wherever it appears in lines 14 to 20 and substituting therefore the word "one hundred".

Mr. Chairman presented the motion and after a voice vote declared the motion lost.

Section 3 (3) to Section 4 (3) was read and passed.

MR. CHAIRMAN: Subsection 4 (a) (i) - passed (ii) - passed, (a) - passed, (b) - passed, Subsection 4 - passed. Subsection

MR. FROESE: Mr. Chairman, on Subsection 4 (a), I would like to move an amendment, the amendment is such: that Subsection 4 (a), Section 4 be amended in deleting in Line 4 the words "or otherwise acquire".

Mr. Chairman presented the motion.

MR. CHAIRMAN: Are you ready for the question.

MR. FROESE: Mr. Chairman, these words mean to me that they can confiscate property under that phrase and I would certainly be opposed to that.

MR. ROBLIN: Sir, that may be true but not without full compensation and rights of appeal as provided for in the general statutes.

Mr. Chairman asked the question and after a voice vote declared the motion lost.

Sections 4 to 8 were read and passed.

MR. CHAIRMAN: Section 9 - passed.

MR. ROBLIN: Mr. Chairman, I undertook in Committee of Law Amendments to consider the suggestion that we should have these boundaries set by the Electoral Boundaries Commission and I'm prepared to move such an amendment. It requires a message from His Honour--at least the approval of His Honour in view of the fact that it costs money so I'm moving the following resolutions; Resolve that it is expedient to provide in Bill No. 62 an Act to establish the Corporation of Metropolitan Winnipeg and to provide for the exercise by the Corporation of certain powers in authority that the boundaries of the metropolitan divisions in which provision is made in that Bill be established, and altered from time to time by the Lieutenant-Governor-in-Council, after receipt with respect thereto--receipt of recommendations with respect thereto from the Electoral Boundaries Division Commission that costs incurred by the Commission in the year 1960 including remuneration paid to the commissioners in that year, be advanced by the Provincial Treasurer from Consolidated Fund and subsequently repaid to the Provincial Treasurer by the Corporation. His Honour the Lieutenant-Governor having been informed of the substance of this resolution, recommends it to the House. I have a long amendment to move which I've given copies to the parties.

MR. CHAIRMAN: Resolved that it's expedient to..... Bill No. 62 and to present. Those in favour - passed.

MR. ROBLIN: I move then, Sir, that Section 9 as it stands be deleted and the following inserted. Now, this is a very long amendment and I can give the substance of it, but the Boundaries Commission shall set these boundaries when they hold public hearings and once they have set their boundaries and given adequate--and adequate publication has been given by the electoral officer for the metropolitan area, that it goes to the Lieutenant-Governor-in-Council for approval and then becomes the electoral boundaries of the area. Now I think there's one point I should explain and that is why we are sending it back to the Lieutenant-Governor-in-Council for approval. The reason is that in the regular way when the Electoral Boundaries Commission operates insofar as provincial constituencies are concerned, it is then referred to the House and the House approves. Now that won't be possible under these circumstances, so in order to--I think to comply with the general principle that it's the Legislature and the Executive that finally must take the responsibility for these things, that it comes to the Lieutenant-Governor-in-Council for final approval. But the intention is that the Electoral Boundaries Commission shall operate in the way that we've experienced in the past, and set the boundaries in that way. I can read the whole thing if members want it but perhaps that explanation will suffice.

MR. CAMPBELL: Mr. Chairman, isn't it from what the Honourable the First Minister has said, and in my hurried glance over this that it follows almost exactly along the lines that it does with the provincial procedure with the difference that he has mentioned about instead of the report--recommendations of the Boundaries Commission coming before the House it comes instead before the Lieutenant-Governor-in-Council.

I think as far as I'm concerned that's quite satisfactory. I'd like to, Mr. Chairman, express appreciation to the First Minister and the government for incorporating this proposal. I think it's much better, and I think it will make the people feel that this has been tackled in a completely independent manner. I've only the only suggestion that instead of saying that the Commission 'may' be fore making any report, hold such public hearings and then it goes on with something else and I wouldn't suggest that the word 'shall' would apply to the rest of it because 'may' is correct but I think that it might be well to order that there should be at least one public meeting held. Whether that will be done anyway, I think we could assume that it would likely, but just for greater certainty I'd suggest that it might be 'shall'.

