

THE LEGISLATIVE ASSEMBLY OF MANITOBA

8: 00 o'clock, Thursday, March 4th, 1965

MADAM SPEAKER: Before we start our proceedings this evening I would like to attract your attention to the gallery where there are some 150 grade 11 and 12 students from the Portage la Prairie Collegiate. These students are accompanied by their teachers, Mr. Metcalfe, Mr. Neave, Mr. Black, Mr. Bjarnason, Miss Quin, Mrs. Shirriff, Mrs. Fitzell, Miss McLean, Miss Shirtleft. This school is situated in the constituency of the Honourable Member for Portage la Prairie and on behalf of all members of this Legislative Assembly I welcome you.

MR. CAMPBELL: I might add that a great many of these students come from the constituency of Lakeside.

MADAM SPEAKER: The second reading of Bill No. 16. The Honourable the Minister of Mines and Natural Resources.

HON. STERLING R. LYON, Q.C. (Minister of Mines and Natural Resources) (Fort Garry): Madam Speaker, we might also add that a great number of the members around this House graduated from that same collegiate that is here tonight.

MR. LYON presented Bill No. 16, an Act to amend The Mineral Taxation Act for second reading.

MADAM SPEAKER presented the motion.

MR. LYON: Madam Speaker, I gave the explanation on this Bill at the resolution stage; it hasn't altered appreciably since then. The main effect of it is to eliminate from taxation all parcels of land where the assessment is \$1.00 or less. In the Town of Virden this has an effect on the treasury of approximately \$550.00. The second portion of the bill deals with an amendment to the schedule which is intended to make the compilation of the assessment roll easier by virtue of making the tests that shall be applied to it earlier rather than the later one.

MR. CAMPBELL: May I ask Madam Speaker, what was the procedure before, under Schedule C? My recollection is that the reason for this legislation being necessary, perhaps the reason for the change as well, is because it's rather a touchy job, if I might use that term, to provide for any fair assessment of what might be called the oil potential and still stay within the limiting factor of provincial taxation. I just glanced at the former Act but I am not able to pick out the change here. Would the Minister be able to tell us exactly what the change is?

MR. GRAY: Madam Speaker, I really do not understand why the expense of printing a bill in connection with \$1.00 or less than \$1.00 tax, because this tax can be paid or unpaid. Is it so much necessary to have a bill for it? do not understand the legal phraseology.

MR. FROESE: Madam Speaker, I would like to, if the Minister does know the facts, how does this compare with other provinces?

MR. LYON: Madam Speaker, if no one else wishes to ask any questions, in response to the Honourable Member for Lakeside, at present the value is computed by using the field price for the first three months of the year in which the assessment is made. I think my honourable friend, if he looks at the Act, will see that. Under the suggested wording in this bill the fair actual value for the purpose of assessment will be one and a half times the value of the average field price during the last three months of the next preceding year. The experience of the department has been that the assessor has really been fighting a deadline each year to try to meet this standard that is set by the Act and it is agreed, administratively -- this is an administrative change -- that this will be of assistance to the assessors. It is not anticipated, by the way, that this will affect the revenue one way or the other. And as for my honourable friend, the question about other provinces, I really am not aware at this stage. If that question is asked in Committee we might get that information.

MR. GRAY:

MR. LYON: The Honourable Member's question is important. I would say this, that there are 551 parcels of land that are affected by this. People are inconvenienced to the point where they have to fill out forms and pay these small assessments and we thought that, rather than go through all this administrative trouble and bothering all of these people, it would be much easier to cut them off the rolls altogether and thereby do a service, we hope, for those 500-odd people who are land owners, and as well not diminish terribly the results to the

(MR. LYON cont'd) Treasury.

MR. GRAY: Supposing they are taxed \$2.00; is the same a fact?

MR. LYON: If they are taxed \$2.00 they pay it.

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

MR. LYON presented Bill No. 17, an Act to amend The Mines and Natural Resources Department Act, for second reading.

MADAM SPEAKER presented the motion.

MR. GRAY: Madam Speaker, irrespective

MR. LYON: let me explain first.

MR. GRAY: Oh, I am sorry.

MR. LYON: Madam Speaker, the purpose of this bill is pretty well self-apparent from a reading of it. It is designed to cut down on the amount of paper work by and large that the Minister has to do and permits him to delegate the signing of a number of documents and things within the office. This section, I am advised by the Legislative Counsel, is common to a number of other departmental statutes.

MR. GRAY: Madam Speaker, does this bill or any other bill that will come up have anything to do with the increase of royalties of the mining developments?

MR. HRYHORCZUK: Madam Speaker, I only have one comment to make on this bill. The delegation of authority covers pretty important transactions with this department and I note that 8(1) (f) limits and restricts the authority that is going to be delegated to any person employed by the department, but in subsection 2, in part it reads "the person to whom it is delegated is bound by and shall observe and conform to any limitation" etcetera and so forth. My question to the Minister is this: should that person exceed his authority and sign the document which contains matters and provisos exceeding his authority, is the government still going to be bound by that document or does this subsection release the government from any responsibility?

MR. MOLGAT: Madam Speaker, I don't intend to oppose the passing of the bill to the committee stage, at which time we can get some more details on it. I am somewhat concerned about what seems to be the very broad powers that are given by the Minister here to allocate to other people, for example, and I don't like to go into sections but subsection (a) of section 8 - "To enter into any agreement." This seems to me to be going beyond what may be necessary for the proper functioning of the department and I don't think we want to be in a position where the Minister can say later on, well, it's not my responsibility, it's one of my staff. It seems to me that we've run into some of those statements now from the other side of the House, even without this authority, and were it granted in this form I can visualize Ministers who are not now prepared to accept their responsibilities being even more anxious to foist it upon the Civil Service. So I reserve my right insofar as the breadth of the responsibility given here but I have no objection to having it go to committee.

MR. SCHREYER: Madam Speaker, I would simply say that in Bill 17 we have as sweeping a grant of delegated legislative powers as is possible to find. It's complete. However, I suppose in the course of government action it's often found necessary to have a Minister exercise discretionary powers. But I would really like to ask the Minister if he has ever found himself hampered in the past by any lack of such powers as are provided for in this Bill.

MR. LYON: Madam Speaker if there are no other questions I'm sure that if my honourable friend the Leader of the Opposition is doing his job as he always tries to do, that he can ensure that no Ministers on this side of the House will try to palm off responsibility for signatures on documents that the Ministers could have signed.

I'm going to advise the House of how Bills like this come about because it is very interesting and I'm sure my honourable friend from Lakeside and so on will recall this sort of procedure. The Minister of Mines in the course of his responsibilities has to sign every land lease that comes up and, as my honourable friends will appreciate, all of the hay leases and so on are quite numerous and so during the year I asked the Legislative Counsel if he would prepare a bill that would look after the signing of these leases. Well, this is what we got back because this is the common section, we are told, that applies to other departmental Acts. I agree. There's no need to have the Bill go any further than the signing of routine documents because that is what is intended and if the Legislative Counsel advises us in committee that that does go further, then I'll be the first to ask that it be prescribed to just what we are looking for, although I am told that this is the regular form that's followed.

MR. HRYHORCZUK: Madam Speaker, the Honourable Minister overlooked my question. I'd like an answer to it. I'll remind him what it was -- whether when one of your delegated authorities, where the person exceeds the authority given to him and signs a document which contains provisos exceeding his authority, is the government bound by that document, under the provisions of subsection 2?

MR. LYON: That would require a legal opinion, and my honourable friend's as much of a lawyer as I am and I couldn't answer the question any faster than he could ask it, and so I suggest that when we get to committee if he'd pose the same question again we'll see if we can get an answer for him then.

MR. HRYHORCZUK: Madam Speaker, I'm quite satisfied with that answer for the time being. I'm not asking the Honourable Minister as a lawyer. I'm asking him as the Minister of that department.

MR. MOLGAT: Madam Speaker, I realize that the debate has been closed, but this is merely a request I want to make of the Minister. Would it be possible when we reach the committee stage to have the sections in other Acts which this presumably follows outlined to us or a memo given to us so that we can look them up beforehand?

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

HON. ROBERT G. SMELLIE, Q.C. (Minister of Municipal Affairs)(Birtle-Russell) presented Bill No. 20, an Act to amend The Municipal Act (2), for second reading.

MADAM SPEAKER presented the motion.

MR. SMELLIE: Madam Speaker, in 1963, the Municipal Enquiry Commission prepared their report for the two municipal organizations in Manitoba. Recommendation 21 in that report read as follows: "Members of the Municipal Council and school authorities should be elected for a three-year term, one third retiring each year. The head of the Council should be elected for a three year term, the chairman of the school board by the Board annually from among its members." This report of the Municipal Enquiry Commission was subsequently part of the matters referred to the Royal Commission on Local Government Organization and Finance. At the time that the Municipal Enquiry Commission report was considered by the two municipal organizations, this recommendation, among others, caused considerable comment among the municipal people of Manitoba, and I must confess that they are not all of one mind as to what is the best method of proceeding for the election of municipal council. When the Royal Commission on Local Government, Organization and Finance reported, their recommendation was somewhat different. It was that the term of office for councillors and trustees should be two years. An unobjectionable exception is the present three-year term for school districts in which election takes place at public meetings. Election to office of councillors and school trustees should be held every second year, at the same time as the election of heads of council, thereby eliminating off year elections. Newly elected members of councils and school boards should take office at the beginning of the month following their election.

Since the time of receiving this report, we have done considerable study on the matter, and the bill that is now before you, as an amendment to The Municipal Act (2), is our recommendation as a combination of these varying reports as to what is desirable for the terms of municipal office. I think we must still recognize that this is not going to satisfy everyone, and because this is a matter which has such far-reaching consequences and because, as you can see by the terms of the bill, it's not going to be effective immediately in any case, our proposal would be that this bill should go to Committee and that Committee should be authorized to sit between sessions of the Legislature in order to give the people of Manitoba ample opportunity to discuss this matter in public, so that we can make amendments if it seems desirable that this should be done, but our desire really is that we should achieve the best possible result for the benefit of local government in this province. There will be at least one other bill which is also of a somewhat controversial nature which I would propose to send to the same Committee so that there can be a full, free and frank discussion of these matters before any irrevocable steps are taken. The real purpose of this bill, of course, is to allow for the election of all municipal councillors and heads of council at the same time to make their terms of office three years of duration and to have them take office on the first Tuesday of the month following their election.

MR. GRAY: Madam Speaker, my first question is whether the municipalities agreed to this bill. But that's not important. The most important is, I should be the last man to oppose it, because I am elected for three or four or five years, but I feel that we here are only advisers to the government. We have no administration rights of any kind. On the other hand, the

(MR. GRAY cont'd) members of council are responsible direct daily to the people of their constituency because they have individual problems, and if you could elect a man for three or four years, it takes away their opportunity of either criticizing or electing him or defeating him because he has not carried out the will of his own constituency. Having explained the reason why I am here for more than three years, or two years, I feel that we should not give the municipalities a long term, because they are administrators, they are not advisors, and they have got to deal with the public every day. They have many local problems and it gives them an opportunity to tell the individual who does not look after his constituency or his work to stay home next time if he doesn't abide to the wishes of his electors.

Now this is the only objection I have, is to give them a longer term, with my own apology of having the longer term and I think I have explained why I am here and the difference between myself -- speaking for myself at the moment as a member of the Inkster constituency, which have no local problems at all. I haven't had a local problem from them since I'm representing them, because they feel that I am representing the whole of the Province of Manitoba, so I think that the local municipalities should be given an opportunity to defeat a man who is not carrying out his duties, administration duties -- I underline this -- to his electors.

