

THE LEGISLATIVE ASSEMBLY OF MANITOBA
8:00 o'clock, Thursday, July 8, 1971

OPENING PRAYER by Mr. Speaker.

MR. SPEAKER: Presenting Petitions; Reading and Receiving Petitions; Presenting Reports by Standing and Special Committees; Ministerial Statements; Tabling of Reports; Notices of Motion; Introduction of Bills.

MATTERS OF URGENCY

MR. SPEAKER: The Honourable Member for Fort Garry.

MR. L. R. (Bud) SHERMAN (Fort Garry): Mr. Speaker, I wish to move, seconded by the Honourable Member for Riel, that this House be now adjourned to consider a matter of urgent public importance; namely, that the government, through its effective efforts to prevent the appearance of expert witnesses before the Standing Committee on Public Utilities and Natural Resources and through its refusal to permit debate on the question of proposed Hydro policy within the Legislative Assembly, has stifled the Opposition in the performance of its legitimate function.

MR. SPEAKER: I should like to indicate to all the honourable members we are now operating under our new set of rules which are under Rule 26 - (1) to (6) subsections inclusive, consequently the Honourable Member for Fort Garry has five minutes to present his case -- before he proceeds, that is to indicate the urgency of debate, not the matter itself.

MR. SHERMAN: Thank you, Mr. Speaker. The urgency of the debate, or the urgency of the motion for emergency debate it seems to me, and I submit to you and, through you, to members of this Assembly, Sir, lies in the fact that a number of provocative and controversial questions and issues surrounding the policy and the programs of Manitoba Hydro and the Hydro policies of this government have arisen in the past few days and weeks during the lifetime of this session, Sir. We on our part in the Opposition have conscientiously sought an opportunity to examine the rationale for some of those courses of action. It appears to us, Sir, that we will be frustrated in our function as the Opposition in this Legislature and in this province in pursuing examination and scrutiny of those policies as a consequence of the fact that the Standing Committee on Public Utilities which dealt with the questions at hand concluded its meeting today with no determination or indication as to when it may meet again.

We are, as members know, Sir, in a situation in the Assembly, in the Chamber in this session where efforts are being expended on both sides of the House to conclude the business of the current sitting. There is no opportunity for us in the Chamber as such, particularly under the emergency speed-up regulations that we're operating within at the present time, to investigate and scrutinize the report of the Standing Committee on Public Utilities. The report has not been brought into the House up to this point and we urgently request the consideration of all members, Sir, and the conscientious acceptance of all members of our request that that report be brought into the House and made available so that the representatives of the people of Manitoba can examine the directions in which the government and the policy of the Manitoba Hydro are proceeding at this time. Should that report not appear in the Chamber, and it has not appeared up to this point, there will be no opportunity for members of the Opposition, or indeed any members of the Chamber, even those on the government side who may have some criticism or some assessment to make of certain policy directions, there'll be no opportunity for that position to be articulated and defined.

We cannot in all conscience convince ourselves on the basis of the record up to this point that the committees will be called again before the session ends. We have not seen any evidence up to this point that the report of the committee will be introduced, as I mentioned a moment ago, into the Chamber and, as a consequence, Sir, it seems to me and to my colleagues that an emergency debate at this time is justifiable. The issues where Hydro is concerned and the government's Hydro policies are concerned are extremely provocative and extremely controversial, and it's in the interests of the people of Manitoba that provision be made for such a debate and such a scrutiny to be undertaken.

MR. SPEAKER: The Honourable First Minister.

HON. EDWARD SCHREYER (Premier)(Rossmere): Mr. Speaker, speaking to the question as to whether or not there is urgency that the matter be debated, I point out to the honourable members that it is not as though the Opposition has not had ample opportunity to present their

(MR. SCHREYER con't) views and their position with respect to Hydro development. They have taken, according to very rough calculations but reasonably accurate I am sure, they have taken about four hours during the Estimates; taken about two hours on motions to go into Supply, at which time they had the opportunity to raise a matter of grievance and they have done so; they have taken about eight hours in the Standing Committee on Public Utilities and Natural Resources to deal with the Annual Report of Manitoba Hydro; they have taken about an hour on concurrence motions, non-concurrence motions; they have made other statements in this House on a number of occasions during the course of the past three months, and they are quite free, it need hardly be said, they are quite free to make whatever further statements they wish in whatever form they wish at whatever time they please. That is open to them.

There seems to be a misunderstanding on the part of honourable members opposite in that they are still persisting in trying to find some analogy between the way in which the government was required to proceed in 1968-69 with respect to the high level flooding of South Indian Lake and the way we are proceeding now with respect to Lake Winnipeg regulation. This government at this time is not asking the Legislative Assembly for concurrence in any bill or legislative measure. The course of action, the policy that is being followed comes to us by way of a recommendation from the Board of Directors, as I've pointed out so many times, on a motion that was carried six to one. The competence of the members of the Board is hardly in question. The one who is dissenting, I do not question his competence or integrity either. There is a difference of view which has been dealt with on a motion that was passed six to one, and for honourable members who seize every opportunity, as they have up to now, to try to force this government to take a position that would ignore the recommendation of six out of seven is something that we can hardly, on this side, can hardly be expected to take very seriously or to credit.

Honourable members opposite seem to think that unless there is Opposition concurrence to Hydro development policy that it should not proceed. This is ridiculous in every respect. We are not submitting a bill for their consideration and concurrence. If we were, we would feel obliged to make available to them all documentation, reports and information in our possession, but we are not asking for any concurrence on a legislative measure.

For all of these reasons, plus the fact that they've had ample opportunity for debate and discussion and are free to use whatever public forum they wish in the future, Mr. Speaker, I submit there's no urgency.

MR. SPEAKER: Order, please. I believe, according to our rules, the honourable member does not represent a Party as recognized part of our procedure. The Honourable Member for Morris wish to state something on a point of order?

MR. WARNER H. JORGENSON (Morris): I just wonder if I may read to you -- (Interjection) -- yes, I'll be speaking on a point of order. The point of order that I want to raise is that in the rules it states that one - if I may read Rule 26 (2) - a member making a motion under sub-rule (1) may explain his arguments in favor of his motion in not more than five minutes, and one member from each of the other parties in the House may state the position of its party with respect to the motion in not more than five minutes. It does not say "recognized party," Sir, and on that basis I would suggest that the Honourable Member for Portage does have the right to participate.

MR. SPEAKER: The Honourable Member for Portage la Prairie on the same point.

MR. GORDON E. JOHNSTON (Portage la Prairie): Mr. Speaker, on the same point of order, is there a suggestion made, or are the government going to enforce a suggestion that any member of this House does not have the right to speak on a debatable motion. That is my question to you, Sir.

MR. SPEAKER: That question can easily be determined since it's stated in our rules as to who may or who may not speak; and it's not determined by the government, it's determined by the rules. The Honourable House Leader.

HON. SIDNEY GREEN, Q.C. (Minister of Mines, Resources and Environmental Management)(Inkster): Mr. Speaker, to the point of order, let's clarify matters. The Member for Portage la Prairie gets up in righteous indignation and says it is a decision that a member of this House can speak on a debatable motion. Let us recall that prior to the change of rules, which was agreed to by all parties, nobody spoke on this motion - nobody. Then it was decided that that wasn't fair, that it was required that at least a question of urgency be explained and the question of urgency was then permitted to be explained by one representative of each party. And, Mr. Speaker, I submit with the greatest of respect that the word "party" can only mean

(MR. GREEN cont'd) recognized party, otherwise it would be open to any member to say that I am now a party. It could be the Member for Rhineland who represents a party and I suppose the Member for Churchill could represent a party, and I suppose that if the Opposition continues on its course they will be split into five or six elements who will all be parties. And I suggest, Mr. Speaker, that unless four of them get together to be a party that the rule as to what is a party is perfectly clear and that the argument presented by the Member for Morris is certainly more ingenious than any Philadelphia lawyer could have conceived.

MR. SPEAKER: The Honourable Leader of the Opposition.

MR. SIDNEY SPIVAK, Q.C. (Leader of the Opposition)(River Heights): Mr. Speaker, on the point of order, and not with the indignation that's so righteous on the part of the House Leader. Mr. Speaker, the rules say a recognized Opposition Party means a party other than the Official Opposition represented in Legislature by four or more members. That's what the rules say. The particular section which was passed said "party" and did not say "recognized party." Mr. Speaker, the House Leader is not judge and jury of this situation. The wording indicates party, it does not indicate a recognized Opposition party. Party is not defined by our rules, and on that basis, Mr. Speaker, because the word "party" is used and not "recognized opposition party," I suggest the House Leader of the Liberal Party has a right to speak.