MR. ROBLIN: It's up to the.....Chairman has gone through with it because it's a pretty involved thing, but I think my honourable friend can take it for granted that they will certainly have a public hearing.

MR. SCARTH: Mr. Chairman, sorry, but in the absence of the Attorney-General I think that the lawyers will agree that you normally request a judicial or semi-judicial body to do something but you do not as a rule use the word 'shall'. I think that that is proper wording, Sir.

MR. CAMPBELL: I'll take the word of the First Minister reinforced by the opinion of the Honourable the Member for River Heights, on that. I believe that sometimes the courts have even heard that 'may' is--even held that 'may' is interpreted as 'shall' anyway. We'll hope they do so in this case.

MR. PAULLEY: Mr. Chairman, I want to express the appreciation of myself and also others who made representations in respect of this that consideration has been given to the setting up of the boundaries of metropolitan on this basis. I think it meets in great measure the points that were asked for consideration. I just have one passing comment, and I can appreciate the fact that it is a very involved matter and that the possible question on subsection (d) insofar as the setting up of the divisions wherein there will be a majority in five of the divisions in the City of Winnipeg. I appreciate first of all, Mr. Chairman, that insofar as the electors of the City of Winnipeg are concerned, they would have half, if not more than half of the total numbers in any case, and this does make provision to give the majority for at least five of the areas outside of the City of Winnipeg. If it's practical--and I like those words in there. And I think that would be very good for the initial boundaries. I note that there are provisions for revisions later. I'm not going to suggest that there should be any change at all for the setting up for the first vote, and there are provisions for later because with the rapid growth of the outside areas of the suburban municipalities, the net ratio will change, and--or at least we presume that it will change and then, of course, we'll have to take a look at this particular section at that time. But I again say, Mr. Chairman, I appreciate the attitude of the government in this. It goes a long way to meet the requests that were made of it in committee.

Section 9 was read a third time and passed. Section 10 (1) to 10 (6) was read and passed.

MR. GROVES: Oh, I'm sorry. I had some remarks I wanted to make under 10 (3). I thought you were still working on that big long amendment. May I have permission to make those remarks at this time?

MR. CHAIRMAN: If you wish it.

MR. GROVES: I regret, Mr. Chairman, that I was not in the House at the time that this Bill had second reading and also that I was not in the committee at the time that it was considered clause by clause.

I have one objection to the Bill, which I would like to place on record. I am not intending to be dogmatic about this, nor is it my intention to make an amendment but this is something on which my feelings are quite strong, and I feel that I should at this time place them on record so that they will be on record.

The objection that I have to this Bill is on subsection 3 of section 10. And that is to the government's appointment of the Metro chairman; and to that chairman being an appointed official having the power of veto during the term of his appointment. I agree that this principle of mine isn't badly vilated because it is only for the first four years, but it is there just the same. I've always felt that those in public life must be responsible to the people, that those who would accept responsible positions in public office must be prepared to stand up and be counted at election time. We are, in this section, taking away from the people of the area, the right to elect a man who in effect will guide to some degree their future destiny. The people's representatives, I feel, must by the supreme authority in any democracy. Appointed officials have a place under them, but no appointed official, in my opinion, has any place at the head of an elective body. I know that it can be said that this practice prevails in some other jurisdictions but Manitoba has done well under our present system and I feel that it shouldn't be changed. We are, in effect, in this section taking away from the people of Greater Winnipeg, the right to elect the head of their metro council. They would then be the only ones in the province without the right to elect their chief magistrate. And I wish at this time, Mr. Chairman, merely to go on record in opposition to this part of the Bill.

Sections 10 (7) to 20 (1) (e) were read and passed.