MR. JOHNSTON: Madam Speaker I would like to add my comments at this time. I think that this is a piece of legislation that many municipal men have been asking for for some time. For one thing, it will give them a longer period in which to put a program into action. It will cut down the expense of elections every year, but one question comes to my mind and I see no provision in the bill for it, and that is this. What happens if all of the council are defeated? This means that when the new council, presumably with no experience in municipal affairs, takes over, they may be faced with many complex financial affairs. They may have many problems facing them and will need quite an amount of guidance. Has your department any plans in this eventuality? If so, could you tell us about them at this time?

MR. CHERNIACK: Madam Speaker, listening to the Honourable Member from Selkirk, I am immediately prompted to disagree with some of his talk. I don't think that the saving of the cost of an election is a saving at all. Portage la Prairie -- I said something else? I apologize. I meant the Honourable Member from Portage la Prairie. The savings that one makes in not holding an election are lost when one considers the value that an election is to a municipality or to a body of citizens who must make a decision. I have never felt that it was a good reason to cut down on elections in order to save the cost. The educational aspect is much more important. I'm inclined to feel also that some municipal people become administrators to too great a degree, and I would like to see them involve themselves more in policy-making rather than in administration, so that if they have good administrative personnel who are the civil service that make up the municipality, I wouldn't fear one bit if there was a complete shake-up in council and a completely new council elected. Many times it would be a very valuable thing to get rid of some of the dead wood that accumulates in some municipalities. (Interjection) Here? Well I didn't know we had that much dead wood here, but I'm still around here. (Interjection)

I feel therefore, Madam Speaker, that a term of three years is not necessarily good. I don't think that there are very many long range programs that a municipality has to carry through whereby a municipal council needs the security of remaining in tenure for a period of three years. I don't think that that is necessarily a problem. I am conscious of the fact that in most municipalities the persons who offer themselves as candidates do not come with any program that is at all meaningful, and of course I except those people who have chosen in the City of Winnipeg to run under a New Democrat platform, because they do have a program, but in the main, people who offer themselves for municipal office do not have a program and therefore do not have any project that they have to carry through and need the long term, so that I am doubtful about the three years, but I welcome the manner in which this bill is being presented, so that it can get the fullest possible consideration throughout the province without the pressure of making a quick decision.

I would like, however, to enquire as to the companion bill which I presume ought to be here in The School Act -- I presume this doesn't cover school boards. I'm also wondering about the Metropolitan Corporation of Greater Winnipeg; it's not a municipality as far as I know, nor covered by this Act, and it seems to me that if we think this is right for municipalities and the Honourable Minister said it is for school boards, then we ought to be consistent and carry it forward into the Metropolitan Corporation, so that if we are considering all three,

(MR. CHERNIACK cont'd) then all three should have bills that are sent on to committee, otherwise school boards or people interested in Metro might think that they are not involved and might not participate in the plans for the year, but might just let this slide for the municipalities alone.

MR. HILLHOUSE: Madam Speaker, I think the remarks of the Honourable Member for St. John's, along with the remarks of my colleague from Portage la Prairie, shows the wisdom in the Minister's suggestion that this matter be referred to a committee with power to sit during recess if necessary. I can see wisdom in both arguments and I can also see wisdom in the fact that it might be dangerous in respect of municipal policy to have a complete change of council. Of course, it could be argued that in the next election there may be a complete change of the members in this Legislature, and everyone who takes his seat following that election might be a new man, but I think the history of this Legislature shows that usually the casualties run about one-third. But at the same time I think the difference in viewpoint between my colleague from Portage and the Honourable Member for St. John's shows the wisdom in the suggestion made by the Minister, and I would certainly adopt that.

There's one thing that I'd like to say before I take my seat, and that is this. Could the Minister advise the House when we may expect a consolidation or a new Municipal Act?

MR. FROESE: Madam Speaker, since the bill is going to be held over I don't think it is necessary to express an opinion. Certainly I could advance pros and cons on the bill but I feel too if the bill is held over it will receive wider discussion and we could come to a better solution, I think.

MR. CAMPBELL: Madam Speaker, I have just the one question of the Honourable Minister. Is the committee that he has suggested the Standing Committee on Municipal Affairs or is he suggesting a special committee?

MR. MOLGAT: Madam Speaker, we will have ample time to discuss this when the committee is set up and as the Minister has said they will be allowed to sit between sessions, so we can go into the details at that time. I'd just like to point out though in regard to what the Member for St. John's said, that his comments regarding the civil service in the municipality carrying on in the event the whole council is defeated, does not apply insofar as many of the rural municipalities, where really there is no civil service most of the time. Very frequently it is one secretary-treasurer or a part-time secretary-treasurer, and inevitably then the councillors do become involved out of necessity in administration and very closely involved in the operation of the municipality. And this could then present a problem. It's a different thing for the cities or towns where there is really a body of civil service, but it does not apply in the rurals.

MR. SMELLIE: Madam Speaker, first of all I would like to say to the Honourable Member from Inkster that it's quite true that all municipalities do not agree with this proposal. I have had communications from many of them who think this is a good idea. I have had one resolution from a council that thinks this is not a good idea, and I have had several councillors who have told me in private conversation that they would rather not see this happen. And this is one of the reasons why I think the matter should have wide discussion so that all Manitobans can have a look at this thing to determine whether or not they like this system, whether or not the three-year term is the right one, whether or not it may be desirable to make some changes, as the Leader of the Opposition suggests and have a different system for rurals than we have for urban municipalities.

The Honourable Member for Inkster suggests that municipal councillors are really administrators and not policy makers. I really think that in some cases he has been right in the past. But I do think that we're in a process of change at the present time and I think that you will see, if you make a close study of municipal administration in this province, that there is a gradual change in the operation of municipalities, and I expect that this change will become more rapid in the near future. I think it has been evidenced by the fact that the municipalities themselves felt the need to study their set-up to find out whether or not they were operating correctly, to find out whether or not there wasn't some way in which we could improve local government, is indication to all of us that many people across this province felt that now is the time when we should make some change, when we should make some improvement in local government.

If you will note the recommendations of both the Fisher Commission and the Michener Commission, as they are popularly called, even in rurals the suggestion was that the municipalities should become larger units than most of them are at the present time. And

(MR. SMELLIE cont'd) certainly I think this takes with it the connotation that the councillors of these municipalities will become policy makers, rather than administrators, and that the larger unit of a municipality will then be able to employ the civil service, if you wish, which will look after the day to day administration.

Several examples come to mind of why this may be desirable. For one thing, we in this province have proceeded perhaps farther than any other province in bringing automation into municipal administration. We have gone farther than any other province in Canada at this time. We could go a long way farther, if we had fewer municipalities and if there were fewer school units which complicate certain matters in administration. I think you will notice the change too in even the rural councillor. Back about 30 years ago, you might even find that rural councillor parking his shins on a slusher as they were building roads. Ten years ago, you probably saw him out offering advice to the operator of the cat and scraper. And I hope that ten years from now you will find that same councillor acting as a policy maker and leaving the construction of roads to the foreman of public works who would be trained for the job and would know something more of what should be done than will the average councillor as the technologies improve.

The Honourable Member for Portage asks, "What would happen if all of the council is defeated?" This is a matter which gives me no concern whatsoever, because as the Member for Selkirk points out, it isn't likely to happen. In most democratically elected bodies you will find that the change in any given election is somewhere in the neighbourhood of one-third. Even when there is a change of government the change in the numbers in the House is usually not more than about a third. The City of Edmonton have tried this system with simultaneous elections for all members of council and they have had no real problems there. Right here we recently experienced the same thing with Metro Council. I don't know any council anywhere that created more controversy than the first Metro Council. And yet when it came time to re-elect council, 90% of that council were returned to office. I think that you will find that even if you take this right down to the level of a municipality that certainly half or better of most councils are going to be returned if they desire to run in the next election. The suggestion has been made that this procedure might take away the rights of the electors. But the other argument can also be made that this gives the elector greater rights because in the past the elector has never been able to express by his vote, his dissatisfaction with the whole council. He has been able to express dissatisfaction with one individual councillor but he has never really been able to express his dissatisfaction with the whole council because only half of them came up for election at the same time.

I agree with the Honourable Member for St. John's that the savings of election expense is not a sufficient reason by itself for making this change, and yet this is one of the factors which we must consider in proposing this change because in certain of the larger urban municipalities certainly the cost of elections is no small thing. If this saving can be achieved by tri-annual elections rather than annual elections -- and the saving is considerable when you consider the cost of preparing voters' lists and the expenses that individual candidates have in running an election campaign -- then I think that we must agree the saving is a considerable one. Where you have a council elected for three years, we believe that it will be possible to move farther into the field that we have been trying to enter, the field where municipal councils are encouraged to plan their capital spending well in advance. At the present time we are asking municipalities to file with the Department capital budgets and we are asking them to estimate their capital requirements for periods well in advance of the current year in which they file their current capital budget. Good progress is being made in this field, although I must confess that the larger urbans are doing a better job perhaps than some of the smaller municipalities who have not been accustomed to budgeting so far in advance.

The Honourable Member for St. John's has suggested that municipal councillors have had no programs. Well certainly we have had a different type of municipal election campaign where we have had people running for half of the seats on a council for a two-year term. And some of these people have introduced a program of sorts but it is certain that we haven't had groups running together with a common program, as the honourable member suggests one group at least in the metropolitan area does. I think that perhaps this has something to commend it where you do have groups running with a common program for a group. It may make some people take more cognizance of the problems that do face local government.

The question was also raised as to whether or not there would be similar legislation introduced for schools and for Metro. This would certainly be done with contention but it isn't

(MR. SMELLIE cont'd) necessary to send all of the bills to committee at the same time because really what we are discussing here is the principle. If this bill is not going to be passed at this session, but go to committee to sit between sessions, then the complimentary legislation for the Metropolitan Corporation and for school boards can be introduced at the next session. So I have no thought of introducing that complimentary legislation at this time. But that as soon as a decision is made by the House as to which proposals we like, which length of term, and how councils are to be elected, then complimentary legislation will be introduced so that we will have as much as possible, uniformity in all type of local government; including schools, Metropolitan Corporation, and all municipalities.

The Honourable Member for Selkirk asked when we would have a new Municipal Act. We did considerable work a year ago on a revision of The Municipal Act. When it became apparent that the Michener Commission was going to deliver its report sometime early in 1964, we called off the work of that committee because it was obvious that many policy decisions would have to be made before we could properly revise the Act in the light of the recommendations that were being made. It would be my hope that we can reconvene that committee after the House rises this spring and continue with the work of revision of The Municipal Act. Some sections like the sections that we are going to be discussing in this Bill may have to be deferred until a decision is made, but the major part of the Act could be redrafted and revised. Whether we can have it ready for the next session of the Legislature in 1966 or not, is a good question because the amount of work involved is staggering; but that would certainly be our goal. It is my hope that before this session is completed we may be able to introduce a draft of a New Cities Act. This would be one of the other pieces of legislation which would go to committee to sit between sessions because this too would have far-reaching effect.

The Honourable Member for Lakeside asked if this would go to a Standing Committee or a Special Committee. I have no strong views on the matter Madam Speaker. My thought was that it could go to the standing committee on Municipal Affairs and that this committee might be authorized by a resolution of the House to sit between sessions; but if any of the honourable members have some other suggestions to make, I'm quite open to receive them.

MR. JOHNSTON: Madam Speaker, would the Minister permit a question? The Minister didn't answer my question. I know it's highly improbable that all council will be defeated in an election, but I asked the question: has the Department of Municipal Affairs plans for any help if such an eventuality arises?

MR. SMELLIE: The Department is ready to assist any municipality at any time. I think that it's highly unlikely that such an occasion would ever arise where the whole of the municipal council would be defeated. It is a possibility and certainly we have officers in the department who would be quite prepared to assist a struggling municipality. If such a situation did arise we'd be quite prepared to send one of the administrative officers from the department out to visit that municipality and to assist them as much as was necessary until they were able to get the ship of state back on an even keel.