MR. SPEAKER: The Honourable First Minister.

MR. SCHREYER: Mr. Speaker, may I begin my remarks to the point of order by saying that I believe the answer of course lies in the very first statement that you made, Sir, when you pointed out so correctly that it is not a matter at all of what the government wishes or does not wish, the rules of the House are laid down and it is Mr. Speaker that rules on them.

Further to that, Mr. Speaker, I simply point out that where there is perhaps lack of sufficient clarity in the rules, that under our procedure here we look to other jurisdictions, Beauschêne and the House of Commons, and I am surprised that the Member for Morris does not recall well that when it comes to statements on motions that, as one example, that it is the designated representative of the recognized political party that has the right to speak on statements on motions. And it's the same analogy - the honourable member is now smiling because he knows full well that that is the well-understood practice.

It is in the last ten years approximately that we have in both this Assembly and in the House of Commons adopted the practice of making recognition of parties other than the official Opposition party, but which recognized party must have more than a stated number as provided for in the rules. Now the Leader of the Opposition, Sir, says that the reference is to parties and not recognized parties. I blush for him, Mr. Speaker, because while it is true that outside of this Assembly there can be and are many political parties, including the Communist Party, within this Legislative Assembly the only parties are those recognized under the rules, and others who do not belong to any group that is a recognized party under the rules sits here as an Independent member.

MR. SPEAKER: I do not wish to curtail debate, but I believe I've heard enough opinions on both sides of the House on the question, the point of order before the House. The honourable member on a matter of privilege?

MR. G. JOHNSTON: I'm willing to bow, Sir, to your rules and to the admonitions of my friends opposite, but I make one more appeal. I ask, by leave, if a member of this House can be allowed to speak on an adjournment motion. By leave, I ask it. -- (Interjection) -- Let them deny it if they wish.

MR. SPEAKER: Order, please. That would be contrary to the rules. We have a point of order before us at the present time which has to be adjudicated. Well, by leave, you may as well have no Chairman.

MR. G. JOHNSTON: I asked the House whether by leave . . .

MR. SPEAKER: Order, please. I indicated I have had direction from both sides of the House on the matter of point that was raised by the Honourable Member for Portage la Prairie - I'm sorry, the Honourable Member for Morris, and I am of the opinion, and it can be challenged in the normal process, that our rules are very clear. They state that a party is at least four members; consequently, I cannot recognize the Honourable Member for Portage la Prairie.

In respect to the motion of adjournment to discuss a matter of urgent public importance, having heard the presentation as according to our rules is now conducted, I should like to state that according to my opinion, Beauschêne's Citation 100, subsection (3) is very clear: "It is urgency of debate and not urgency of the matter," and for that reason the motion I find invalid.

(MR. SPEAKER cont'd)

Further, the motion is also invalid because it has more than one matter that is referred to to be brought into the question of debate, and that is as according to our Rule 26, subsection (5) I believe - yes, subsection (5), part (b). Further, I should like to indicate that Beauchesne's Citation 324 is also clear that reports pending before a committee that have not been reported to the House also cannot be entertained in debate before this House. For those reasons I find the motion of the honourable member not entertainable.

ORAL QUESTION PERIOD

MR. SPEAKER: Oral questions. The Honourable Leader of the Opposition.

MR. SPIVAK: Mr. Speaker, my question is to the First Minister or to the Minister of Finance. I wonder whether either one could indicate whether the government has been in correspondence with other provinces to determine whether there is any inclination on their part to present an estate tax in their province before the end of this calendar year.

MR. SPEAKER: The Honourable Minister of Finance.

HON. SAUL CHERNIACK, Q.C. (Minister of Finance) (St. Johns): Mr. Speaker, I am looking forward to having the kind of discussions that the honourable member discusses. I have not been in correspondence with any other Minister of Finance or Provincial Treasurer.

MR. SPIVAK: I wonder whether the Minister of Finance can indicate whether his department has been in contact at all? -- (Interjection) -- Whether the department itself has been in contact?

MR. CHERNIACK: Mr. Speaker, when I speak I speak for the department within my knowledge. If the honourable member doesn't realize that I can't help him. If some member of my department has done so without my knowledge then obviously I can't answer the question.

MR. SPEAKER: The Honourable Member for Fort Rouge.

MRS. INEZ TRUEMAN (Fort Rouge): Mr. Speaker, I rise on a point of privilege. In the Hansard No. 100 for Tuesday, July 6th, on Page 2456 in the fourth paragraph I am quoted as speaking of a "free psychology service." This is incorrect. It should have been cytology." There are two references in that paragraph that are incorrect.

MR. SPEAKER: The Honourable Member for Riel.

MR. DONALD W. CRAIK (Riel): Mr. Speaker, I would like to direct a question to the First Minister. He took it the other day as notice. Could he advise now when Mr. Cass-Beggs will be returning to Manitoba?

MR. SPEAKER: The Honourable First Minister.

MR. SCHREYER: Towards the end of the month, Mr. Speaker.

MR. CRAIK: Mr. Speaker, a subsequent question. Does this mean then that we will not be able to question Mr. Cass-Beggs at the Public Utilities Committee during this session?

MR. SCHREYER: Well, Mr. Speaker, I indicated this morning that the government was giving consideration to the advisability of convening the Public Utilities and Natural Resources Committee towards the end of the session or, if necessary, inter-sessionally, and it was the intent we would have a resolution prepared for adoption in this House to that end.

MR. CRAIK: Could the First Minister advise whether Mr. Cass-Beggs has left on his own volition or is it on the instruction of the First Minister?

MR. SPEAKER: Order. I believe one of our rules in respect to questions is that they are not to be impertinent. I do think that one is.

MR. SPEAKER: The Honourable First Minister.

MR. SCHREYER: There is I suppose, in a sense, a point of privilege arising out of the impertinence of the honourable member in that I feel it's important to put it on the record, Mr. Speaker, that I indicated to the House some time ago that the Chairman of the Manitoba Hydro was attending the World Energy Conference along with heads of utilities from other jurisdictions in this country, and with the Energy Conference taking place early in this month, I resent very much the off-the-record statement made by the Member for Lakeside that he was sent away deliberately.

MR. SPEAKER: The Honourable Member for Lakeside.

MR. HARRY J. ENNS (Lakeside): Mr. Chairman, I have a question to the First Minister. In view of the fact that, by directive, the only person of consequence that the Opposition could question at the Public Utilities Commission was Mr. Cass-Beggs, did Mr. Cass-Beggs enquire of the government some form of recognition in terms of the fact that he was going to be gone for

(MR. ENNS cont'd) the remainder of the session, or at least the greater part of it, prior to his leaving.

MR. SCHREYER: Mr. Speaker, for the edification of the honourable member, I should point out to him that the only kind of legislative instrument that is referred to a committee that is required to be reported back to the House is a bill, and that if he will check he will find that it is not uncommon -- (Interjection) -- I'm saying, Sir, that if he will check, if he will check with federal practice he will find that it is not uncommon to have annual reports referred to a committee and it is not uncommon to have these reports merely considered by the committee without any report back, without any observations on the annual report.

MR. ENNS: A further question, Mr. Speaker, directed to the First Minister responsible for Hydro matters in Manitoba in absence of the Chairman of Hydro.

MR. SPEAKER: Order, please. I do believe -- would the honourable member sit down. I do believe the honourable member is well aware that a member for Hydro or the chairman could not attend here unless they were elected members and therefore I think the inference was impertinent. I would ask him to withdraw.

MR. ENNS: Mr. Chairman, I withdraw it at the first suggestion that I have from the First Minister that he is not responsible as the Minister in this House answering for Hydro.

MR. SCHREYER: I have never pretended for a split second that I am not the Minister reporting for Hydro; I am.