MR. DESJARDINS: Mr. Chairman, 20 (c), Mr. Chairman. I would like to move an amendment there that the words, I think the words are 'or French' be deleted. Now, Mr. Chairman, I am not in favour of this--first of all, I'd like to say that I'll be very short, and this is the last time I get up -- I am against this, the amendment that was brought in, or this change that was done in Law Amendments, Sir, because I find that it is not practical. I realize that some representation was made to the Committee in this report but I am convinced that this was a question of principle and not too practical. The object of the brief suggesting this amendment, I am sure, was to emphasize that we live in a bi-lingual country and that French is one of the official languages. But the French people of this province, most of them at least, do not really expect this, Mr. Chairman. They would like to see every member of the Metro Council speak both English and French if at all possible, but the French people of Manitoba -- if the French people were to insist on this, I feel that it would only prove to their co-citizens that they are a group of impractical fanatics. This is not the case at all, I can assure you. We will always defend our rights, we will strive to bring better understanding between the citizens of Manitoba, but we must also show that we are understanding and ready to co-operate with all in making this province a better place to live in. Mr. Chairman, could you visualize what would happen if one member of this council read and speak French only? Could he really represent his division if he could not understand what is said by the others, and could the others do him justice if they did not know what he was talking about? Someone might suggest that most of the French-Canadians of Manitoba are bi-lingual, and therefore this problem would not arise and if this is so, Mr. Chairman, this present clause does not discriminate --not the present clause, but the clause the way it was -- does not discriminate them at all. No, Mr. Chairman, let us not push this thing too far. This amendment brought in by the government is meaningless and I say, a bad one. I hope that the government -- and I don't think that the government intended to make anyone believe that they were granting St. Boniface something; I didn't agree on the change of name either, but this has been passed -- but rather I would like to think that the government wanted to indicate, that it wanted to indicate that it recognized and respected the rights of the French people. And if this is so, I think that the gesture was sufficient. I would say that if this clause is passed, the way it is now, it would be an insult to the intelligence of the French speaking people of this province and would do more harm than good, Mr. Chairman.

My amendment was to strike out the words 'or French'.

Mr. Chairman put the question and following a voice vote declared the motion lost.

Section 20 (c) to Section 40 read and passed.

MR. FROESE: Mr. Chairman, in connection with Section 41, I would move an amendment. I move the subsection (1) of Section 41 be amended in line 16 by insertion of the word 'not' between the word 'may' and 'by'. I feel that under this section, we are giving too wide powers to that council without having to go to the electors to approve capital debt. These are my firm convictions and I couldn't pass the matter up without making some reference to it.

MR. CAMPBELL: Mr. Chairman, I have a good bit of sympathy with this same position, but as I stated in the House and in the Committee, while I do agree with that principle, yet I'm prepared, as far as I'm concerned, to leave this section as it is, but then to still urge that inasmuch as this great change is being made, that we should instead provide at the end that we have a vote of the electors before the Act is implemented.

Mr. Chairman presented the motion and following a voice vote declared the motion lost.

Section 41 to Section 61 read a third time and passed.

MR. ROBLIN: Section 62 (1) Sir, requires an amendment to the name of the Metropolitan Corporation. The Metropolitan Corporation of Greater Winnipeg in line...

MR. CHAIRMAN: Oh, yes, the one about 33 there. The Metropolitan Corporation of Greater Winnipeg.

Bill No. 62, Section 62 (1) as amended, to 179 were read and passed.

MR. CHAIRMAN: Section 179...

MR. ROBLIN: Mr. Chairman, the Section 179 (1), the name again Metropolitan Corporation of Great Winnipeg should be changed.

MR. CHAIRMAN: Metropolitan Corporation of Greater Winnipeg.

Section 179 (1) as amended. Passed.

Sections 180 to 183 were read and passed.

MR. PAULLEY: Mr. Chairman, this is the first time I have noticed it on 4. That's with the manedment that was agreed upon, was it not?

MR. ROBLIN: Which one was that again?

MR. PAULLEY: Section 4 of 183 where we inserted the words

MR. ROBLIN: Yes.

MR. PAULLEY: That was passed as amended?

MR. ROBLIN: That's right.

MR. PAULLEY: That's fine.

MR. CHAIRMAN: Sections 184 to 192 were read and passed. Section 193

MR. ROBLIN: Mr. Chairman, there's another sub-section I would like to propose to this one which makes it clear that the Metro may meet with groups of the Advisory Council as well as with the whole Council. They may want to talk to somebody else about schools, and somebody else about municipalities and the way it's worded there, there was some doubt in our minds as to whether they would have to meet the whole group at once. So I move sub-section 5; "the council or such members thereof as are designated by resolution to council in lieu of meeting the consultative committee as provided in sub-section (2) may meet one or more of the members thereof individually or in groups and sub-section (3) applies to any such meetings." This, of course leaves the annual meeting on the budget and what not untouched. But it does make it clear they can meet with these other people in smaller groups than the full consultative body.