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

MR. JOHNSON presented Bill No. 23, an Act to amend The Education Department Act, for second reading.

MR. JOHNSON: Madam Speaker, the amendments are being proposed to the composition of the High School Examination Board in that, with the increasing number of committees upon which the President of the University and the Deputy Minister of Education now sit, it is not always possible for them to be at every single meeting and they would like to have the authority to delegate their deputies on these occasions and I think it should be considered by the committee. They still carry responsibilities but can delegate and would like to do so. Also some minor amendment there replacing the Director -- the Act now reads the Registrar, and placing instead the Director of Curriculum of the Department in there, and Director of Instruction who replaces the old Director Chief Inspector of Schools, which is the same job. However, basically it is to make the provision for these gentlemen.

The other section makes it unnecessary to refer regulations respecting examination and training of teachers to the advisory board. This is in connection with the transfer of the Teacher Training Institution to the University of Manitoba wherein an agreement was reached with the senate of the university which provides for the university to examine the students and conduct their training with a training committee which is being set up, which I will share with the House in due course. We have an agreement which will be brought to your attention. At

(MR. JOHNSON cont'd),

the present time, all regulations respecting a whole list of things which the advisory board does are in the Act and some of the duties. It was necessary to refer these examinations and training matters to the advisory board but we are proposing that this be left with the committee we have with respect to teacher training and with the university in the future.

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MADAM SPEAKER: The Honourable Member for Emerson.

MR. TANCHAK: Madam Speaker, I don't rise in opposition to this bill, Madam Speaker. The Minister just mentioned that the chief inspector of schools, who was formerly a member, is excluded from that. I would like to know the reason for that. The reason why the chief inspector is not one of the members anymore, he is being excluded, that's one question. And I notice in Section 3, Sub-section (2) of Section 22 that there are two words, striking out the two words 'examination' and 'training'. In the former Act there was also 'textbooks' included. I wonder why the 'textbooks' is not also, it still makes it necessary, still necessary to refer the matter of textbooks to the board. Well it would appear that there must be some inference in the training part of it, if the board has the power to authorize textbooks. That's the way it appears to me, I may be wrong. I'm just asking for clarification. Now there's a third question -- probably not directly related to this Act. I would like the Minister to tell us whether the department intends to completely drop all high school examinations, Grade 9, 10 and 11, starting this coming year? Departmental exams.

MADAM SPEAKER: The Honourable Member for Inkster.

MR. GRAY: Madam Speaker, can you tell me whether I'm in order now to enquire why there are so many teachers from Manitoba, trained here, are leaving the province for other provinces to teach? If I'm not in order and if this is not the part of the bill, I'll sit down.

MR. FROESE: Madam Speaker, I haven't got the bill before me that I perused at home, but I was wondering -- the six members that are now being appointed, was that not previously five members? Are you increasing the number of members on the examination board?

MR. JOHNSON: Madam Speaker, I'll try and answer the questions with respect to this Act. The chief inspector is now just called the Director of Instruction. We have re-organized the department and I would hope to deal with that in the annual report. I think you'll see the chart there. Instead of chief inspector of schools, he's now known as the Director of Instruction. It's just a change in name.

With respect to examinations, I'll be making a full report during Estimates on the 9, 10, 11, 12 examination pattern for the coming year. With respect to the question of teachers leaving to other provinces. This is a matter that we can deal with in the Estimates. I'm not aware of any mass exodus but, of course, the rest of Canada has always shared a brilliance of Manitoba students.

Not increasing the numbers. There is no change in the numbers on the board. It's just that in the case of both the President and the Deputy Minister of Education, they would be allowed to appoint substitutes if they couldn't make the meetings. As I pointed out, these two gentlemen are on several committees you know and with education exploding all over the place they just can't be everywhere at once. But other than that the total composition is the same.

MR. TANCHAK:question, Madam Speaker, that the Minister omitted. The matter of textbooks. It makes it unnecessary to refer regulations as far as training and teachers and textbooks. I wonder if there's an explanation there.

MR. JOHNSON: Madam Speaker, I think the Honourable Member has a point there. This matter we can check and discuss at the committee stage. I think he's right. The Department of Education Act now reads that the advisory board makes all regulations respecting examination training, licensing, grading of teachers, courses of study, textbooks, reference books, etcetera. I think it was the intent to transfer those functions which would properly be the new teachers college function to there and I'll check on this point later.

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

MR. HUTTON presented Bill No. 30, an Act to amend The Dairy Act for second reading.

MR. HUTTON: Madam Speaker, I think the explanatory notes are quite adequate except for the reasons for the changes. The most important one is in Section 4 which provides authority for the Lieutenant-Governor-in-Council to make regulations, fixing price differentials. In 1963 we brought in rather broad regulations covering the production and sale handling of manufacturing milk and one of the regulations required the processors to pay a bonus of ten cents a hundred for the top grade. This requirement had been a common practice in the case of cream for many years and we felt that we had the necessary authority but when the Standing Committee on Statutory Regulations and Orders was examining the regulations of the Department, it was their conclusion or decision that we didn't have the necessary authority and recommended that it be provided in the legislation.

The changes in the Act removing the reference to the Dairy Commissioner and replacing it with the Director of the Animal Industry Branch brings the Act into line with the re-organi-

(MR. HUTTON cont'd). zation that took place in the department when we amalgamated the Dairy Branch and the Livestock Branch in order to make better use of our key personnel. I would just like at this time -- I don't think the members would mind -- if I told them that Mr. Killick, who for many years was the Dairy Commissioner in Manitoba, became the first director of the new Animal Industry Branch. Unfortunately, Mr. Killick has been quite ill but very fortunately he is on the mend. This man has given very outstanding service to Manitoba in the dairy industry and I'm sure he would be happy to know that all the Members of the Legislature wish him well at this time.

I think that, Madam Speaker, covers the important sections in this bill.

MR. GRAY: Madam Speaker, will the Section 4 eliminate the duties of the Milk Board

MR. CAMPBELL: Madam Speaker, this is a case I think, this Section 4, which was the one I was interested in, this is a case I believe where we can support in principle the using of regulations by the Lieutenant-Governor-in-Council. I so frequently and so regularly and, I hope consistently, object to leaving any more than is absolutely necessary to regulation by Order-in-Council. I am a firm believer in everything that it's possible to put into the statutes being put into the statutes so we know what it is, and I'm even more opposed to regulation to the statutes that sometimes come along where the authority is left directly to the Minister himself. But this as I say is something where I think we can support the principle of regulation because it would be obviously impossible to put into the statute the various prices or differentials that are going to be fixed from time to time, and so I wanted to make that point because I think this rather bears out the argument that I use on many occasions that it should be used, in my opinion, only in cases of this kind. But I still am not convinced that it's necessary for anybody to fix these differentials for the grades of milk. As I understand it, this is not the fluid milk trade. This is not in connection with the fluid milk trade. I can understand with the fluid milk trade, where we have entered into a regulated industry, that if you're going to regulate it then you must regulate it pretty well along the line and at least maximum prices, minimum prices, or some combination of them that must be set and that is done as far as the fluid milk trade is concerned but why is it necessary to fix the price differentials for the different grades of milk outside of the fluid milk trade?

I listened with attention to what the Honourable the Minister said about this having been done with cream for a long time and that of course is true but, as I understand it, there was a good reason for that because at that time Manitoba was exporting huge quantities of butter to other parts of the country and to have the very highest standard of our butter production it was essential to keep very close check on the grades of cream and to see that the cream was taken off and premiums were given and differentials set and all this sort of thing to ensure the very highest standards, so that in turn our butter would be of the highest standards and I can see how necessary that is. But -- and certainly similar requirements obtain where the fluid milk industry is concerned. But in the other part, the manufactured milk, I do not see the same necessity and I wanted to raise this point for further consideration. Now I'm certainly not going to suggest that we should oppose the bill going to committee but I serve notice at this time that I would be prepared to argue the same point of view in the committee when that stage is reached.

MR. FROESE: Madam Speaker, just a few questions further on this very section. How often have price differentials changed over the last years? And how often will they be reviewed when this comes into force? Is there any design on this, in doing this, that the margins might be lowered because I remember when I was on the Creamery Board at Winkler that sometimes these margins were very small and that you had to operate very efficiently? I don't know whether this has anything to do with that but I would be interested to know.

MR. HUTTON: Madam Speaker, the Honourable Member for Inkster would like to know whether this is in relationship to the Milk Control Board. There's none whatsoever. The Milk Control Board regulates the sale of fluid milk and this deals with the production and processing of manufacturing milk.

In respect to the question raised about the setting of price differentials -- how often -- well it was set when we brought in this regulation respecting manufacturing milk and we haven't changed it yet. I wouldn't want to try and anticipate when the department might make a recommendation with respect to the setting of the differential; when it was set and when the regulation was brought in, this was done after consultation with the trade. I think that the arguments that can be made for recognizing a quality product in cream and in fluid milk are equally valid in the case of manufacturing milk. As the earning capacity of our average

(MR. HUTTON cont'd) citizen increases, we know that -- and as they have more money to spend on food -- we know that their stomachs don't . . . -- well some of us do, but you know, on the average, people's ability to consume food doesn't increase in proportion to their ability to buy it but one thing we know about them is that as their ability to buy food increases, they spend their money in respect to quality of food rather than quantity, and therefore it is extremely important that Manitoba attempt to maintain its traditional reputation in the field of dairy products, all dairy products, not just butter and fluid milk. We import a lot of cheese into Manitoba, millions of pounds every year. I think we can probably make as good cheese here in Manitoba as they can anywhere else and we should be making it here. It's very important that we cultivate the confidence of our consumers in a good clean product. The way to have a good clean finished product is to make sure that you have a good clean primary product to start with, so we feel that the producers who are doing a real good job and producing high quality milk, even if it's for manufacturing, that has a low bacteria count, etc., these people should be recognized with some financial bonus. And I think the trade recognizes this because they do support these differentials and I think that probably it's fair when you have a regulation that requires everybody to pay the same differential.

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

MR. HUTTON presented Bill No. 31, an Act to amend The Horned Cattle Purchases Act, for second reading.

MADAM SPEAKER presented the motion.

MR: HUTTON: Madam Speaker, if I explain I'll give exactly the same explanation that I did the other day in committee.

MR. CAMPBELL: Madam Speaker, I would hate to ever miss one of my honourable friend's speeches because they are so interesting but as one who heard the explanation the other day, so it is not necessary as far as I'm concerned. I was as usual thinking of the other folks. I didn't want to deprive them of the extreme pleasure of hearing my honourable friend but as one who heard the explanation I understood him to say that this had been done for some years. I'm afraid to ask if it was done before 1958. (Interjection) And it took you all this time to catch it? Well, well. Well now that my honourable friend has caught on I guess we ought to help him out.

MR. FROESE: Madam Speaker, I don't see the word "dealer" defined in the bill. I wonder if the Minister would define "dealer" for us and how many have we of these in the Province of Manitoba?

Then, I don't know whether it's necessary to reiterate what I said the other day, but I felt that this was a way of remunerating dealers for collecting a tax and I feel that if we apply it to one group we should apply it to all the collectors of tax in Manitoba. We have the gasoline dealers who collect taxes and very often the people run up accounts and the dealer might have to pay the tax and never be able to collect the account. I think he is in a much worse position than these people, so I think we should be consistent if we start with paying them.