MR. SPEAKER: Order, please. Order, please. I should like to indicate to all honourable members that one of the problems we have is that the courtesy they expect is not extended to others. Interjections are cast across back and forth and I do not wish to be continually asking for order. I do believe honourable members have the intelligence and knowledge of our rules to conduct themselves accordingly. -- (Interjection) -- I think I should also have the courtesy that is extended to all other honourable members. I too am elected, and until I'm done I should have that same privilege. I still am not finished. And this happens to be the problem continually, that members don't afford the courtesy to others which, as I said, they would like to have extended to them. Now the Chair is not here as a policeman. I do not wish to lecture, but I would like to ask the cooperation of all honourable members to conduct themselves as gentlemen. The Honourable Member for Lakeside.

MR. ENNS: Well, Mr. Speaker, now I humbly address a question to you. Am I permitted to ask a question to the Minister that's responsible for Hydro?

MR. SPEAKER: Every member is entitled to ask a question in respect to -- (Interjection) -- I am going to indicate to the honourable member that interjected that I am certainly not going to be able to recognize him except to possibly name him if he insists on interrupting while I am trying to indicate to him the procedure in this House.

Now the procedure in this House is according to rules which are established and which have had a precedent and a tradition for a long time. They also are subject to this Assembly and they can be altered at the will of the Assembly. I am only its servant and I am trying to conduct this meeting according to those rules. Every member is entitled to have his privilege of saying and having freedom of speech, but, as I indicated, one of the rules that I have asked for and has been established by practice is that every member shall be recognized before he starts to speak, and if members insist in cross-firing without recognition I cannot prevent it, I can only ask that they cooperate. The Honourable Member for Lakeside.

MR. ENNS: Well, Mr. Speaker, through you, permit me to ask a question that I regretfully suggest to you makes it difficult for me to ask of the Minister responsible for Hydro, that is simply, what is the progress of construction at Missi Falls at South Indian Lake to date?

MR. SCHREYER: Well, Mr. Speaker, if the Honourable Member for Lakeside, if I heard him correctly, asked what is the point or stage of construction, progress of construction at Missi Falls at South Indian Lake, I think I'll have to tell the honourable member that to the best of my knowledge, and I feel quite secure that my knowledge is quite up-to-date, there is no program of construction at Missi Falls at South Indian Lake.

MR. SPEAKER: The Honourable Member for Portage la Prairie. A supplementary question by the Honourable Member for Lakeside?

MR. ENNS: I take it then that the several million dollars worth of exploratory programs

. . . .
MR. SPEAKER: Order, please. That's a statement. Would the honourable member place his question?

MR. ENNS: What is happening, or what has happened to the exploratory programs in preparation to the dam that's to be built at Missi Falls. Has that been scrapped?

MR. SCHREYER: Well, Mr. Speaker, the honourable member is now asking about construction planning, which is one thing, but his first question was about actual construction. There is no actual construction. Construction planning based on previous survey work and so on is continuing unabated.

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

MR. G. JOHNSTON: Mr. Speaker, I rise on a point of order to make an enquiry of you Sir. Some days ago . . .

MR. SPEAKER: Order, please. I believe the other day when I made a statement in respect to that, I indicated that questions on procedure are not to be asked of the Chair from the floor, that if there is a desire to find out about procedure anyone can approach the Chair in private. I think that's indicated in Beausheune. At the moment I can't recall it, but I can dig it up for the honourable gentleman if he wishes. The Honourable Member for Portage la Prairie.

MR. G. JOHNSTON: Mr. Speaker, I wish to address a question to the First Minister who is responsible for Manitoba Hydro. Where can members in this House address questions with respect to Manitoba Hydro - in Public Utilities Committee, in committee, or in this House to you?

MR. SCHREYER: Well, Mr. Speaker, by the practice of past weeks, months and years, an honourable member can ask questions in either place, either here in the Assembly or in the Standing Committee when it is in session.

MR. SPEAKER: The Honourable Member for Morris.

MR. JORGENSEN: Mr. Speaker, I should like to direct a question to the Minister of Agriculture. Yesterday he indicated that he was going to be attending a meeting in Montreal next week. I wonder if the Minister could indicate when that meeting is going to be held and who will be attending the meeting from the other provinces.

MR. SPEAKER: The Honourable Minister of Agriculture.

HON. SAMUEL USKIW (Minister of Agriculture)(Lac du Bonnet): Mr. Speaker, as far as the information I have goes, it's I believe four provinces, Ontario, Quebec, Nova Scotia and Manitoba - I am not aware of any others - and it will be the Ministers of Agriculture of those provinces, including the Minister for Canada, I am given to understand, and departmental officials and members of the various producer groups, including producer groups from Manitoba and the Manitoba Marketing Board.

MR. JORGENSEN: I wonder if the Minister could indicate whether or not the processor associations will be represented as well, such as the Manitoba Egg and Poultry Association, the Manitoba Egg and Pullet Producers Association, the Manitoba Feed Manufacturers Association or the Manitoba Hatchery Association. Will they also be represented at these meetings?

MR. USKIW: Well, theoretically, all the people of Manitoba are represented through my presence, but it is not the intention to include all the various sectors of the trade to my knowledge.

MR. JORGENSEN: . . . processor associations be there, one or all?

MR. USKIW: Well, Mr. Speaker, I'm not sure that they have been invited.

MR. JORGENSEN: Will the Minister undertake to . . .

MR. SPEAKER: Order, please. The honourable member has had two supplementary questions on the first question. Is this another question? The Honourable Member for Morris.

MR. JORGENSEN: Well, Sir, I should also like to know, I should like to ask the Minister if he could indicate the nature of these meetings, the purpose of the meeting to be held next week.

MR. USKIW: Well, it's my understanding that we are going to discuss eggs, Mr. Speaker, and I don't know what we are going to talk about because we don't have an agenda. But it's to discuss the problems in the egg industry across Canada.

MR. SPEAKER: Order. Order, please. I would like to indicate to the two honourable gentlemen that they are neither one on the record at the moment because neither one was willing to wait for the Chair to recognize him. I should like to indicate to them that they may put their questions on the record and the answers. The Honourable Member for Morris.

MR. JORGENSEN: Thank you, Mr. Speaker. I should like to ask the Minister of Agriculture if a representative of the processor associations will be invited to attend this meeting?

MR. USKIW: Having not participated in extending the invitation I have no way of knowing, Mr. Speaker.

MR. JORGENSON: Will the Minister undertake to ensure that a representative of the processor associations will be in attendance at the meeting?

MR. USKIW: Mr. Speaker, not having called the meeting, I'm in no way, no position rather to make that invitation.

MR. SPEAKER: The Honourable Leader of the Opposition.

MR. SPIVAK: Mr. Speaker, my question is for the First Minister. I wonder if he could indicate to the House when the likely next stage, next contractual obligation would be assumed by Hydro after the \$12 million contract has been awarded and commenced with respect to the control of Lake Winnipeg. What timing are we talking about?

MR. SCHREYER: Well, Mr. Speaker, for obvious reasons I would like to take that question as notice and try to answer the honourable member tomorrow.

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

MR. G. JOHNSTON: Mr. Speaker, I wish to raise a point of order, and it is the matter of the propriety of the First Minister answering questions about Manitoba Hydro. I wish to quote the Hydro Electric Board Act, Page 25 of the Statutes "H" and I quote 46, paragraph 2: "Upon being laid before the Legislative Assembly, the report of the Board stands permanently referred to the Standing Committee on Public Utilities and Natural Resources of the Legislative Assembly." So, Mr. Speaker, my point of order is that these matters should be as you so ruled about a week ago, that any matters concerning Manitoba Hydro when the Public Utilities Committee is still meeting during the session should be addressed during Public Utilities meeting and not discussed in this House.

MR. SPEAKER: The Honourable First Minister.

MR. SCHREYER: Mr. Speaker, on the point of order, the Honourable Member for Portage, I know not what objective he seeks, but so far as I am concerned I can be very accommodating to honourable members if they wish me to answer questions I will endeavour to do so; if they don't wish to ask any questions, I won't have any to answer.

MR. SPEAKER: The Honourable Leader of the Opposition.

MR. SPIVAK: Mr. Speaker, on the point of order, the truth of the matter is that the Act, the amendments to the Act were introduced in this House in 1964. The Premier and the Minister of Public Utilities at the time explained the purpose of the amendment which was read by the Honourable Member for Portage la Prairie, and on that occasion, in explaining it, indicated specifically that the intention was, the intention was for the members of the House, through the committee, to be in a position to examine Hydro on all matters and to obtain the information that should be presented by them at the committee stage and at the committee hearing with respect to the report and any other matters that were current, and that it was the intention of the government to follow that procedure and only answer questions in the House really relating to broad policy, but detailed information was to be forthcoming from the Standing Committee, from the questions of examination of the chairman and the members of the Board of Directors. I've had occasion already, Mr. Speaker, to have quoted those passages in the House, and I suggest that the interpretation of the Premier is incorrect. While the Standing Committee is in existence in this House and the committee has not reported, that committee is still seized with the Hydro report and questions relating to Hydro should in fact be answered properly there. That was the intention of the amendment that was brought in in the year 1964.