MR. CHAIRMAN: New Section (5) to 193. Passed.

Sections 194 to 196 were read and passed. Section 197

MR. FROESE: Mr. Chairman, I have an amendment on 197. I move that section 197 be amended by insertion of the words "within the Metropolitan area" after the word "town" in line 26.

Mr. Chairman presented the motion.

MR. FROESE: Mr. Chairman, under Section 4, Sub-section 6, the Council has expropriation powers even beyond the limit of the Metropolitan area, and for that matter they could expropriate property in any city or town in Manitoba, and that's why I think this amendment should come in.

Mr. Chairman presented the motion and after a voice vote declared the motion lost.

MR. CHAIRMAN: Sections 197 to 209 were read and passed. Section 210

MR. DESJARDINS: Mr. Chairman, 210, I would like to move an amendment that another sub-clause be added to read - "be it understood that at no time will any services not now provided for in this Act be taken over by the Council without the unanimous consent of the member municipality."

Mr. Chairman presented the motion and after a voice vote declared the motion lost.

MR. CHAIRMAN: Sections 210 to 211 were read and passed. Section 212. (a) passed. (b) passed. (c)

MR. ROBLIN: Mr. Chairman, in the last line the name of the corporation is changed again. "The Metropolitan Corporation of Greater Winnipeg"

MR. CHAIRMAN: Sub-section (c) of 212 as amended. Passed. Sections 212, 213, were read and passed.

Section 214 (a), (b), Passed. (c) "The Metropolitan Corporation of Winnipeg." Section 214 Passed. Bill No. 62. Section 215, (b) as amended, and (c) as amended to Section 215, was read and passed. 216 (1)

MR. CAMPBELL: Mr. Chairman, I have an amendment to offer on 216. I move, Mr. Chairman, that Section 216, (1) be amended by striking out the words, with the exception of Part 1, and sections 1 and 2 and this section where they occur in the first and second lines thereof and by striking out the words, in Part 1 in sections 1 and 2 and this section, "come into force on the day this Act receives the Royal Assent", where they occur in the seventh and eighth lines thereof, and by adding after the word "Act" in the seventh line thereof, the following words: "but no proclamation shall be issued until a majority of the electors of the Metropolitan area who vote on the question, have expressed themselves in favour of the Act being proclaimed."

MR. CHAIRMAN: It has been moved by the Honourable Leader of the Opposition that.....

MR. CAMPBELL: Mr. Chairman, I continue to feel very keenly on this particular matter, which as the honourable the members will recognize is an attempt to have a vote held across the entire Metropolitan area -- the proposed area. Because I really think, and my feelings in this regard have been confirmed, as we have put more and more time in the study of this Bill, I really think that because of the great powers that are given to the Metro Council, because of the changes that are made, because of the super-imposing here of another important sphere of government, and by no means the least of the arguments, because we are doing away with that right that a lot of the people have come to believe to be traditional, of the electors having the opportunity of voting on large expenditures. That there really should be a referendum held on this important subject. Now I'm not going to argue this at any great length because my feelings on it are well known, and others have already expressed their opinions as well. But I insist from the reading of the Bill and the discussions that have taken place that this could be done without any delay and I am convinced that the educational features of having such a referendum would be most beneficial. This is a tremendously important step that's being taken. If it's going to be successful, it needs to start with the very maximum of good will, and I can't think of anything that would be better to get it off to that right start than to have an educational campaign that such as would occur with a referendum being held, whereby the electors would not only understand the situation much better, but that they would be given the opportunity, having understood it, of expressing their opinion with regard to it. And I really think that it is well worth while to take the time and go to the trouble of having such a referendum. Therefore I propose this amendment, Mr. Chairman, and I would like to see a standing vote in connection with it.