MR. ARTHUR E. WRIGHT (Seven Oaks): Madam Speaker, this Horned Cattle Fund fascinates me because it was designed years ago, the deterrent charge of two dollars per animal, to try to teach the farmer that it isn't necessary to raise cattle with horns, and being a city slicker and a farmer a little bit, I'm amazed to find out how little the farmer has learned about this. It certainly hasn't been a deterrent to the shipping of it, and I am just wondering how much damage is done to the livestock industry by the shipping of cattle with horns, if the farmer doesn't consider it necessary; he doesn't seem to be penalized for it.

MR. SHOEMAKER: Madam Speaker, I spoke the other day on this particular subject matter and I too was disappointed to learn from the Minister that the facts proved that the fund itself or a levelling of the penalty, if you want to call it that, has not achieved what it started out to do. I think my honourable friend the minister said there were just as many cattle coming in today with horns, as they were when the plan was first implemented, and this is rather discouraging news. I believe that perhaps more of the money that is received from the fund could be used to educate the farmers and with an effort to try and further encourage them to raise cattle without horns or to treat them at an early age. I understand it's a pretty simple matter when a calf is two or three days old or a week old, to treat it with caustic and kill its horns after two or three treatments.

Now another question that I'm concerned about. I'm not saying it is a fact but I'm concerned about it, is this. I wonder if all of the farmers in the province know what the penalty is, know the amount of the penalty, and I wonder if any dealers are taking advantage of it. I wonder, in effect, whether a dealer is saying to a farmer, "Well, this beast has horns on it,

(MR. SHOEMAKER cont'd) we've got to knock off five dollars," and when in effect it is only two. No doubt it has been done but I wonder if it's done to any extent. There are dealers and there are wheeler dealers. And I am wondering if the farmers are being taken for a ride.

MR. GRAY: I would like to get a little education free of charge. What harm does the horns do to cattle?

MR. HUTTON: Madam Speaker, I think that it would take me a while to explain the advantages to the cow that has horns, especially at the feed trough. It's a matter of animal husbandry, good animal husbandry, to remove the horns. The damage and the loss occurs all the way from the feed lot to the slaughtering plant. The dealer, according to the Act, is defined as a person or his agent who purchases or sells cattle in the province, either his own or are agents in the province, at a stockyard; it includes any person or his agent who is owner or operator of an abattoir, packing plant or cannery or stockyard used in connection with an abattoir, packing plant or cannery.

I would just like to correct a quotation made by the Honourable Member for Gladstone-Neepawa-- something I said the other day at committee, or which I really didn't say. I said there hadn't been any improvement over the -- I didn't say that there hadn't been any improvement over the period of the implementation of this Act or program. But of late years the situation has been relatively static. I wouldn't begin to try and answer the honourable member in respect to the awareness of the farmer of the penalty that he is paying because I would suggest that the penalty that he pays, of a dollar a horn or two dollars a head, is just a fraction of what he is losing at home in the feed lot. And if he is blissfully unaware of what's going on in his own back yard, it may well be that he's blissfully unaware of what's going on in somebody else's back yard. There has been quite a bit more attention paid of late, or I shouldn't say attention, but there have been renewed efforts to arouse the interest of the farmer in making sure that he gets his cattle dehorned. There has been more money spent in advertising but you know there always seems to be a certain level of apathy. Now some organizations have recommended to us that we increase the penalty to five dollars and they say, "really hit him hard, then he may stop." "Well, I don't know," I said, "we've had quite a bit of criticism about hitting people hard in the pocketbook and I'm frankly not ready to raise the penalty to five dollars."

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

MR. EVANS presented Bill No. 52, an Act respecting the Horse Racing Commission, for second reading.

MADAM SPEAKER presented the motion.

MR. DESJARDINS: Madam Speaker, corporation.

MR. EVANS: rebut me, I would be very glad to (Interjection) Well, the full explanation won't take very long. It's quite a simple bill, and one would say probably quite eminently suitable for me to explain. As a matter of fact, someone asked me on introducing this bill, why it was that the Minister of Industry and Commerce was in charge of it. I think it is an excellent question. I think it is just the fact that I was standing around at the time. It didn't seem to be particularly appropriate to any department, and somehow I have the pleasant duty of introducing it. The purpose of the bill -- (Interjection) -- I'm sorry, I didn't hear that.

MR. DESJARDINS: We thought you were a betting man, that's why.

MR. EVANS: Oh I see, thank you very much. My honourable friend is too kind. The purpose of the bill is to establish a commission to act as an independent referee of horse racing in Manitoba. It should be stated as emphatically as possible that as far as I am aware, as far as I have been able to discover no one thinks there is anything wrong with the way horse races have been run, or in fact are being conducted in the province. But both the horse owners and the track operators, and certain other people who are connected with racing, have made representation that there should be an independent commission to oversee the conduct of racing in Manitoba. The commission will consist of not less than three members whose appointment and remuneration will be fixed by the Lieutenant Governor-in-Council -- I think that the Leader of the Opposition asked me that question -- the Lieutenant Governor-in-Council will appoint a chairman and vice-chairman of the commission, and when appointed the Commission becomes responsible for the conduct of the races through stewards, veterinarians, analysts, etc., and the commission may fix the remuneration of such officials and may charge fees for their attendance at races and for the services they perform. The commission shall govern,

(MR. EVANS cont'd) direct, control and regulate horse racing in Manitoba, and the operation of all race tracks -- that is, the operation of all race tracks.

I would like the honourable members to note that in the bill as printed there is a provision to repeal certain Acts, which now establish the racing days and the charters. That is a mistake in the bill. That provision I shall propose in an amendment in committee and withdraw it. It was not intended that this bill should have anything to do with the number of days of racing, or anything except the simple principle that I have mentioned, the establishment of independent referees for the conduct of racing.

The commission must approve employees or officials hired to perform duties related to the actual running of races, and may for cause require the discharge of any employee or official.

As to finances, the revenue will come from licences which the commission will be empowered to issue and charge for, to persons operating tracks or conducting meets, to horse race owners, race horse trainers, drivers, jockeys, apprentice jockeys, grooms, jockeys' agents, jockeys' valets, exercise boys, tradesmen, concessionaires and other persons working about the track, or employed by operators of the track, or by persons conducting the meet, they will be licensed or registered according to fees prescribed. It's intended that all costs, charges and expenses should be paid out of the revenue of the commission. If necessary, advances of monies may be made out of the Consolidated Fund but any surplus in the revenues of the commission shall be paid into the Consolidated Fund. I think that is the outline of the principle of the bill. I will be glad to answer any questions I can.

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

MR. CHERNIACK: Might I start, Madam Speaker, by saying that I was told just half an hour or so ago that the team representing Manitoba in the national curling competition has apparently won its seventh game, which apparently is a good thing. I didn't rise to make that announcement but rather an introduction, Madam Speaker, to my question as to why there is not a commission established to regulate curling, which seems to be a pretty important sport in this province. Now that is the question which I think is an interesting one. How do you fix a curling game? I presume that you can fix any kind of a game, should you have the motivation so to do, and for all I know it's easier to fix a game where people are involved than a game where animals are involved. Now I am therefore prepared to suggest that our great interest in the creation of a commission is because we, the government of this province, are most interested in the gambling business, and as such we feel that since we derive revenue from gambling we should be able to assure the public that there is no fixing, as my honourable friend has suggested is possible. I don't know where the sport of racing would be in this province if not for gambling. I suppose if not for gambling revenues to this province we would still manage to limp along. As a matter of fact I looked, Madam Speaker, in the Estimates and I couldn't even find the revenue portion in the Estimates which would indicate how much we raised in this gambling business, and if the answer is "nothing," then I've wasted some time in speaking on this matter. But I had the impression that this government derives certain portions of its revenue from sin, tobacco tax, liquor tax, horse racing participation, and to me the latter is probably the most reprehensible because for one thing I think that it weighs the odds heavily against the bettor, which in some circles is considered deplorable, that when a man gambles a dollar all he can win is some 75 or 80 cents, which seems to be poor sport to begin, so if he realizes that he's being taken he ought not to be, and maybe when we come to deal with consumer protection we ought to make sure that the gambler knows that the government is dipping its hand into the purse before the gambler gets an opportunity to participate in the odds. --(Interjection)-- Two governments do? Well, and then of course there must be the people involved in providing horses and providing stadia, and of course I was happy to be able to find, Madam Speaker --and I'm not too good at finding my material as some other members in the House are, but I did remember that I had a document somewhere in my files which was a brief presented by the Manitoba Division. Apparently there are a number of divisions; this is the Manitoba Division of The Horsemen's Benevolent and Protective Association. I thought a name like that is worthy of repetition and I'm wondering, well I suppose it's clear for whose benevolence this association operates. And if --for the horses, it is suggested, and somehow I don't believe that the Honourable Member for Burrows is so naive as to think that the horses are the ones who really want this aid, because what is requested in this brief, what is pleaded for, is a commission, because this Benevolent and Protective Order of Horsemen say that they just can't operate by carrying on with one arbitrary individual, some man, apparently, who is the owner of Assiniboia Downs. They say that it's just unfair to them. They've been rendered wholly subject to the arbitrary dispositions of a single person with whom it has not been possible to hold one thorough discussion on vital matters in the last 12 months, and they say that a commission is a "must" because they are losing money. I didn't know that it was the government's job to protect horseracers, or the providers of racing horses, with profit but these people seem to think so and this government is going along with that.

Of course it's interesting that in the newspaper I find that one A. G. "Scotty" Kennedy thinks a commission is a good thing. He says it's good business to have a racing commission. It gives the government closer liaison with the people who operate racing and it gives the horsemen a sounding board for any grievances real or imaginary, and there, of course, he hedged a little and said, "Well, if they're imaginary we still think the government ought to provide a commission whereby they can air their grievances. But it's the closer liaison with the government that I wonder about, and I realize that Mr. Kennedy is not the spokesman for the government. I assume he isn't, although apparently he's the man who helps collect this revenue for the government. But I am struck by the fact that two opposing parties are so anxious to have a commission, and this makes me feel that I ought to read the Act even more carefully.

I recall, Madam Speaker, that last year we had occasion to refer to the wide powers that the executive has given unto itself in some of the Acts that we dealt with. I remember when we dealt with an Act which I think the government called the 1964 Revenue Act, where it

(MR. CHERNIACK, cont'd).....gave itself tremendous powers to pass regulations to deal with the legislation which it had whipped together very quickly, and here we find that not the government, not the Lieutenant-Governor-in-Council, not the executive body of this government, but somebody to be appointed by it may make regulations and rules as ancillary thereto and not inconsistent therewith--that's with this Act which is before us-- and giving them the force of law and giving them the right to deal with the conduct of its affairs in requiring persons to be licensed and a long list of all the powers given to it, and I am happy for the Honourable the Minister who brought this bill before us, and only because he happened to be standing around, that whoever prepared his latest memo pointed out to him the dangerous trap into which he was about to fall, and I'm glad he saved himself because I have not yet learned, Madam Speaker --I may learn, but I've not yet learned to use some of the shock language that I hear in this House; but when I read those sections to which the Honourable Minister referred which repealed certain Acts, which repealed the limitation of horseracing to 42 days, which repealed the Act which said that children under 16 are not permitted on the race tracks, I came to the conclusion after I heard the Honourable Minister say that he's got the conduct of this because he was standing around, that he had nothing whatsoever to do with drawing the Act, and that he was misled by whoever did draw the Act, and I am--(Interjection) --Pardon?

MR. EVANS: I didn't say anything about not having anything to do with drawing the Act.