MR. SPEAKER: Order, please. Order, please. The Honourable the First Minister.

MR. SCHREYER: Thank you, Mr. Speaker. -- (Interjection) --

MR. SPEAKER: Order, please. Does this House wish to proceed? The Honourable the First Minister.

MR. SCHREYER: Mr. Speaker, speaking further to the point of order and relating my two arguments to the point raised by the Honourable the Leader of the Opposition - although may I say as an aside, Sir, that I have some doubts as to the validity of his comments constituting a point of order - but assuming, Sir, that you saw fit to so recognize, may I make these two arguments then.

When the honourable member suggests that interpretation of statute depends in part upon the intention of the previous Premier and Minister of Industry or whomever, that surely the honourable member, the Leader of the Opposition must know that interpretation of statutes

(MR. SCHREYER cont'd) precisely does not depend on intention - Point (1) - and being a lawyer he should know that.

The second point, Mr. Speaker, is that there simply cannot be any divorce between Crown corporation and agency and the responsibility for the actions of a Crown corporation or public corporation here in this Legislative Assembly.

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

MR. G. JOHNSTON: Mr. Speaker, would the First Minister permit a question on his last statement?

MR. SPEAKER: I would find that highly irregular. We are debating a point of order, and after the point of order has been debated then a decision is necessary. I find that I cannot agree with the Honourable Member for Portage la Prairie. The Honourable the House Leader, The Honourable Member for Swan River.

MR. JAMES H. BILTON (Swan River): If I may rise on a point of privilege, I want to congratulate you, Sir, for the patience you have shown over the past short while and over the past week or so. You have endeavoured to do your best to keep this House in order, and insofar as I am concerned, I have questioned some of your thoughts - that's my privilege, it's everybody's privilege - but, Sir, I regret, I regret very much the behaviour that is being shown on both sides of the House.

I suggest to you, Sir, that on the government side of the House when the Opposition endeavours to put something forward there is a tendency to ridicule it because they are the government. That again is their privilege, but I suggest to you, Mr. Speaker, it's not your problem insofar as the behaviour of this House is concerned but rather the Whips and the members themselves. I suggest to you, Sir, they have a tremendous job and a big job to do. We have now been sitting since 8:00 o'clock and I believe, Sir, that you'll agree with me that the business of the Province of Manitoba is more important than many of the things that have been said. Although there has been good common sense remarks on both sides of the House, I deplore the attitude of people across the floor that make an issue - I'm possibly to blame in some directions - but I appeal through you, Sir, to all members of the House, to let's get on with the business of the Province of Manitoba and get out of this House.

MR. SPEAKER: I should like to thank the honourable member. The contribution should be well taken. The Honourable House Leader.

ORDERS OF THE DAY-GOVERNMENT BILLS

MR. GREEN: Mr. Speaker, would you call Bill No. 36, please.

MR. SPEAKER: On the proposed motion of the Honourable Minister of Finance and the amendment thereto. The Honourable Member for La Verendrye.

MR. LEONARD A. BARKMAN (La Verendrye): Mr. Speaker -- (applause) -- Please save some for the main speaker; I adjourned this debate for my colleague, the Member for Portage la Prairie.

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

MR. G. JOHNSTON: Well, Mr. Speaker, may I say at the outset that I find it very difficult to make the transition from a controversial oral question period to an uncontroversial bill - 36.

In order to remind members, I believe that it would be well to mention the fact that we have under discussion a motion by the Member for Morris to give Bill 36, namely The City of Greater Winnipeg Act - known by various terms, some nefarious, some complimentary - but in any case to give the bill a six months' hoist, which as parliamentarians know, and certainly the press know, but I'm sure a number of the public do not know, that this means the time-honoured method of killing a bill. I might say to my honourable friend for Morris that on a question as important as this, I don't think this is the way to deal with such an important bill, namely delaying it to a future time, so I would like to make a few remarks and give my expressions on Bill 36.

I might say at the outset that I had been sympathetic to the idea that a city of something more than a half a million people, or an urban area I should say of something more than a half a million people, should have a way and means of resolving and governing themselves rather than to the method that has grown since 1820 or 1830 when the communities started to grow around the Winnipeg area. So I am sympathetic to the idea that there is a need to streamline the administration of a relatively small number of people when we look at the super cities and

(MR. G. JOHNSTON cont'd) the large urban areas in the world today.

Another thought that I have - and this I have obtained from reading the newspapers for the last ten years and listening to politicians speak about the need to cut out red tape when it comes to develop, rezone, build industrial areas, industrial parks, and take the best possible location for housing developments in this area, so I repeat that the size of the city that we're talking about is not such that we should preclude some form of unification and this can be based on costs and size as well.

Another point that I find that has been emphasized by industrial people and by politicians of the area is the need to stop competition for industry in the various areas of the Greater Winnipeg zones. For too long now we've seen cases where one municipality or one city in the area has obtained an industry by giving concessions or by some lure, or even by some geographical location that the industrial management finds in that particular industry attractive to them. So this is a point that I feel should be considered at this time.

The fact that the people of the area have used certain facilities in common - and I'm talking now about the obvious ones like the Winnipeg Arena, the Concert Hall, the Stadium, Pan Am Pool and other facilities - they are used by everyone in the area so this should be a consideration. The fact, and it has been mentioned by members who have spoken on behalf of certain municipalities and certain cities, have themselves admitted and stated that the problems of welfare, the problems of the influx of people coming and going from an urban area is a common problem and should not be borne by one or two units of that area.

Now, Mr. Speaker, I know many of the things I have said today have been mentioned by other speakers and I take account of that fact, but I feel that briefly I should state my views at this time.

On the other side of the ledger I find that there are certain things that I feel that -- well, I am against, and it's my feeling from listening to the arguments, but after hearing all the arguments I feel that the following points can be made. It's certain that there are certain areas in Winnipeg who feel very strongly against the bill, Bill 36, and my colleague who is not here tonight although he's a good attender and is in his seat - I believe he's been in his seat with the exception of ten days for the last eight or nine years, and I'm speaking now about the Member for Assiniboia. That area I know from discussing with the people there, that there is a strong feeling against this bill. I also know, with deference to my friend the Member for St. Boniface, despite his stirring speech, that there is a considerable feeling in his area against Bill 36. I understand that some of the main concern, and I don't only say St. James-Assiniboia and St. Boniface, possibly other areas as well, that there's a strong feeling amongst the people about a loss of identity in their area. We must remember that the people who have built up these communities years back, and their descendants, have this strong feeling and we must take account of that.

I also know, Mr. Speaker, that in the rural parts of the province that there is a feeling that if the Greater Winnipeg area becomes a one unit that there will be a loss of political power and balance to the rural areas, and this feeling is prevalent. I know it's in my constituency. I know some of the members from the Conservative Party have expressed the same fear, and I realize that.

Another point that I feel that is not right, although I can see that there's some need for it, is the fact that if and when the uni-city bill goes through that funds will be taken from the province as a whole to assist in the formative years of the one city to equalize taxation and to help in that regard. In other words, to take the common fund for the one large city - and I know that there's some resentment in the rural area about that - but on the other hand, I must say that from time to time, whether it be a farming area or a small city such as Portage or Thompson, that there has been help given from the general fund back to those areas and I must recognize that.

Another point that I can't say that I entirely agree with is a 50-member council for 500-odd thousand people. This unit will not have an elected mayor. The people when they vote in their elections will not have someone to place and point a finger to about the administration or the lack of programs or the programs that the people feel should have been done. So I feel that the 50-member council in electing their own chairman will really be electing not a mayor of over half a million people but a unit who will do the will of the 50 politicians.

Now, Mr. Speaker, I have given some points for and against Bill 36, but I feel that every member in this House should vote and express his opinion because this is probably one of the

(MR. G. JOHNSTON cont'd) most important bills to come before this House in the last ten or fifteen years, and I might say that while I've listened with care and diligence to members on all sides of the House and members who represent certain areas of the Greater Winnipeg area, I find that I've really not changed my mind.