MR. PAULLEY: Mr. Chairman, I think my views have been expressed on this very important principle of the Bill when we discussed it on second reading. I haven't any reason at all to change my mind that a referendum would achieve no real purpose. It is conceivable that in a referendum we may have islands in Metropolitan Winnipeg that would be in favour, and islands that would be opposed. I think it is the responsibility of us as members of this Legislature, to stand up and be counted without a referendum, insofar as this Bill is concerned. If we do wrong in passing this Bill without a referendum, then the electors of the area will pass judgment upon us at subsequent elections. And I am prepared to abide by that decision at that time. I might say, Mr. Chairman, that last Saturday, I was privileged to attend a meeting that was convened by the Council of the Town of Transcona, for the purpose of discussing Metro Bill. I do not know whether or not any other municipality has taken the same steps. The Mayor read out the submission of the brief of the Town of Transcona to the assembled people, numbering in the neighbourhood of 100. I might say that it was a rather hurriedly called meeting and it was held on a Saturday afternoon, and the response to the meeting wasn't very great. However the mayor read out the portion of the brief in respect of referendums. He received, in all fairness and I must say that that portion of the brief which called for a referendum received a considerable amount of applause. I was only there as a taxpayer and a resident of the town but I felt it was necessary for me, because I represent the area, to express the reasons why I did not agree with the brief of the Town of Transcona in respect of the referendum. And I couch my reasons somewhat similar to what I am doing now, that it is our responsibility as members of this Legislature without appealing to the people by way of referendum, to enact this legislation. I think I received after explaining in more detail Mr. Chairman, than I'm doing now, my stand and reasons for opposing a referendum, I think it would be fair for me to say that I was greeted with a greater amount of support than was the reverse attitude of calling for a referendum. (Interjection). Yes, it sounded like that to me. And I might say that following the meeting a considerable number of those present came to me and privately expressed to me the self-same thought. And I say that we stand up and be counted in this Legislature as to whether we agree with this Bill without a referendum. I'm not going to appeal to the Committee any more, Mr. Chairman; I certainly am going to oppose the amendment suggested by my honourable friend, the Leader of the Opposition as not being necessary, and that if this was applied, the same principle as he is enunciating, was applied to the conduct of municipal councils, of change in policies, no council would be able to change its policies without a referendum and I do not agree that these are necessary. So I say, briefly, Mr. Chairman, I haven't changed my opinion at all. I think that we, as members of this Legislature, have to stand up and be

(Mr. Paulley, cont'd.)....counted, and while I am not inferring in any way, shape or form, as some may have done, that the ratepayers or the electors of the proposed Greater Winnipeg area are not intelligent enough to pass judgment on this, I think they're intelligent enough to do that. And further than that, as we have well found out, they are intelligent enough to tell us who our representatives in here from time to time that we are not worthy of sitting here to pass judgment and consequently or subsequently get rid of us. And I'm prepared to accept that; I'm not prepared to agree with the contention of my honourable friend the Leader of the Opposition.

MR. PREFONTAINE: Mr. Chairman, I cannot find any logic in the statement just made by the Leader of the CCF, when he states that it's up to us here to stand up and be counted and that later the electors of the area will pass judgment upon us. What chance will they have to pass judgment upon me because they're not able to pass judgment upon me at all because I'm representing the Constituency of Carillon; I have nothing to do with the area and I say that it is not proper that I should impose this scheme on the ratepayers of the City of Winnipeg or Greater Winnipeg. We're putting a mortgage on every home, on every piece of land, on every business, of the people of this large community. I don't think we should do that. We're doing something that they will never be able to undo, taking a train leading directly to total amalgamation, amalgamation by stages; we're mortgaging the property of these people, the taxes will increase. I say that they should at least have a right to express an opinion. The Premier in his speech said that he did not want to go further than the people will go in this matter. That's why he doesn't include more services. Does he know how far the people of Greater Winnipeg will go? He doesn't know; nobody knows -- not 1% know what this is all about. The educational value of a vote would be great; if it's voted, the Honourable Leader of the CCF said there may be islands for it and islands against it. That's natural! We have that every election; polls favouring one candidate and other polls favour another one. That's not unnatural. We must expect that, it's normal. And I say that it's wrong for this House to impose this Metro system, this new level of government on the people of Greater Winnipeg. It's wrong, especially for those who will not be accountable to the electors of Greater Winnipeg, those who represent rural constituencies. People of this area should have a chance to express an opinion!

MR. SCARTH: Mr. Chairman, I speak for River Heights and I have not run across anybody yet -- and I've talked a lot -- who wanted to see a plebiscite.