MR. CHERNIACK: No, no --I was not quoting the Honourable Minister. I was hoping for him that he had nothing to do with drawing the Act, but now that he denies that my hopes may be justified, I'll withdraw that hope and point out that whoever was responsible for drawing this Act, I believe, Madam Speaker, thought that he was drawing an Act which would be the only Act dealing with horseracing, and I think, in spite of the fact that the Honourable Minister is shaking his head, that when one reads this proposed bill, one sees a finished, complete Act, finished very well by the wide powers at the very end giving to this commission almost unlimited powers in regulations, and I think that the bill as it is before us today gives that commission all the power it needs to extend horse racing for three hundred and --I was going to say sixty-five days a year but I'm sure that the people who don't believe in Sunday sports would oppose 52 of those 365 days; but I think the power is in this bill, and I think that the power in this bill is to permit children to attend horse races, and frankly I see nothing wrong with children attending horse races because if the government feels that it's proper to derive revenue from gambling, surely the children of this province should be entitled to see their parents participate in providing revenue to this province. This seems to be an act of citizenship which they ought to be permitted to participate in.

I think, Madam Speaker, that it is not necessarily the good thing to create a commission in order to --and I'm quoting the Honourable Minister from Hansard on Page 33 -- to "present a better appearance to the racing public if the government of racing was put in the hands of an independent commission." If there is no suggestion that there is anything wrong --and I certainly can't suggest it because I don't know anything about the way you operate a horse racing track-- if there's no suggestion that there's anything wrong, why should we give a better appearance to the racing public? Why are they entitled to a better appearance than the public that comes to watch curling or football? I don't see that, unless the government is prepared to admit that it is anxious about the revenue that it's going to derive from the gambling, and anxious that the public should not have any doubts in its mind about the honesty or integrity of the people who benevolently offer their horses as contestants in these races.

Well, I am a little reassured, Madam Speaker, by the statement made this evening by the Honourable Minister, that this bill is not the form in which it will be passed by this House. I am somewhat reassured that certain amendments will be proposed, but I would like to think, Madam Speaker, that the mere fact that the bill on which we are asked to give second reading, contains in it a repeal of two hard-fought, well-established principles, such as limitation of the days of racing; such as limitation on the age limits or on the age of people who attend this spectacle; that a bill which contains this should not get second reading at all; that no one in this House should be prepared to vote for a bill even for second reading which contains a provision such as that, and I think that it is proper and would suit best the introduction given by the Honourable Minister if the bill was withdrawn so that nobody here is put in the embarrassing position of having it recorded in Hansard that he or she has voted for a bill which contains these sections which open up horse racing for all time, for all days, for as many days as an independent commission with the widest powers deems advisable so to do.

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

So Madam Speaker, may I suggest to the Honourable Minister that it would be fitting on his part to withdraw the bill; that it would be fitting should he choose not to do so, for all of us to realize that if we are called upon to vote we are voting for the bill as it is presented to us now, not as the Honourable Minister suggests it will be dealt with in the future, and as such I think we ought to bear in mind that we are voting not only in connection with the province's participation in gambling in this province but we are also voting for the widest possible extension of this enterprise of government and of --I mustn't forget-- of the Benevolent Order for the Protection of Horse Provisioners maybe.

MR. HRYHORCZUK: I'm inclined to go along with the reasoning of the Honourable Member from St. John's and I think that probably the Minister would be well advised to withdraw this bill and re-introduce it before the end of the session if he so desires, in a different form from what we find it today. But I'd go a little further even than what the Honourable Member for St. John's went. In his reference to section 16, he pointed out the wide powers that the commission would have, and that making their rules and regulations they would have the force of law. Now I was going to suggest, Madam Speaker, that this particular power should be made subject to the approval of the Lieutenant-Governor-in-Council. I don't think that the responsibility in matters such as this should be evaded by the government. But there is one other provision here that I do not like, and that is the matter of financing the work of the commission.

Now, they have permissive right; not obligatory, not mandatory, but permissive right to charge the operators of race tracks, to license certain persons participating in this operation and charge fees for it, but they can do as they choose in this matter and they can, if they so wish, disregard these provisions altogether. Then where are they going to get their finances? If their fees are too low to cover the cost of operations or if they set no fees, then the government is responsible for financing the operations, and that appears in Sub-section 2 of Section 7, and I'd like to read it into the records, Madam Speaker. The section reads as follows: "From and out of the revenue division of the Consolidated Fund, without legislative authority or appropriation other than this Act, the Provincial Treasurer, with the approval of and subject to such conditions and terms as he may be fixed by, the Lieutenant-Governor-in-Council may advance to the commission such monies as it requires from time to time."

Now when this bill was introduced by the Honourable Minister, the question as to how this operation was going to be financed was not in my opinion sufficiently answered. In fact, I think the questioner said if the government is to pay any part or all of the cost of this operation, then it is doubtful whether this House should support the bill, and I'm inclined to agree with that, because after all is said and done --it was today or yesterday-- when we were discussing the matter of Class C Fairs in the province of Manitoba-- and I believe that the supporters of the continuation of these fairs put up a pretty good case--the Honourable Minister of Agriculture felt that the expenditure wasn't worthwhile. Well in my opinion, Madam Speaker, I think the Class C Fair in the province of Manitoba deserves a great deal more attention and even expense by this government than the horseracing commission, and I feel that the commission should, if an Act of this nature is passed in this Legislature, that the commission should pay its own way, and that this government nor the province of Manitoba should be responsible for any of its expenses or any of its costs. We know what it means when you give somebody certain powers. There's always that Empire building business, and if we are going to lose complete control of this commission, which this bill provides --complete loss of control over them-- then what is to stop them from spending excessively and making us foot the bill? I think this legislation should be looked at pretty hard and I agree with the honourable member from St. John's that probably it should be withdrawn and introduced in a different form altogether.

MR. GRAY: Madam Speaker, I endorse every word spoken by the previous speakers and particularly the Honourable Member from St. John's. You may know that I am opposed to horse races entirely because I happen to know how many people, and particularly waitresses, who are getting the low wages they are getting, have been ruined by the horse races. As a matter of fact, I have asked the Legislative Counsel to prepare a bill to cut the races to half. Why to half? I know definitely that I could not succeed in eliminating horse races altogether but I was hoping that cutting it to half the days they are now allowed I may get a little support here, so I say that I agree with the other speakers that this bill is entirely wrong. Usually I do not oppose a bill to go to second reading where the people could have an

(MR. GRAY, cont'd).....opportunity to discuss it, but this bill principally I'll definitely vote against referring it to the committee.

MR. PAULLEY: Madam Speaker, I'd like to say a word in connection with this bill and I'm sure the Minister realizes now the very unfortunate position that he is in. He shakes his head. Well Madam Speaker, may I say to my honourable friend that he has placed himself in a very precarious and unfortunate position, because when we were dealing in the resolution stage in connection with this bill, I asked the Honourable Minister whether or not in the bill which would be forthcoming, whether there would be anything dealing with the number of days of horse racing in the Greater Winnipeg area. The answer I got from my honourable friend was the assurance that it was not the case. Well Madam Speaker, we criticise members opposite because of their policies or their lack of policies from time to time. I think we can really criticize them insofar as this bill is concerned, because apparently no member opposite looked at the bill before it was introduced into this House. The Minister himself gave me the reply the other day that nothing referred to in the bill dealt with the number of days racing. He said this evening, quite casually, "By the way," or words to this effect, "There is a provision in there repealing a statute, namely Chapter 115 of the Revised Statutes of '58 which established 42 days of racing." My honourable friend was quite casual about this, I want my honourable friend to remember that he was a member in this House at the time the debate took place as to the number of days horseracing that were going to be permitted in the Greater Winnipeg area, and it was not decided on party basis, so when my friend says quite casually that it will be a simple thing, we'll introduce a resolution into the committee stage if this bill passes second reading, I want to remind him of the arguments from all sides of the House which went beyond political party lines, as to whether there should be any days or not, and I feel that the Minister is not in a position to guarantee that the reference to the number of days will be repealed from the bill that we have before us. --(Interjection)-- I know. That's true and I accept from my honourable friend as an individual the undertaking, Madam Speaker, but one of the important principles in dealing with legislation, particularly of this nature, is accepting as a matter of principle on second reading, and as much as I respect my honourable friend.

I'm very sorry that I have to say to him, because of my knowledge of the former debate dealing with horse racing, that I can't accept his assurance that --(Interjection)-- not shame at all. Madam Speaker, I resent my friend saying shame, because I have already said I accept it as far as he as an individual is concerned, and I say to my friend, you think back to the debate that took place at that particular time. In 1958 this House was split wide open on the question as to the number of days horse racing, and then my honourable friend in the light of that knowledge says "shame" to me, because I will not agree with the contention that he, an individual albeit a Minister --and a pretty good Minister-- gives me an undertaking that he will answer for each and every one of the members in the Conservative Party. So I say to my honourable friend, be well advised. It might appear on the surface that you might lose a little loss of face on the government benches by withdrawing this bill and bringing it in, so that we can approve it if we desire on second reading, on the face of the principle. It's been done before in legislative bodies.

One of the things the Honourable the First Minister said in his presentation yesterday in his reply on the Throne Speech, he used the phrase to indicate that you on that side of the House are liable to err. This is your leader, yesterday, and I say to the Minister of Industry and Commerce tonight, this is an example of error and you will not lose face by admitting that this legislation isn't of a nature that we in this House should approve for second reading. And there is another point in the bill I would like to draw to the attention of my honourable friend, that I think should be considered, and this is in conjunction with the remarks of the Honourable Member for Ethelbert Plains when he is talking of the allocations of monies from the consolidated revenues, etcetera. There is no provision in this bill Madam Speaker, for a report back to this Assembly so we know of the procedures and the actions, and we know the report from this commission when it's established because legislation only says the report shall be made to the Minister.

So I say to my honourable friend there is so much wrong with the bill that we have before us at the present time that he should, even though it may appear an unsatisfactory thing for him to do, that may appear to him in the front benches of the government that they're back talking, but I say and I repeat once again Madam Speaker, look to your leader and what he said yesterday when he said that you do make mistakes on that side, but don't

(MR. PAULLEY, cont'd)ask us to compound that mistake by passing this bill for second reading. And I suggest again in all seriousness to the Minister of Industry and Commerce, the better thing to do would be to withdraw this bill, which of course, I believe Madam Speaker, according to the rules, would require unanimous consent. I'm prepared to give it as I'm sure my colleagues in this group, and I respectfully suggest to the Minister that this be done.

MR. FROESE: Madam Speaker, I think the previous speakers have already covered the bill quite well. I just wonder why the government would take on these responsibilities voluntarily of running a horse racing commission, or setting up one and looking after it. It seems to me that the result could be a lot of headaches --things that might occur and might be blamed on the government for it. I just wonder how much revenue does the government actually receive through the races. I notice from the budget statement that we received this afternoon that they anticipate some \$900,000 in revenue from public amusements. What percentage of this comes from horse races? If I recollect correctly I think that some years ago I saw a statement in the press that we received some \$432,000 that year. I don't know whether this is correct? Maybe the Minister could correct me on it.

MR. CAMPBELL: Madam Speaker, I move, seconded by the Honourable Member for Selkirk that the debate be adjourned.

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

MR. McLEAN Presented Bill No. 12 an Act to amend the Arbitration Act, for second reading.

MR. McLEAN: Madam Speaker, this bill is before us as a result of work done by the Law Reform Committee, and it gives an arbitration board the right to amend an award within 15 days from the date on which this award has been made. Such an amendment would refer to a matter of clarification covering items that had been omitted, details omitted, rectification of an obvious error, and of course as the terms of the bill would indicate, could only be done with proper notice to all parties concerned. There have been occasions when through some oversight an award of an arbitration board has omitted some item. I recall on one occasion when I was Minister of Education that an error in date was made, immediately recognized by all the parties concerned as soon as the award had been given but there was no authority to go back and correct it, and a rather difficult procedure had to be followed in order to start the proceedings over again. This bill is to provide that these awards may be amended, the rights of all parties to such an award are fully protected by the terms of the arrangements set out in the bill.