I might also say that there had been a suggestion made in an earlier debate a few weeks ago by the Member for The Pas, and at that time we were discussing measures for the good of northern Manitoba, and it was suggested to me by that member that because I was not from that area that I should not really be taking a part in a discussion which had to do with the northern parts of our province. Mr. Speaker, I reject that completely. I feel that members in this House have a responsibility, not only to their own constituencies but to the province as a whole, and I say in summing up my feelings - and it is rather difficult, I might say; I've been in Opposition for nine years now and I think about the last time I was on the winning side was at World War II and I wasn't too sure then for a few years - that a person in opposition does get the feeling sometimes that he must oppose, and I plead guilty to that. I certainly plead guilty from time to time that I oppose for the sake of opposition. But I feel on certain important questions for the good of the province and people who are waiting for decisions, that members should not necessarily vote party lines or consult with their friends, or pay too much attention to the pressures, but they should do what they feel is the right thing. And in this case I feel, despite the objections I have raised to Bill 36, that it's in the best interests of the people of the Greater Winnipeg area to have one government, and I support that.

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

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

MR. LAURENT L. DESJARDINS (St. Boniface): Mr. Speaker, at the risk of getting a dirty look from the Minister who I'm sure is anxious to close the debate, I intend to take advantage of the debate, of the time, the opportunity that I have, to take part in this debate and to refute some of the things that were said, especially this afternoon by the Honourable the Member of River Heights. After watching him in action here, after watching him in action last year when he even left the House because somebody voted contrary to what he felt they should vote, and tried to get my goat by talking about my searching my conscience and so on, I felt that no way--it seems to me that his speech of today was very hypocritical for somebody that is known . . . doesn't vote and then pretend that he's a fighter for certain things. It's all right to try to ridicule the people to talk about switching, and I can tell him that I don't mind switching if it's the best way to keep these people out of office and this is why I did it, and I don't regret anything that I've done, Mr. Speaker.

MR. SPEAKER: Order, please. The Honourable Member for Fort Garry on a point of order.

MR. SHERMAN: On a point of order, Mr. Speaker, the Honourable Member for St. Boniface began his remarks by referring to comments that were made, statements that were made by the Member for River Heights, and I would redirect him and assure him that it was the Member for Fort Garry who made the remarks he's referring to.

MR. SPEAKER: The Honourable Member for St. Boniface.

MR. DESJARDINS: Mr. Chairman, it's obvious that my honourable friend knows who I'm talking about and I'm glad that he did correct me because I definitely was talking about him. There's a few things that the honourable member said that I think I would like to refute at this time. First of all he wanted to make an issue of it that I had opposed Metro. This is something that I accept 100 percent, Mr. Speaker, and I can quote also from 1960. I also have kept certain records and I have a pretty good idea what was said in that debate, and this is what I said on April 11, 1962, that will indicate to my honourable friend that definitely I have been against Metro.

Say two years ago, Bill 62 was passed. I voted against the principle on second reading. I voted against it in Law Amendments. I voted against it in Committee. I voted against it on third reading. I voted for a referendum. I proposed many amendments, not one passed. I voted that the bill be not reported, and I'm still not in favour of the principles of Metro as we have it. But after exercising all my rights, Sir, after opposing this to the bitter end, what did I do? I stated right in this House that I accepted the democratic principle that when this bill would become an Act and therefore law, I would do everything in my power to make it work.

(MR. DESJARDINS cont'd)

Well, Mr. Speaker, there is no doubt that I think we can make that quite clear that I opposed it. Now my honourable friend, because I opposed the Metro at the time, feels that this is automatic that I should oppose this bill. He talks about referendum. Mind you, he didn't brag too much about what his party said and the honourable friend, the Member then of River Heights, and this is not a mistake, the Member from River Heights at the time, and also the Attorney-General, said that they didn't know one person that favoured referendum in their constituency. And the then leader of the government, Mr. Roblin, said that he did not believe in referendum. That was quite clear. More power to him. And I might say that the New Democratic Party in the person of the Honourable Member from Brokenhead at the time, who is now the leader of the Party, said exactly the same thing, they felt that they were sent here to take certain responsibilities. Now, I voted for referendum, that's true, and I'll tell you why I voted for referendum. First of all, I think I quoted how much I was opposed to this bill. I took every step possible to delay it, to try to do everything possible so it wouldn't pass - exactly what my honourable friend did today when they brought this amendment that we refused. This is just another way, and I know that he's not that gullible; I know that he knows that there are certain political tricks here that parties take advantage of, and this was the main reason why I voted for referendum. But I must say I'm not going to hide behind that.

I might say another reason I felt that we should have had a referendum because we were at the time, before 1960, we had such a thing as money by-laws. And we still had some until last year but we had some in certain areas because the people, it was something that they were used to, the people for many years had a chance to vote to see if they were going to spend certain amounts of money, and when Metro came that stopped that, and this is something - and I could even give the page number where I explained why I was for the referendum. I might say also now that I'm not that worried about referendum. I could accept it or I could reject it. I think that we can go ahead. I think that at certain times we could have a referendum that would serve to educate the people, to explain certain things, because oftentimes the people do not understand the legislation or the proposed legislation, and I think up to a certain point this is the case in this instance of Bill 36. So I could very easily support a referendum but I also admire and go along with the people that say, "We're here to do a job; we will have a referendum at the next election." This is exactly what Mr. Roblin said at the time: we'll stand on our own two feet; but he forgot one thing. The election of 1962 came and the government of the day did not stand on its own two feet and appointed a commission to pigeonhole to get the question of Metro, which was a damn mess at the time and it's been worse since then.

Now I oppose, and at the time I might say also that I said that it was leading to total amalgamation. My honourable friend is right. I said it was a sleeping pill; it was the first step. That's exactly what I said. — (Interjection) -- That's right. And it is, and I think this proves it, the mess that we've seen, and it's a Frankenstein that the Conservative Government created and it came back to haunt them, but they didn't have the guts to do anything about it. They did a lot. They appointed commissions, and they spent thousands and thousands of dollars studying, and now they're saying, "We must study again." But the same thing was told; the municipalities told them also at the time that they should -- that they were going a little too fast. The same thing happened then, this is not at all new. They're not coming in with anything new, this is what was said; and I'll quote another one - another one of my speech, my honourable friend gave me a chance to look at my speech and they were pretty good speeches.

Most municipalities and citizens thought that the government was going too fast and that more information should be given and that more study should be done before this bill became law. Charleswood said: "the council would be more ready to accept the legislation without misgivings if there had been more time and more explanation provided." Fort Garry said: "Our first observation, Sir, is that we regret not having had more time to consider the bill." Transcona: "We're alarmed at the haste that this bill has been dealt with and feel that the government insistence that Metropolitan government be implemented immediately regardless of the feelings of those concerned represents a callous disregard on the part of the government for the rights of the individuals most vitally concerned. It is the belief of our council that government should rise at the insistence of those governed not at the insistence of those already entrusted to govern." So this is not new. This is what was said at the time. And I said that this was the first step to total amalgamation because I knew that you couldn't go backwards. But why did I oppose, because if it was possible to go back to what we had before 1960,

(MR. DESJARDINS cont'd) you would never see me approve the bill now or pass this bill now. We had it - all we need is cooperation. We had the Greater Winnipeg Sanitary District, Water District, the Metro Transportation, the Zoning Board, all we needed is cooperation and that was done and the first step backwards we took was when Metro was formed. I think that it was certainly something that didn't help, I didn't think for a minute that it would be as bad as it became. I wish that I, my brave little friend who is in the gutter would turn around if he wants to talk to me. I don't mind answering but I'd like to know what he's saying, Mr. Speaker -- (Interjection -- That's right, that's right. The one that's talking about -- allright, the one that's talking about my conscience.

MR. SPEAKER: Order, please.

MR. DESJARDINS: I would tell him not to work -- (Interjection) --

MR. SPEAKER: Order, please! Order, please. I would like to indicate to all honourable members they are all entitled to debate, but I'm going to ask once more that there be no interruptions to the honourable member, whoever he is, that's addressing the floor. I'm afraid I'm going to have to invoke Rule 37 and name any other honourable member who interrupts again, and I'm not kidding.