MR. FROESE: The Bill we are passing on tonight is definitely one of centralization and I think this is also admitted by the Premier himself during one of his earlier speeches on the Bill. To me the Bill destroys every basic idea of democracy in transferring the excessive powers such as contained in Section 41 and 83, especially, to the hands of a few. And I cannot see how the Conservative Party has changed from one that used to be very strong on these matters to come to be as socialistic in the thinking as they are, and I'd like to quote Winston Churchill from a speech at Town Hall, Leeds, England, February 4th, 1950 and I quote, "the Conservative Party of our day is the heir and apostle of those great traditions and principles of Tory democracy enunciated by Benjamin Disraeli, and after him by my father Lord Randolph Churchill. One of those principles whose truth is borne out again and again upon the pages of history, is Disraeli's off-sided maxim. "Centralization is the death blow of public freedom!" The truth of these words was never more apparent than it is today, nor more relevant to the thought and resolve of those who would have man not only live, but live freely." I think men like Churchill saw the thing that was happening and where we go into socialism deeper and deeper all the time. And this is -- this Bill is another step in that direction and therefore I could not support the Bill in any way.

MR. SCHREYER: Mr. Chairman if I might, just a few words. I feel that the remarks of the last honourable member warrant at least some comment. Now he says that the Conservative Party has become socialistic; if this is the fact then I think that they are deservious of high commendation. Even if they haven't become socialistic, this Bill is somewhat of an indication that at least they are forward looking at times. And we must always be forward looking in a world that is constantly changing. He, the member prefers to call this an instance of centralization; why doesn't he refer to it as an instance of coalition, of co-ordination? Would the honourable member prefer to see such a lack of centralization and such a lack of co-ordination that we would be returned in fact to the type of society which existed 50 years ago. There was

(Mr. Schreyer, cont'd)... freedom for some and utter poverty and slum conditions of life for others. Now this kind of debate could go on for hours. I don't think that this Bill constitutes a threat to democracy. I think that it does, however, provide the means by which good men of sound administrative ability, can plan ahead for the future needs of the orderly growth and development of the area comprising Metropolitan Winnipeg, and Mr. Chairman, there's nothing better I would like than to be able to shrug off my responsibility as an elected representative and say, "Let's have a referendum." But by the same token we could apply that same means of reasoning to the margarine question and the anti-discrimination legislation and we could run the whole ambit of legislation here. So I think that we're not being totalitarian, we're only doing our duty and taking on our responsibility.

MR. PAULLEY: Mr. Chairman, may I ask the Member for Rhineland one question? Does he know whether or not the Government of Alberta whose principles I understand he nobly upholds, intends to have a referendum in Alberta in respect of the re-allocation of business taxes as proposed.

Mr. Chairman presented the motion and after a voice vote declared the motion lost.

MR. CAMPBELL: Ayes and Nays Mr. Chairman.

MR. CHAIRMAN: All right -- stand. Those that favour the motion stand.

MR. CLERK: 1, 2, 3, 4, 5, 6, correct, no. 5.

MR. CHAIRMAN: Opposed.

MR. CLERK: Do you want me to count?

MR. CHAIRMAN: Yes.

MR. CLERK: 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32.

MR. CHAIRMAN: I declare the motion lost.

Section 216, sub-section 1 - passed, 2 - passed, section 216 passed. Preamble - passed, Title - passed.

MR. ROBLIN: As amended.

MR. CHAIRMAN: Yes, as amended. Not the Title. The bill be....

MR. PAULLEY: Mr. Chairman now that we have gone through the Metro Bill may I..

MR. CHAIRMAN: The Bill be reported.

MR. PAULLEY: May I extend to you my

MR. DESJARDINS: Mr. Chairman, I'd like to register my vote against this Bill being reported.

MR. PAULLEY: All I was going to say Mr. Chairman was that now that the sections of the Bill have been passed by the committee I extend to you my sincere sympathy and congratulations in the manner in which you handled the conduct through the passing of all these sections.

Bill No. 48 (1) to (13) and Bill No. 96 (1) to (8) were read and passed.

MR. CHAIRMAN: Committee rise and report. Call in the Speaker. Mr. Speaker the Committee of the Whole has considered Bills Nos. 50, 58, 77, 78, 81, 48 and 96 and directed me to report the same without amendments and Bills 15 and 62 with amendments. Directed me to report the same and to ask leave to sit again.