MR. CAMPBELL: Madam Speaker, my attention was drawn particularly to this bill when I noticed that it dealt with The Arbitration Act and that word "arbitration" has a great interest for me these times because it appears also in The Expropriation Act, and I admit that I have been paying a lot of attention to The Expropriation Act for the last few years. I am aware of course that when arbitration comes with regard to the operation of The Expropriation Act, that it goes to a County Court Judge and I'm inclined to think that this Act does not apply. But for greater certainty I wanted to make this statement at this time to check with the Minister to be sure that that understanding is correct, and to take this opportunity to question as well the Honourable the Minister of Agriculture and Conservation, who I understood to say in his few remarks of a night or two ago, that the Expropriation Act as it stood in the time that we were the government of the province, that an offer could be delayed for any length of time. That is not my understanding of it, and I expect to have more to say on the matter of expropriation on the matter of the Act and practices under it. But at the present time I want only to get the Minister's assurance that this bill has no reference whatever to The Expropriation Act as it would concern dealings on the Portage la Prairie Division, the Winnipeg Floodway, or the Pine Ridge property owners.

MR. CHERNIACK: Madam Speaker, there are two questions which occur in my mind on this matter. Firstly Madam Speaker, the Honourable Minister made reference to the Law Reform Committee and this of course is not the first time that reference has been made to this committee which apparently on occasion advises changes which are presumably not matters of policy but matters of good law revision. I wonder if, since the Minister did mention this committee, whether he could in his reply clarify for me just what status this committee has. I had the impression that this was a voluntary committee made up of people who did not have any partisan feelings about government, who were lawyers learned in the

(MR. CHERNIACK, cont'd). law who could advise on legislation. I am beginning to wonder whether this is not a private advisory committee set up for the purposes of the Attorney-General and members of the Cabinet, or whether it is a committee set up to advise this legislative body, because I don't recall seeing any report or recommendation from this Law Reform Committee. It occurs to me that I would like to benefit from their advice almost to the same extent as the Honourable the Attorney-General, in that I would appreciate if I could find out what their recommendations are in some way and not through the medium of the Honourable the Attorney-General. Well that is the matter he raised and I thought I'd ask about it.

The other question in connection particularly with this bill, is that I think it's obviously worthwhile to give an arbitration board an opportunity to reopen and review some question which needs clarification. But I read this bill that upon application of any party, the Arbitration Board is bound to reopen and to re-hear, and is bound to do so if notice is given within 15 days from the date of the original award, or any subsequent amendment. I hope I'm wrong in reading this to this ridiculous extent where a party adversely affected by a decision could perpetuate this hearing by giving notice constantly within 15 days after the varied decision is announced, because as I read it in sub-section 3, the arbitrator shall forthwith notify, etc. etc. And I fear the possibility that an arbitration can go on ad infinitum and support the lawyers involved in it the way the famous case of Dickens described. I wouldn't like that to be an accusation to which lawyers could be vulnerable and I appeal to the Honourable the Minister to clarify this doubt in my mind.

MR. McLEAN: Madam Speaker, dealing first with the question by the Honourable the Member for Lakeside, this provision applies only to The Arbitration Act and would have no bearing with respect to the Expropriation Act. It certainly was not intended to do so and I can see no reason why it would. I see the last point raised by the Honourable the Member for St. John's, and I think it's certainly something to be looked at, and I must confess that that possibility hadn't occurred to me, although I see that what he has suggested might be a possibility, and I would invite his comments on that point in the Law Amendments Committee because that is not the intention to provide a mechanism by which an arbitration award could be kept open indefinitely by simply applying under this provision.

With respect to the Law Reform Committee, I regret if I have by reference to it seemed to have given it a status which it really doesn't have. Under the, I think it's the Attorney-General's Act, there is provision whereby the Lieutenant-Governor-in-Council may from time to time establish committees for purposes of assistance in the administration of law, and some three or four years ago, during the term of my predecessor, a committee by Order-in-Council was established. The membership is drawn from a cross section of lawyers practising law throughout the Province of Manitoba and they meet and have no other jurisdiction, no other authority than that which comes by virtue of the fact that they can be appointed in the manner which I have mentioned. The secretary of the committee is Mr. Rutherford who was formerly the legislative counsel. He is now the revising officer. This committee has no official status. It is not required to make any report to anyone. It meets approximately four times a year and from all sorts of directions, considers problems of legal drafting or that is problems perhaps one would say, legal interpretation, that come to it from many sources. Some from the Attorney-General himself, some from lawyers, I would think for the most part lawyers, and they talk about and consider what might be done. In this particular instance, and this is a good illustration of the way the committee works; someone from outside the department, some lawyer drew to the attention of the Law Reform Committee this problem that arose where just a technical error had been made. I shouldn't say technical error but an inadvertent error had been made in an award and there was no procedure existed for having it go back to the arbitrators for correction, even though all parties concerned, and the arbitrators themselves agreed that it should be corrected. The problem came, the group discussed what might be done, they suggested that legislation of this general nature might be a satisfactory solution. At that point the legislative counsel drafts the legislation, we talk it over with the committee and it finds its way here after being considered. But let me make it quite clear, that there is no attempt to give this committee any status, any official status. The Attorney-General must accept full responsibility for everything which the committee does and he must accept full responsibility for any legislation which he brings forward as a result of the deliberations of that committee, and if I mention on occasion that something has been considered by the Law Reform Committee it is

(MR. McLEAN, cont'd) not to suggest that that gives it any special recommendation to this House. It's just merely to indicate that the particular matter which is under consideration has had the benefit of the consideration and advice of a group of lawyers who meet these problems from day to day in their work.

MR. CHERNIACK: Madam Speaker would the Honourable Minister permit a question? Would it be possible for members on this side of the House to receive copies of the recommendations made by this Law Reform Committee?

MR. McLEAN: I think not Madam Speaker. Actually they don't make recommendations. As I say, we just sit around and discuss the problem and as a result of these discussions, we in the Department of the Attorney-General prepare legislation or in some cases, don't prepare any at all, if there doesn't seem to be any solution.

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

MR. ROBLIN: Madam Speaker, I wonder if it would be convenient now if I were to call the Committee of Supply to give my honourable friend from Emerson a chance to ventilate the problem that he raised earlier in the day. I would move, seconded by the Honourable Attorney-General, that Madam Speaker do now leave the Chair and the House resolve itself into a committee to consider of the supply to be granted to Her Majesty.

MADAM SPEAKER presented the motion that the House go into a Committee of Supply.

MADAM SPEAKER: The Honourable the Member for Emerson.

MR. TANCHAK: Thank you Madam Speaker. What I am about to say I hope that Madam Speaker does not take this as a reflection on your person or your position. I think I have more of a bone to pick with the Premier. In fact I resented today, and I know that the Premier has perfect right to get up and express his opinion, but in my opinion, when matters of this importance do come up it seems that the Premier takes advantage of that. Sometimes I would hope that in matters like these, he would stay glued to his own seat, because to me it seems that this casts this undesirable impression that the Premier governs the actions of the Speaker. That's my impression.

MR. ROBLIN: I don't think the honourable member should permit himself the luxury of making such a statement, because it reflects on Madam Speaker and it just is not fair.

MR. TANCHAK: No, this is no reflection on Madam Speaker and I . . .

MADAM SPEAKER: Order. I think that the Honourable Member should afford himself the opportunity of reading what guides me in making my decisions. It is certainly not what is said on the floor of the House. I think that you should probably acquaint yourself of that.

MR. TANCHAK: Madam Speaker, I would like to impress on this House that I sincerely did believe that this was a matter of urgent importance --and I'm going to try to prove now why I did so consider. Now let us look at the two headlines in today's paper. One headline says "Gas pipeline blast rocks city, 15 die". Right underneath it refers to that again. "Mass burial for victims opposed". That's concerning the LaSalle incident. And it is incidents like these that get people concerned in the case of Dominion City, and I cannot blame these people who are concerned about their children, about their own lives and their own property, because that puts a scare into them.

Madam Speaker, having taken that off my chest, I'll try to be very brief, not because I do not sympathize with the feelings of the complainants, but because I am interested in prompt action and I hope that the Minister did take prompt action by now. He has had ample time.

Madam Speaker, yesterday and today I had many persons calling on me. They came here personally, complaining about the lack of safety measures as applied to Dominion City. Yesterday the council --and that's what prompted me to bring this up, this afternoon the council of the town of Dominion City was in to see the department and they got the usual answer. This is my information, as I got it from them --they got the usual answer. I don't know the exact wording of the answer but I was told that the attitude was that there wasn't that much danger; that the gas fitters are licensed and that consideration will be given to these people maybe next week. But this wasn't the first time that they had asked for action. Several times for the past three or four months they have been enquiring and they got the same answer. Not only the town council but it was the gas fitters too, who asked for action and they did not get it.

Now Madam Speaker, these people complained about the lack of responsibility on the part of the Department of Labour, and I'll go over the events as far as Dominion City is concerned. In the spring of 1964, Dominion City applied for natural gas service. The request was granted in October of 1964. Gas installations commenced in October of 1964, the same

(MR. TANCHAK, cont'd)..... year. The gas fitters made necessary service connections in November of 1964. They obtained permits as required by law, ranging in prices from \$2.00 as high as \$22.00 --which they understood was to cover the cost of government inspection. To date there was no inspection of installations. None has been made. There have been numerous requests made to the department but there has been no action. And in view of the tragic incident at LaSalle, Quebec which is a suburb of Montreal, I don't know exactly where it is, the residents of Dominion City were more concerned than ever. They also remember the recent explosions on the main line on the pipeline here in Manitoba; and they also remember the disaster here in Winnipeg, the Prague Cafe disaster on Main Street. And can you blame them for being concerned?

I had a call this morning from a lady who has children in school and do you want to know what she told me? She called me up and I told her who I was, she said "What are we paying you \$18,000 for?" --(Interjection)-- And I told her "Madam, I'm not a Minister of the Government of Manitoba". Then I asked her what was her trouble and she said: "I'm not sending my children to school today, because I am afraid there are so many explosions and we've got gas in the school and the school has not been inspected". Rightly or wrongly, I still think that she had reason to be concerned, because she had children there.

Now I don't want this to be a reflection on the service companies, nor on the gas fitters' ability but we all know that humans, all human people are subject to error, and there could be an error. There is another rumor I could say, I cannot prove, because I haven't got definite proof on that yet, but they say that there was in one dwelling a leak detected, luckily those people were not at home at the time and the fitter who had connected them at 11.30 came back at 1.30 and he detected that there was a smell of gas and these people are in the City of Winnipeg. So little incidents like that build up and you can't blame the people for being concerned. The residents feel that they are entitled to the protective safety measures for which they pay. The gas fitters feel that they are entitled to the balance of money due them. The school district alone held back around \$1,000 on one gas fitter. They said we'll pay that as soon as government inspectors approve of your workmanship. He wants his money and he's been waiting. Now it's almost four months since this took place. The premises now being serviced in Dominion City and not inspected include about 40 residences, a garage, a hotel, a church and a five-classroom school, and that's where the concern is chiefly expressed. It's among the parents. They do not feel that they are safe in sending the children.

I understand that installations not inspected exist in other towns and it was indicated to me by these same people that the same situation exists, not as bad as this, but in Winkler and Morden and Altona. The Minister can disprove this because this is something that has been told me by the people phoning me. In my opinion this is a dereliction of duty on the part of this government and the government should not wait for a disaster before they take action because I can compare this to say, carrying a lighted fuse on a stick of dynamite. It is quite possible as said before. The House should unanimously reprimand the government for its gross negligence. The government should take immediate action and assure the people of Manitoba that similar negligence will never occur again.