I would also like to indicate honourable members addressing the floor should make their remarks in the debate to the Chair and that will create a lot less heat than if they are directed directly to any honourable member of this Assembly. The remarks may be indicated who one is discussing and what one is discussing but no direct debate should take place between two honourable members. Only one is entitled to the floor. The Honourable Member for St. Boniface.

MR. DESJARDINS: Mr. Speaker, I can debate Bill 36 if my honourable friends let me and if not I can debate the question of my conscience if they seem to want to ridicule - this is fine, I don't apologize for that, or my stand on anything that I've done in the 13 years here. So this is immaterial to me, I'm ready to do either one, Mr. Speaker, as long as I know, as I have a chance to answer some of the smart aleck accusations that come from the other side.

Then as I say, I did oppose Metro. I opposed Metro because I thought it was wrong and I did prophesy at the time what would be happening and this is exactly what happened. I supported referendum in 1960 first reading because I did everything like my honourable friend did with the amendment to try to delay, to stop, everything that I could legally and justly as a member here to oppose this bill. But then when it became law I did everything I could to support it also, Mr. Speaker. I thought that we could have had a darn good government here in the Greater Winnipeg area with a little bit of co-operation instead of Metro. But then in 1968, my honourable friend this afternoon said that I wasn't sure, I was embarrassed during that debate in 1968 and that, Sir, is not true. Not a bit. That's exactly what the honourable friend said this afternoon that I was shakey, that I didn't know, that I was quite worried, that I was embarrassed, and that is not true, Sir. And to prove it, I'll say that I went exactly to the debate and explained my position quite clearly like I always do and what they call soul-searching, Mr. Speaker. -- (Interjection) -- No, you're buddy there, you're the same . . . -- (Interjection) -- Don't worry about me. -- (Interjection) -- Well, at least we don't have to listen to an ex-cabinet Minister, I'll tell you that. -- (Interjection) -- It's funny, Sir, that this is the party that offered me a Cabinet post a couple of years ago; you're damn right you did, and you know any one that I could have . . . And the head of your leader that you stabbed in the back, are you proud of that, eh? You're proud of that. I know, this is the way you work . . .

MR. SPEAKER: Order, please. It may be that I may have to require the maintenance staff to come back and work for overtime and I may get into trouble with the Honourable Minister of Labour in that instance to turn on the air-conditioning because the heat is getting a little high. I wouldn't want to go against trade union principles by going over there and turning them on myself even though I have the qualifications, but I should like to suggest that I'm going to have to do some controlling whether its refrigeration units or members if this Assembly is going to operate in an orderly fashion as most members desire. Therefore, I am once again going to ask all honourable members to conduct themselves as gentlemen. The Honourable Member for St. Boniface.

MR. DESJARDINS: Thank you, Sir. I've been a gentleman a little too long; I don't like to be ridiculed for that long a period. I was challenged to where was the fighting Member for St. Boniface; well, here he is and I'm going to fight back. I'm not going to be ridiculed by a

(MR. DESJARDINS cont'd) bunch of you-know-whats.

Now let me make my position quite clear in '68 when I supposed to be hiding behind certain people. Mr. Speaker, let me make it quite clear at this time that there is no stick-handling on my part at all. And although total amalgamation seems to be the answer, I will not accept any or all forms of total amalgamation; I will try to keep an open mind and have a good look at any bill or resolution that will come before us and I believe there is one on the Order Paper now. But as a member who represents a large portion of the City of St. Boniface, I feel that I have some added responsibility, and I will not accept any form of amalgamation that will destroy the little progress that we have made during these past two years.

"For instance, I would want some guarantee that amalgamation will in no way interfere with school matters, with education matters, that this will remain with the school board, the administration much as we have now." I said then, "but, St. Boniface City cannot, should not be allowed to disappear, Sir, it would be sad indeed. St. Boniface must not only remain a living symbol for the French people of St. Boniface but it must be the peak of the French-Canadian culture and bilingualism. St. Boniface must retain its mayor as representative that would look after the French element here in western Canada. I think we must study the report of the B & B Commission, receive the recommendation before we finalize any plans of amalgamation, but I believe that this can be done to the satisfaction of everyone, and I have some ideas on the subject, Sir, that I will be offering a little later," and so on. I made it quite clear what I wanted, Mr. Speaker, at the time.

When I was supposed to be hiding and afraid to express my opinion, this is what I was saying also in '68. First of all, I want to make it quite clear that I'm not talking about the ordinary, I was talking about the things that I wanted for St. Boniface, that I wasn't asking for any special favours, but I'm not talking about the ordinary municipal services such as zoning, raising and collection of taxes, transit system, water sanitation, control of mosquitoes, garbage, fire and police protection, and what have you. I don't say that some of these things shouldn't be looked into, but this sub-amendment doesn't cover this. St. Boniface would have to take a chance like the rest of the municipalities in regard to this. Certainly we don't intend to build a wall around St. Boniface" and so on, Sir.

Now I tell you about the — this was the amendment that I proposed at the time in '68, Sir. The first motion for total amalgamation by the now House Leader; the amendment from the Leader of the Opposition was accepting the motion but asking for a referendum; and mine was a sub-amendment. "Be It Further Resolved that in the process of amalgamation. . . "

MR. SPEAKER: Order, please.

MR. GREEN: Would the honourable member permit a question?

MR. DESJARDINS: Yes, I will.

MR. GREEN: Mr. Speaker, the honourable member says . . . total amalgamation. I wonder whether he would actually state the words of the motion to see what it was.

MR. DESJARDINS: I will try to find this after. What I was — certainly I might be wrong in this, but it was on some form of amalgamation, it was changing this government -- I'll try to find it after but it will take me a little while. But my point is anyway that one was for favouring some change in Metro certainly, and the other one was for a referendum, and my amendment was: "Be It Further Resolved that in the process of amalgamation, specific provision be made in keeping with the principles of Canadian unity for the protection of the historic, cultural and linguistic nature of St. Boniface."

And I might say, Sir, that I did not vote, I didn't duck the vote but I did not vote at the time. I say I did not duck the vote because I stood up and explained why I didn't vote. Mr. Speaker, you will notice that I abstained from voting. I would like the record nevertheless to indicate that I was present and my reason I think was stated in this House previously. I supported the amendment but I take the same attitude in supporting the motion, that this would have to be conditional, as expressed when we tried to bring in an amendment that was declared out of order. I should have said that my amendment was out of order, Sir. So I think it is quite clear what I did in '68 that I'm ready to do now. But I'm satisfied, and I'm very pleased to say that the safeguards that I asked for, that certainly weren't there in 1960 when I was afraid of total amalgamation, but what I asked for in '62 and '68 and what I have asked for now, that these conditions are there, that it's going to be better than I even hoped it would be.

There will be certain things that I would prefer, I would like to see the name of St. Boniface there — certainly I would — but St. Boniface will not disappear. There is nothing that

(MR. DESJARDINS cont'd) would prevent me from addressing the community of St. Boniface, Winnipeg instead of Winnipeg 6 as we do now, or St. Boniface 6. And I think that this is certainly for better unity when we work, when we change. There are so many things that happened in the last, well since '60 of course and in 1960, Sir, you couldn't even teach French - I'm not talking about French as a teaching language, I'm talking about as a subject - until Grade 4. This was in 1960, so was I right, was I right in being afraid of total amalgamation? This is not total amalgamation, by the way. St. Boniface is not going to disappear; there is no danger to the culture, to the language, to the history of the people of St. Boniface or anywhere else in Manitoba.

My honourable friend from Riel, I think, wanted to make some political gain on this, in trying to come in after I spoke and misrepresent a few things and say that I didn't care about these things any more, that I had changed my mind. That, Sir, I resent very much because this is not the case. I think that it is fine to attack anybody in debate, I don't mind that and I can dish it out as much as anybody else, but I don't like this idea of trying to misrepresent or try to just tell half the truth. This, I don't like at all, Sir. I might say that I again, as I have done for 13 years, maybe I've done a lot of soul-searching and I'm not ashamed of that, but at least I'm standing here in front of you and telling the people, not only of St. Boniface but of Manitoba, in this House, what I'm going to do in this Bill, why I'm going to do it and I don't intend to stick-handle at all, Sir.

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

MR. JACOB M. FROESE (Rhineland): Mr. Speaker, I beg to move, seconded by the Honourable Member for Portage la Prairie, that the debate be adjourned.