MR. MARTIN: I move, seconded by the Honourable Member from River Heights that the report of the Committee be received.

Mr. Speaker presented the motion.

MR. SPEAKER: Are you ready for the question, those in favour please say Aye.

MR. DESJARDINS: Mr. Chairman, I would like to move that all be received except Bill 62.

MR. SPEAKER: I didn't hear your amendment.

MR. DESJARDINS: Bill 62 be not received.

MR. SPEAKER: It has been moved by the Honourable Member for St. Boniface, seconded by ---

MR. DESJARDINS: The Honourable Member from Carillon.

MR. SPEAKER: From Carillon that the report of the Committee be not received in respect of Bill No. 62.

Mr. Speaker put the question and after a voice vote declared the Nays have it.

MR. ROBLIN: Third readings Sir.

MR. SPEAKER: third readings. Did I put the motion for the Committee be received?

MR. ROBLIN: Would you put that, I'm sorry Sir, if you'd put that motion, that would be proper.

Mr. Speaker put the question and after a voice vote declared the motion carried. Bills No. 15, 50, 58, 77, 78, 81 were each read a third time and passed.

MR. SPEAKER: By leave, Bill No.62.

Mr. Roblin presented Bill No.62, an Act to establish the Metropolitan Corporation of Greater Winnipeg and to provide for the exercise by the Corporation of certain powers in authority, for third reading.

Mr. Speaker put the question.

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

Mr. Speaker presented the motion and following a voice vote declared the motion lost.

MR. CAMPBELL: Mr. Speaker, we do not give leave to proceed.

MR. SPEAKER: When I put the motion before I asked for leave of the House and it wasn't objected to. I said "by leave", Bill No.62.

MR. CAMPBELL: Mr. Speaker, the motion was not passed.

MR. SPEAKER: Beg pardon?

MR. CAMPBELL: The motion was not passed.

MR. SPEAKER: In that case, we must have leave that the Bill be passed according to the rules of the House. When we don't receive leave we must leave it over till the next sitting of the Legislature.

Bills No. 48 and 96 were read a third time and passed.

MR. ROBLIN: Before we adjourn, there are two second readings of private members' bills which I believe are non-contentious, Bills 87 and 10, and I just suggest that it might be convenient to pass those now so they may go to the committee next week without any delay.

Mr. Seaborn presented Bill No.87, an Act to incorporate the Mennonite Educational Society for Manitoba, for second reading.

Mr. Speaker put the question.

MR. SEABORN: Well, I just thought that I should explain this Bill a bit. The Mennonite Educational Society was formed in 1957 for the purpose of establishing a school in the Greater Winnipeg area to be a counterpart of the Mennonite School in Gretna. The school is actually in operation now. It started in 1958-59 season with 38 students and two teachers. This year, they have 64 students and three teachers. The school embraces from Grade VII to Grade XII and in addition to the regular curriculum as prescribed by the Department of Education, the school has two additional subjects, first, religious instruction and secondly, the teaching of German as the second language. The school has been meeting in my constituency on the corner of Alverstone and Notre Dame in the First Mennonite Church there, but now it has its own home in North Kildonan. In requesting this Act, the Mennonite Educational Society have pointed out that the school is co-sponsored by a separate Ladies Auxiliary of over 200 members who are working diligently for the continued success of this school and it's prospering quite well.

MR. SPEAKER: Are there any further questions?

Mr. Speaker presented the motion and following a voice vote declared the motion carried.

Mr. Stanes presented Bill No.10, an Act to amend the Greater Winnipeg Transit Act, for second reading.

Mr. Speaker presented the motion and following a voice vote declared the motion carried.

MR. ROBLIN: Mr. Speaker, if I may make an announcement for the information of the House, I would like to say that it is intended that Law Amendments Committee will meet Monday morning at 10 o'clock. The sittings Monday afternoon and evening will be separate sittings as we discussed earlier. On Tuesday morning at 9 o'clock in Room 200 the Municipal Affairs Committee will meet and on Tuesday morning at 10:30 in Room 232 B the Private Bills Committee will meet. I thought the House should have that information Sir.

I move, seconded by the Honourable Minister for Industry and Commerce that the House do now adjourn.

Mr. Speaker presented the motion and after a voice vote declared the motion carried and the House adjourned until 2:30 Monday afternoon.