MR. BAIZLEY: Well, Madam Speaker, I thought this afternoon when I heard this question, that it was a matter of urgent public importance. There is one of two things that has happened to my honourable friend: He is either practising his partisan politicking mongering or he doesn't know the facts. Now I'm going to suggest with the type of member that he is, because the honourable member usually gets the facts before he makes a charge, I would suggest that he is taking part in just partisan politicking mongering and it's rather disgusting. If he knew of this serious situation that he relates, he knows where my office is, he knows that I am quite willing to co-operate and help any member with any of these problems and to come in and suggest and try and scare and panic the citizens of our province because of the tragedy that happened in Nachatochee, Louisiana, and La Salle, Quebec, is very unfair. I might say, Madam Speaker, that I join with all members of the House and regret very much the tragedy that happened in La Salle, but at the same time I'd like to assure you, Madam Speaker, the Members of this House and the citizens of Manitoba, that we are doing our utmost to prevent the occurrence of this type of thing happening in Manitoba.

Now let me point out to honourable members that all gas appliances, such as furnaces, hot water heaters, gas ranges, they must be approved by a recognized testing laboratory, such as the Canadian Gas Association or the Canadian Standards Association. Now get this: the approval label must appear on that appliance. All installations of this kind must be done by or

(MR. BAZLEY, cont'd). . . . under the supervision of a licensed installer. Applicants for a licence must first attend a one week's school where they are instructed on the basic principles of safety in connecting gas installations. The applicants must also have two years' practical experience and be acceptable to a qualified Board of Examiners and pass a written examination. I trust the honourable member is still with me. Before a licensed installer can actually make an installation, he must apply to the Department of Labour for a permit to make the installation. Now before the permit is issued, the Department of Labour must be satisfied that the applicant is a duly licensed installer and the equipment that he is going to install meets recognized requirements.

Now before the gas utility supplies gas to the equipment, it must have a certified copy of this permit. The gas utility is then required to inspect the installation by a qualified licensed man and verify to the department that the installation meets the requirements. Now in any case where the department is notified that a person has reason to believe that there has been a faulty installation, the matter is followed up as quickly as possible by an inspector of the department. Additional spot inspections are made by departmental inspectors to further insure that all concerned comply with the law.

Now it should be noted that in the Canadian Standards Association, Standard B149-1962 as amended in 1964, are the minimum standards that are required in this province. Madam Speaker, these standards take some 200 pages and I'm not going to take and read it into the record what they are but if there are any of the honourable members who would like a copy of The Canadian Standard B149 I would be pleased to provide it for them. But I would like, Madam Speaker, to let members of this House know who the committee of the standards are, who they represent. The Committee on Installation Code for Gas Burning Appliances and Equipment:

Representing provincial inspection authorities, there's M. Del Begio, Manitoba Department of Labour, Winnipeg; there's H. T. Jones, Ontario Department of Energy Resources in Toronto; there are A. G. Kaneen, B. C. Department of Public Works in Vancouver; S. A. B. Kembry, the Alberta Department of Labour H. A. Lines, the Saskatchewan Department of Labour; E. J. Sturgeon, New Brunswick Fire Marshal's Office.

Representing the Association of Canadian Fire Marshals, there's G. A. Pelletier, the Ontario Fire Marshal's Office; representing Gas Utilities, H. G. Hill, the Union Gas Co. of Canada; W. M. Kelly, The Consumer's Gas Co. of Toronto; C. W. Ross, Canadian Western Natural Gas Co. Ltd., in Calgary. Now representing Manufacturers on this Committee: H. N. Jackson, of the Eclipse Fuel Engineering Co. of Canada; W. M. Wardle of the Bryant Manufacturing Division of Carrier Air Conditioning of Canada; representing the CSA Testing Laboratories is D. Dymond; representing the Canadian Gas Association is Mr. N. E. Wilson; representing the National Warm Air Heating and Air Conditioning Association, Mr. E. C. Clare; representing Liquefied Petroleum Gas Association is W. G. Neill of the Superior Propane Limited, Toronto, and S. W. Pepper of the Liquefied Petroleum Gas Association in Calgary; representing Associate Committee on the National Building Code are R. S. Ferguson of the National Research Council, Ottawa; I. E. Ashfield of Central Mortgage and Housing Corporation, in Ottawa, and E. S. Hornby, Department of Public Works.

Madam Speaker, it should be noted that these standards are the minimum standards which are accepted for safety factors in the Province of Manitoba. Cancellation of installers' licences is provided for where there is cause and it is established. Now to help insure safe gas installations the department is assisted by a Gas Advisory Board, representative of the gas utilities, manufacturers of equipment and installers, and the users and the Public Utilities Board. However, Madam Speaker, it must be recognized by all members and all citizens that the operation of gas equipment does present hazards and all of them cannot be completely overcome by even the best system of government. The same applies to many other sources of heat and energy and appliances which are in use every day. But on the whole even though we cannot be complacent, we can from this experience and should realize that every effort is made here in Manitoba to have safe installations. We recognize there are hazards today. We have hazards on the highway, we have hazards in the home, hazards in industry, some of which may result in very serious accidents. We cannot hold out that the measure of control which has been implemented and administered down through the years is in any sense perfect, but we do feel, Madam Speaker, that we're doing our best to reduce accidents of this kind by watching the approval of designs, by licensing of installers, by periodic inspections and particularly by inspections by responsible utilities.

(MR. BAIZLEY, cont'd).....

Now let's review what the honourable member had to say about the laxity of the government and the Department of Labour in particular concerning gas to the Town of Dominion City. The system was tested November 5th and 6th of 1964 and an engineer was present. We also have a certificate dated November 9, 1964, from the engineer for the utility, certifying that the system had been tested and was safe.

Now re the gas installation at the school in Dominion City, the permit was approved on December 18, 1964; the gas was turned on January 10, 1965; verification of the inspection by the gas utility and verification of compliances with the regulations and codes were received by the department January 12, 1965. Madam Speaker, it is my understanding that prior to this contract being consummated there was an agreement between the installer and the school board that the school board would not pay for this installation until there had been a convenience check by the Department of Labour. This is fine but let's face it -- with the number of installations of gas that is going on in this community today-- in fact I think sometimes Madam Speaker, if we could check some of the gas installations in here, we'd do all right. --(Interjection)-- Well I think you're right. However, it's quite obvious that everything that is humanly possible within the inspection field is being done and I do not appreciate the panic and fear that the honourable member would attempt to put in not only his own citizens in the constituency of Emerson, but those in all of Manitoba.

MR. HRYHORCZUK: Madam Speaker, I've been told that two wrongs never make a right and I don't intend to take the tone that the Honourable Minister has taken in this debate but I think he's just as wrong as the Honourable Member for Emerson is wrong, if the honourable member is wrong, and I doubt that he is. The Honourable Minister has told us all about the equipment and all the inspections and everything else, but I did not hear him say that any of his staff had inspected the premises in Dominion City and these other towns referred to. And that is the whole point. He doesn't have to get after the Honourable Member from Emerson for trying to scare people or anything else. The Council from Dominion City was in to see the Honourable Minister yesterday --the Department. Saw the Department yesterday; and they weren't satisfied with the answer they received from the Department, and they came to the honourable member and told him so. And I think that the honourable member would have been derelict in his duty as a member of this House if he hadn't brought this to the attention of the Minister. I think that the Honourable Minister is absolutely wrong in condemning the member for raising this thing. And the matter is serious. There's no question about that. And I think that spot checks of all installations should be made by the staff of that Department. You have inspectors; you have a Chief Inspector; you have an inspection staff. Why didn't you use them? If you had all these complaints --and you must have had more complaints than the honourable member had; you must have had them. Not you in person, but your Department must have had them. Surely it was not trouble at all to send an inspector down there and satisfy the people by making spot inspections that everything is OK. That is the duty of that staff of yours and I think that is all you have to do. But it seems to me from what you have said, that you're dependent on all the other which you consider effective methods of checking the licences and the qualifications of the man that installed them. I think that is to a degree satisfactory, but it isn't satisfactory altogether, because if it was then you wouldn't need an inspection staff. You wouldn't have to make spot inspections. And whether it is in this particular branch or a department, or any where you have inspectors, they're there for a purpose. And I say, Madam Speaker, that they were not used for the purpose for which they were intended, and that is where all this trouble arose. It was the simplest thing in the world to send one of these inspectors to Dominion City, make the spot check and satisfy the people of Dominion City that everything was OK. That's all they expected of you.

And I think that the kind of language that the honourable ministers have been using during this session when anybody gets up here and makes a complaint, it's absolutely uncalled for, Madam Speaker. The Honourable Minister of Agriculture was telling us how scared his staff is, how the civil servants are scared of everything, because of what the Opposition members say in this House. Madam Speaker, I am afraid that who is putting the fear of the Good Lord into those civil servants are the ministers themselves, for the kind of talk they come out with on the floor of this House. I think they should show a little more courage and a little more responsibility, and the civil service will be satisfied that they have the proper type of leadership and people that are willing to stand up for them, instead of trying to pass the buck to somebody else. And I am sorry that this had to occur. I think that the Honourable Minister

(MR. HRYHORCZUK, cont'd).of Labour could have approached this subject entirely differently, and just told us in a cool, calm, collected manner what was done, and if there was a spot check of it he should have said there was, and that was the end of it. There is no use of getting up here with name calling and everything else. I think it is below the dignity of an ordinary member, but in so far as the honourable ministers are concerned, it's way, way below their dignity.

MADAM SPEAKER put the question and after a voice vote declared the motion carried, and the House resolved itself into Committee of Supply with the Honourable Member from Winnipeg Centre in the Chair.

COMMITTEE OF SUPPLY

MR. CHAIRMAN: Resolution No. 1.

MR. MOLGAT: Mr. Chairman, before we proceed with the discussions again, I wonder if the First Minister could give us some indication as to the sequence of departments that we may be following this year, and whether we will be supplied as we have been in the past with some of the supplementary documents like the listing of staff under salaries, so that we don't have to ask the question each time.

MR. ROBLIN: Mr. Chairman, we'll be proceeding with the regular order in the book. If any change should appear to be called for, I'll try and give the committee warning of it. We have prepared copies of the staff listings that we customarily supply, and I have asked the Clerk of the House to obtain those and to distribute them in due course to the members.

MR. MOLGAT: Is it the intention of the First Minister to make a statement on the introduction of the department here?

MR. ROBLIN: I never have. I don't think I should start now.

MR. CAMPBELL: Oh yes, you have.

MR. ROBLIN: Not on legislation.

MR. CAMPBELL: Well you have on the introduction of the estimates. No, we are not through with No. 1 yet, Mr. Chairman. You certainly have made one on the introduction of the estimates.

MR. ROBLIN: I didn't understand that was what he was talking about.

MR. CAMPBELL: Well I -- Sure, that's what it was. Is my honourable friend not going to make one on the introduction of the estimates? Why depart from the ordinary practice?

MR. ROBLIN: I think that since we have come to the custom of having the budget statement made before the estimates were started, that we've dispensed with this business of making a statement on the estimates. I don't believe I made one last year.

MR. CAMPBELL: That is not my recollection. Are we on Item No. 1?

MR. MOLGAT: My notes indicate that there was a general statement from the Minister last year at 4:03 p. m. on the 19th of February 1964, and that the First Minister opened the discussion which was then followed by both the Leader of the NDP and myself. However, if the First Minister doesn't choose to make a statement, well that's his choice.

I wonder on this matter of legislation if this is the proper item on which to ask about consolidated statutes, and the revision of same.

MR. ROBLIN:should be done on the Attorney-General's estimates, Mr. Chairman.