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

MR. SPEAKER: The Honourable the House Leader.

MR. GREEN: Mr. Speaker, I think it's fair to advise my honourable friend that we would vote against an adjournment of this debate tomorrow, so that he should prepare himself for that. Call Bill No. 37.

MR. SPEAKER: I'm sorry, I didn't hear the number.

MR. GREEN: No. 37 on the first page of the Order Paper.

MR. SPEAKER: Thank you. The proposed motion of the Honourable Minister of Municipal Affairs. The Honourable Member for Rhineland.

MR. FROESE: Mr. Speaker, I ask the indulgence of the House to have this matter stand, unless someone else wishes to speak.

MR. SPEAKER: The Honourable Member for Lakeside.

MR. ENNS: Thank you, Mr. Speaker. I thank the Honourable Member for Rhineland for permitting me to speak. Mr. Speaker, it's a unique situation that I find myself in in this particular instance because I regard this particular bill, and the particular section that has already been made aware of to the members opposite, that is that section that we take objection to, namely with the assembly of groups of people and the kind of notice given, as a bill that is specifically directed at myself as the Member of Lakeside, and I find that, you know, perhaps in one instance flattering, and in the other instance bad legislation.

Mr. Speaker, the Honourable Minister of Labour has on many occasions leaned over his desk and said "we will get rid of you" - and he was pointing to me as the Member of Lakeside. He knows full well that I may have few talents as a politician, but one of my talents is occasionally inviting a reasonable gathering of people at the ranch and having a picnic - and I'm, in fact, Mr. Speaker, intending to have that kind of picnic this Sunday coming to which all and sundry are invited, and I can't tell for sure whether it will be the prescribed number of people that fall within the Act or the regulations of this Act or not; and I would not like to think, Mr. Speaker, that the kind of regulation that we are facing is aimed at this kind of a thing or this kind of occasion from not happening.

So, Mr. Speaker, in a jesting way, or in a lighter way, let me only permit to say the kind of red tape that we can ball ourselves up with by passing what in many instances appears, or has many good reasons for good legislation, that is providing for reasonable municipal control of gatherings, public gatherings that may, in fact, disturb the peace generally - and my picnic may disturb the peace, I don't know - but that . . . the point of question and, of course, that calls for a definition of what disturbs the peace. But more important perhaps is what taxes beyond reasonable limits the facilities of any given municipality or jurisdiction or organization to cope with properly in acceptable standards of policing and public health and

(MR. ENNS cont'd) so forth - large public gatherings - I'm sure that this was the intent of the bill and of this particular section of this bill, and with that I really can't, you know, make a Supreme Court Case against.

But I do suggest to you, Mr. Speaker, that I stand every possibility of flouting this law that we are about to pass in this House, and for that reason alone I will be appealing to the Member from Rhineland to filibuster this bill until next Sunday so that Harry and Helen Enns can enjoy a picnic at the HH Ranch to which all Manitobans are invited, and that we can have our barbecued hamburgers and weiners and pony rides and hayrides and fun and sun at the HH Ranch without breaking a law, without breaking a law. So really, Mr. Speaker, while I normally would be making a speech to the members of the government, I make this speech specifically to the Member for Rhineland, and would ask you, Sir, as the Honourable Member for Rhineland, to filibuster this bill just long enough so that we can have our little picnic at the HH Ranch before we begin to flout the law. Thank you, Mr. Speaker.

MR. SPEAKER: I would take it that the honourable's last remarks were in jest, as he well knows our procedure would not allow for a filibuster. The Honourable Member for Fort Garry.

MR. SHERMAN: Mr. Speaker, the foregoing remarks by my colleague the Member for Lakeside remind me of the biblical parable of the Talents and of the comparison between the man who took many talents and hid them under a bushel or in the ground or somewhere - he hid them in the ground. My honourable friend, the man of the cloth from Point Douglas, reminds me that it was a matter of hiding them in the ground, not under a bushel, Sir, but in any event, he did hide them. He did hide them, whereas another who was given two talents, or came into the possession of two talents put them to work, made them develop something in terms of wealth for himself and his family and his community and was praised, was praised by his master for that kind of efficiency and that kind of application and energy, which is a good lesson I think in private enterprise and in capitalistic democracy - enlightened capitalistic democracy.

Well, tonight, Mr. Speaker, we hear from a man, my honourable friend the Member from Lakeside, who has taken by his own admission one talent - he says he has only one talent - and he has built that talent into one of the biggest happenings in the Province of Manitoba. And I side with him when he pleads, Sir, for some special consideration, not only for himself but for all those who have taken a meagre talent bestowed upon them by their Maker and turned them into the kind of opportunity and cultural and social happening for the people of this Province that the Honourable Member for Lakeside has done with his Happy Hour out there in Woodlands.

But having said that, Mr. Speaker, let me get to the Bill. I think there are many things about Bill 37, Sir, that have merit. There are many aspects and parts of it which, to which, I can subscribe. I can't go into specific clausal details obviously but there are aspects of it to which I subscribe, but there is an overriding or an underlying theme to it, Sir, that disturbs me very much. I suggest that it has dangerous implications in the implicit regimentation that it seems to impose on the rights of individuals, privately, individually or collectively, to stage social, political, athletic, cultural, other functions of a community nature, of a sort of wide and public nature, and in the limitations which it imposes upon their freedom to exercise that option.

It seems to me that some argument has been made that the explicit intention of this bill is to outlaw rock festivals, and I don't know whether that's true or not, Mr. Speaker, but even if it is it's beside the point. Whether that's the explicit intention of the legislation is really irrelevant. The implication is that people who wish to stage major social gatherings of the rock festival type, or of the type practised by my honourable friend from Lakeside with his ranchland barbeque, are now going to be subjected to a bureaucratic decision, are now going to be subjected to the necessity of obtaining a kind of bureaucratic approval, and I think, Mr. Speaker, that the fine hand of some of the social reactionaries on the treasury benches can be seen behind this legislation.

I think that the fine hand of social reactionaries like the Honourable the Attorney-General and the Honourable Minister Without Portfolio, perhaps even the Minister of Highways, whom I would classify as one of the social reactionaries in the administration, is behind this legislation. I don't think that the Minister of Municipal Affairs or the Minister of Consumer and Corporate Affairs or the Minister of Tourism and Recreation would have anything to do with this kind of legislation. I'm sure that their attitude is one that embraces a much broader concept of freedom of choice, of social operation for the individual, but they have obviously been

(MR. SHERMAN cont'd) outweighed and out-voted by the social reactionaries who believe that people should be told and directed and channelled and dictated to in terms of their social lives as well as in terms of their economic lives.

And it's not even the implied threat to rock festivals that bothers me, Mr. Speaker, because rock fans will make out all right, they always do, notwithstanding any and all government efforts to control them and desegregate them as undesirables. But, Sir, I think that it's not an exaggeration to say that there is in this legislation a threat to the freedom of the individual to exercise his social options according to his conscience and his desires, consistent, of course, with a responsibility to others, and it's this threat to freedom - and I don't think it's an exaggeration to call it that, Sir - that really disturbs me. It's this threat to my right or the right of the Member from Lakeside or any member in this Assembly, or more important, of any member of the public community of Manitoba being represented in this Assembly, to stage social gatherings of one kind and another of their choice within the broadest framework of freedom, consistent with responsibility to their fellow Manitoba citizens. It's that threat that bothers me. It is the implicit message of the bill that says you can't have a rock festival or a barbeque or a sports gathering or a massive picnic or any kind of an outing or social function involving several hundreds of people or involving perhaps a thousand people without getting permission and sanction from the bureaucracy, and I suggest that that is a critical invasion, Sir, of the rights of Manitobans. And this really is the issue, the issue of free assembly.

There may be many things about rock festivals which this government fears. Personally, I don't find rock festivals or the people who patronize them all that bad, but if there are those here who feel that rock festivals and the people who patronize them are unsavory and unfortunate for a community, then I say that's too bad, that's part of the price that we pay for freedom of assembly, that's part of the price that we should be prepared to offer up in order to have the right to assemble socially as we choose and please, and this bill, Sir, restricts that right. It would restrict the right and the freedom of the individual where assembly is concerned, and it's another thinly disguised step, perhaps not so thinly disguised, another step in the direction of the state control of the individual. It is a further mile - (Interjection) -- yes, I would permit a question, not only from the Honourable Member for St. George, who was asking formally, but even from my good friend the Attorney General, who seems to be anxious to ask me a question but hasn't asked formally.