MR. CAMPBELL: Mr. Chairman, before we reach that other item, I have my usual question to ask about the item of operation of recording equipment, and if we are taking them by the No. 1, then that one is up now. Could we have from the Provincial Secretary, or whoever is in charge of the operating equipment, the list that we request annually of the number of Hansards that are given to various people and the libraries and other governments, etc., and then the number that are distributed in addition to that, free; and then the number that are paid for; because this is a matter that I've always taken a great interest in. I have confessed that I've changed my mind on this subject. We heard the Honourable the Leader of the NDP say this afternoon that the Honourable the First Minister had admitted last night that he sometimes made mistakes. I certainly didn't catch that -- I've never heard him admit anything of that kind. But I have admitted that I -- yes I was listening.

MR. ROBLIN:didn't he misunderstand it then.

MR. CAMPBELL: I'd be glad to have that confession. But I have admitted that in this question of the Hansard that I was wrong in some regard. I was right in some others. My honourable friend the Member from Morris used to be a great advocate of having a Hansard,

(MR. CAMPBELL, cont'd). and he used to at that time put a lot of words on the record here. Since we have had a Hansard he doesn't speak often, which is to the detriment of the House, I admit. --(Interjection)-- Since he has.

MR. SHEWMAN: I always thought silence was golden .

MR. CAMPBELL: My honourable friend will be building up quite a gold reserve which is something that the international accounts aren't as fortunate as he is. These times he is like General DeGaulle. He is going to acquire all the gold. But this is a matter that my honourable friend and others --there were others-- outside the House as well as inside the House had told us on their authority as ones who had given a lot of study to this, that if we instituted a Hansard, that the public would profit greatly by it because they would subscribe in large numbers, and they would pay more attention to these words of wisdom that fall from our lips here, and they would peruse them in great detail, not only --I can't say the only people that read the speeches are the members of the House. I'm sure we do find them useful, but I notice that the odd thing is that the most of the ones --the speeches that they read-- are their own speeches, and this doesn't seem to be the best use that could be made of the Hansard, and the list of the paid subscriptions has been lamentably small, in my opinion. Now this just means to me, No. 1, that the press, as I had always indicated at that time, was giving us maybe not the kind of coverage we wanted, at the same time, good coverage. It was telling the public what we were doing at least. The records of the House were here to keep a record of the business of the House, and I felt that it wasn't really needed. But other people thought otherwise, and when this government came into office they moved with commendable speed to implement this promise, and I must confess that I'm a convert to some extent. But I must maintain that I was right on one stand. It has increased the reading of the speeches in the House, as I predicted it would. And this I think is regrettable. This and the silence of the Honourable Member for Morris are two of the things that must be chalked up against it. And I would suggest to the members that even though we undoubtedly find that our remarks come off the tape better if they are read onto the tape than those of us who usually speak extemporaneously, that they should still consider the rule that says that reading of the speeches are not according to the rules of the House.

But, that is on the side. What I really rose to check on, once again, to be sure that we get the facts as to the number of paid subscriptions, because that's the item that really counts. How many people are interested enough in what we say in here to pay the three dollars, I think it is, in order to get the verbatim report. And I think that the small number that have been getting it up to date, has simply proven that so far as the general public is concerned, we are a province of newspaper readers, and my guess is that in addition to that we're even a province of headline readers, and having read the newspaper to some extent, skimmed over it, we don't really care very much about the body of the report, and as far as going the other distance and paying three dollars --it's not a very large sum-- to get the actual verbatim copy, it's distressingly small, so I must say to those who sponsored the idea that it's been worthwhile in one way; it's been a disappointment in another; and on the whole though, from the opportunity that it gives us to check on one another's statements, I believe it is worthwhile, so I must make that confession and I'll have to compliment my honourable friend the Member from Morris for his foresight in advocating such a change, but if he could only get the public to take more interest in the matter, and perhaps he could do that if he would indicate to them that he would speak oftener.

MR. SHEWMAN: I have been in this House, Mr. Chairman, for some time and this is one of the very, very few times in the period that I have been in this House that the Honourable Member from Lakeside has really paid me a compliment that I enjoyed. I will give him credit for that and I was under the impression when he first started to speak that maybe we should stop the production of Hansard, but I'll have to discard that thought because he wound up by saying it was quite a wonderful little book to have.

Now he did criticize me for not making speeches. In those days when I was quite vocal, we had to do it. We had to do it on account of the honourable gentlemen sitting opposite us. If we hadn't talked as much as we did in those days, dear only knows what would have happened to Manitoba. It is hard to understand, because we could name these things off one by one, and time won't permit me to name them all off tonight, of the things that we advocated. We had to talk about them, and if the Opposition today would give us something to speak on, I'd be on my feet just as much as anybody else in the House, but they are not giving any constructive criticism at all. He mentions the fact of reading speeches. Well, I don't know why he's

(MR. SHEWMAN, cont'd)..... saying that today. I can remember when they were over there and there was the Honourable Member from Lakeside and maybe three others. I think there is another member in the House here tonight who was over there on that side. I never remember hearing the Honourable Member from Ethelbert read a speech. He's just right off the cuff; he always gives a good talk. The Honourable Member for Lakeside --glory and behold, those fellows had books stacked that high. They should have had glasses, that's what they should have had. They had to have books stacked that high so they could read the speeches. --(Interjection)-- Now as I said before, I've had one of the greatest compliments paid to me tonight in this House.

MR. CAMPBELL: Mr. Chairman, I didn't want to say any more because the Honourable Member for Morris and I are both such modest fellows that we don't like just standing here and paying one another compliments, which we richly deserve, but I was glad to hear my honourable friend take credit himself and give credit to the Honourable the First Minister for advocating from this side of the House and getting put into practice on that side of the House, the progressive government that we were getting at that time in the province of Manitoba.

MR. ROBLIN: Mr. Chairman, I only rise to say that I'll get the information my honourable friend asked for.

MR. FROESE: Mr. Chairman, in speaking to the first resolution on the estimates, I would like to bring up a matter that has concerned me very much over the last number of years already, and I have referred to this on occasion. I feel that the regulations passed by the government are part of our legislation and that we are not giving enough attention to the regulations that are being passed by this government. I think very little attention has been given to the members of this House to the regulations passed each year. The government comes in with a resolution on the Order Paper to approve certain regulations like the one that is before us at the present time. We are now to approve regulations Nos. 12/64 to 105/64 both inclusive, and Nos. 1/65 to 11/65 both inclusive. There is a lot of legislation in these regulations and very often I find that there are very arbitrary decisions made and put in these regulations. Sometimes these disregard personal rights, and I have very strong feelings on this especially when the regulations on the Potato Board came in. I think they are much too strong. There is too much compulsion in these regulations.

Then too, I have found out, and I know from past experience that the members of the committee on regulations they get copies, bound copies of these regulations, whereas the other members of this House are not able to secure one. I have tried time and again to secure a bound copy of the regulations, and first of all I was told they are not in existence but I was sure they were because on one occasion I received one copy two years ago, and I know other members of this House who have copies, bound copies of the regulations. It's much easier to refer to them. You can study them much closer, otherwise you are bound to save all the Gazettes throughout the year and go through them and study the regulations. I just wonder how many members of this House actually give attention to these regulations throughout the year as they come out. Very, very few I am sure.

I am not a member of this committee and I haven't been a member of the committee since I came into this House. I feel this also is wrong because I feel the committees that are being established by the House should be all party committees, and I think I'd go as far as to say that the committees that have been established in the past are unconstitutional because they haven't taken this into regard. I know the Shared Services Committee for one, was referred to as an all-party committee. This is not a fact; this is a falsehood; because it is not an all party committee; and I again would insist on a bound copy of the regulations so that I can check them and I can go over them, and I certainly can give you notice now that I will not approve of the resolution that is on our order paper to approve the regulations that are listed on it.

MR. HILLHOUSE: Mr. Chairman speaking as a member of the committee to which the honourable member has referred, I would make this suggestion to the government and that is this. The members of this House are not furnished with copies of the Manitoba Gazette.

MR. FROESE: Members of the Committee are.

MR. HILLHOUSE: We get our copies when we meet in committee and that is when we go through all the regulations. We may get them bound up in a book for that particular year, but the members of this House do not, as a matter of right, get free copies of the Manitoba Gazette. Do they? Well I don't get it.

MR. ROBLIN: . I'm sure that we do send free copies of the Gazette out to all members.

MR. HILLHOUSE: Well I've never got one yet but we do not get bound copies of the regulations, and I submit that the regulations are just as much a part of the law of this province as our statutes are, because we rely upon regulations so much, because as far as being a member of the committee on regulations, we perhaps meet once or twice a year and we go through these regulations, and that is the time when we discover whether or no the regulations were properly and legally passed, but for the average member of this House, he's unaware of these unless he saves them out of the Gazette.

MR. MOLGAT: Mr. Chairman, it seems to me that the member for Selkirk, following on what the member for Rhineland said, may have a useful suggestion here for the members of the House. I certainly get a copy of the Gazette, and have been getting it ever since I have been a member, and I do read the back part of it to find out what the regulations are, but I find that the regulation usually refers to another regulation saying such and such a regulation is repealed, and I have no idea what was the regulation that was repealed, because I have no means of referring back to it unless I go to the library here in the building, and I think it would be a good idea if the bound copies of the regulations --and I think it is printed, is it not? Yes, I think there is an actual booklet printed every year, bound copies of regulations s-- if these were sent to all the members of the House at the end of the year the same way as we receive our bound copy of the statutes yearly. I think this would be a very useful thing for members.

MR. ROBLIN: I'm sure that members would like to have this service. There's no reason why it can't be provided, so that we can issue bound copies to members of the House. I would, however, just before moving that the committee rise, I would point out to the Honourable Member for Rhineland that his strictures about regulations are not really deserved because this government first, of all the governments in Canada, set up a Standing Committee of the House to review all regulations from the express point of view of examining any that were harsh or arbitrary or that were contrary to the law or were in error in any respect, and consequently all the regulations that are passed are submitted to the standing committee on statutory orders and regulations for the express purpose of providing a legislative scrutiny to any activities that might be going on in the field of regulations and I think that instead of slating us for our stand on regulations, that he might be tempted to say that we had done the right thing because we are the first, and as far as I know, the only provincial legislature in Canada which provides for this legislative scrutiny and review of the orders and regulations that are passed, so I really think that we are entitled to take some satisfaction as a House from that state of affairs. But as I said, I will ask the clerk of the House to see to it that in future bound copies of the regulations are provided to members if they can use them.

MR. FROESE: Mr. Chairman, I wonder if I could be supplied with a bound copy of this last year's regulations. Not being a member of the committee and not being a member of the caucus, certainly I should be provided with the regulations. I feel that I want to study them and I want to know what I pass before I give consent to the motion that will be placed before us very shortly.

MR. PAULLEY: I wonder if the honourable member has taken this matter up with the other members of his caucus.

MR. ROBLIN: Committee rise.

MR. CHAIRMAN: Call in the Speaker. Madam Speaker, I beg to report progress and ask leave to sit again.

MR. COWAN: Madam Speaker, I move, seconded by the Honourable Member for St. Vital that the Report of the Committee be received.

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

MR. ROBLIN: Madam Speaker, I beg to move, seconded by the Honourable the Minister of Industry and Commerce that the House do now adjourn.

MADAM SPEAKER presented the motion and upon a voice vote declared the motion carried and the House adjourned until 2:30 o'clock Friday afternoon.

ERRATUM

The following remarks were inadvertently omitted from the address of Mr. McGregor of Viriden, appearing on page 216 of Hansard No. 11, Vol. XI, dated March 3rd, 1965. The following should have appeared as the second from the last paragraph:

" My next remark will be in the field of education. We know the terrific progress that has been made here and while there's been the progress we've brought the educational ball from away out in the outfield to home plate and with a lot of speed, there's some slight errors been made, I believe, and I think if we have just a little bit closer liaison between the department and department heads in the local and divisional school boards that much of this can be rectified and we hope so in the years to come."