MR. SPEAKER: The Honourable Member for St. George.

MR. WILLIAM URUSKI (St. George): In the member's remarks, you indicated -- are you prepared to disallow the council members of various jurisdictions the right to decide whether or not a type of gathering such as this be allowed in their areas?

MR. SPEAKER: The Honourable Member for Fort Garry.

MR. SHERMAN: Mr. Speaker, I would only say to my Honourable Member from St. George that that's passing the buck, to say that the council members of the individual municipalities are going to have to shoulder this responsibility. I say that's passing the buck and it's a bureaucratic buck. What it does is it relegates the right of people to hold, to assembly, to the pigeon-holes of NDP bureaucracy. That's what it does, it relegates it to a pigeon-hole, because my friend from St. George knows as well as you know, Sir, and as well as anybody in this Assembly knows, that the machinery and the mechanics that have been set up mean that appeals or applications for this kind of assembly will die the death of attrition. They will go through step after step and avenue after avenue and channel after channel of bureaucracy. What this government is saying is that it refuses to take the responsibility to say to the young people of this province, "you can't hold rock festivals; we want the municipal authorities to be our joe boys and have to take that responsibility and say to the young people 'no rock festivals'." That's exactly what it means.

Mr. Speaker, it's a further mile down the road, Sir, to centralization. -- (Interjection) -- Yes, it is a further mile down the road to centralization of the lives of individuals, to control over the lives of individuals, to saying that people have to, in every aspect of their lives, first clear it with some kind of level of government, some kind of bureaucracy, whether it be municipal or whether it be provincial, instead of having the right to operate freely and, as I've said, consistent with a responsibility to society, and not having to go through channels of appeal for permission unless and until certain laws are being infringed upon.

The Attorney-General is now anxious in his usual suave, shrewd, and sometimes, sometimes devious way, Mr. Speaker, of getting into this debate, so I'll yield the floor for a question.

MR. SPEAKER: The Honourable the Attorney-General.

HON. A.H. MACKLING, Q.C. (Attorney-General) (St. James): I wonder if the very honourable and esteemed Member from Fort Garry would mind answering this question.

MR. SHERMAN: Not at all.

MR. MACKLING: Very good. I am wondering if the honourable gentleman would take away from individual municipalities and cities the right to set reasonable standards for safety, health and good order within their own municipalities or cities.

MR. SPEAKER: The Honourable Member for Fort Garry.

MR. SHERMAN: Mr. Speaker, in his usual erudite fashion, the Attorney-General rocks the Assembly with a thunderbolt. The Attorney-General knows better than I, Sir -- the Attorney-General knows far better than I, Sir, he's an officer of the judicial system of this province, far better than I that there already are all the necessary mechanics, administratively and legalistically, necessary to make sure that sanitation and traffic control and other aspects of assembly are supervised and controlled properly. And he knows that's a fact, Mr. Speaker.

MR. SPEAKER: The Honourable the Attorney-General.

MR. MACKLING: Since, Mr. Speaker, I would, as esteemed as I am and as shrewd and as suave as I am, I would like to be enlightened as to the specific piece of the statute whereby the municipality or city can turn for provisions in respect to licencing to cover sanitation and safety and the other factors coincident with the gatherings that you're talking about. Would you point the reference to me in the law, please?

MR. SHERMAN: Mr. Speaker, the Attorney-General knows full well that I cannot discuss this legislation in clause by clause terms at this stage. He knows that full well. It's one of his typical, legalistic manoeuvres to smokescreen the issue and confuse the debate. He knows full well, Mr. Speaker, that until we get into the committee stage I cannot debate with him on the clause by clause provisions of this legislation.

But I'm saying to him that the principle of the bill, the principle of the bill--(Interjection) -- may I just finish this thought and then I'll yield the floor to a question. The principle of the bill implies control over the right of assembly, over freedom of assembly for individuals. That is what is at stake here and it's unnecessary because already in the common law and the statutes of the province there is sufficient provisions of the protective nature which the Attorney-General has referred to.

MR. SPEAKER: The Honourable the Attorney-General.

MR. MACKLING: Mr. Speaker, I implore the honourable member to back up, to back up the assertion that he has made. He imputes to me a knowledge of certain provisions of the statute law whereby the municipality can turn in respect -- (Interjection) -- all I'm asking is the question . . .

MR. SPEAKER: Order, please. The Honourable the Attorney-General did ask the question but he also continued to start to debate it. The Honourable the Attorney-General.

MR. MACKLING: Would the honourable member therefore indicate the law which he says that I know about that can be used by the municipalities.

MR. SPEAKER: The Honourable Member for Fort Garry.

MR. SHERMAN: Mr. Speaker, there is no one law that I can point to, there is no one law. There are municipal regulations and requirements, and the Attorney-General knows it full well, that protect the public on the levels of traffic control, sanitation, etc., in respect to public gatherings of the type being the type involved in this piece of legislation. I cannot cite one specific statute that says this is the way that everybody, whether it be in Charleswood or St. James-Assiniboia or in Morris or in the north, should conduct themselves when holding a public gathering, this is the kind of traffic control and sanitation control that they should apply. The Attorney-General knows that there's no specific answer to a question of that type, but the regulations, zoning and otherwise, that apply in municipalities generally, take care of the provisions that he feels, and the government obviously feels, are so necessary where public gatherings are concerned.

What they do not take care of, what they do not control - and this is the rub and this is the reason for the legislation in my view, Mr. Speaker - is the right of individuals to hold those gatherings when, where, as and how they choose and please to do so. This is what the regulations do not do. The regulations do not say that my honourable friend the Member for St. George and I, if we wish to hold a political clambake, have to go through channels of political approval and seek different levels of political approbation in order to hold that clambake.

(MR. SHERMAN cont'd) And this is what the government wants to do, to make it necessary for people to have to go through that bureaucratic avenue of approach and appeal before they have the right to do what up to now has always been their inalienable right to do, Sir.

The Minister without Portfolio has attempted to rationalize the position, I know, when he spent some time talking to young people who came to him and raised objections on the grounds that they felt the legislation was specifically directed against them and against rock festivals. He said that all these things that were implicit in the bill really were mechanical, legalistic details and really didn't imply or contain any threat to the individuals rights to hold rock festivals or other such gatherings and that young people interested in those gatherings would find out that really all they had to do was make a normal application through normal municipal channels and they would receive the approval in due course that they required.

Well, the young people that he talked to, at least some of them, Sir, have talked to some of us - and I'm sorry he's not in the Chamber at the moment because I would like to advise him that the young people that he talked to, at least some of them, feel that he gave them a snow job, feel that he was rationalizing and feel that he was really smoke-screening the issue and the question. They say that they know that when they go before governmental and bureaucratic bodies of this type with applications of the kind we're discussing here, and most of us have had this experience, they will be shunted and shifted from desk to desk and channel to channel and office to office and eleven months later, certainly the application may find its way onto the desk where approval is granted, but by that time the whole idea, the whole concept of the gathering in the first place has died the death of attrition to which I referred a few moments ago. And that's what I mean, Mr. Speaker, when I say that what this legislation does is it relegates freedom of assembly to the pigeon-holes of New Democratic Party bureaucracy and we oppose the bill on those grounds.

MR. SPEAKER: The Attorney-General.

MR. MACKLING: Mr. Speaker, I didn't intend to engage in this debate and I know my colleague the Minister of Municipal Affairs will enjoy closing the debate and rebutting the areas which I choose to leave for him in respect to the areas of this bill that have been attacked so vehemently by the Honourable Member for Fort Garry.

But you know, we have a repetition, Mr. Speaker, of the veiled jackboots again from the Honourable Member from Fort Garry. He has such a suspicious mind that one begins to question the basis for his thinking. Really, in every piece of legislation he seems to see some threat as to the security of freedom in the Province of Manitoba. But what he fails to recognize, Mr. Speaker, that in his virulent attack against the section of Bill 37, he repudiates the integrity of every municipal council in the Province of Manitoba, because it wasn't one single ultra-conservative, small "c" or large "C", council that desired to have some technique to provide for a modicum of sanitation and safety at very large gatherings, but this was an articulated need by many municipal bodies. And it's not their intention to frustrate and ignore legitimate needs of people who want to assemble in large numbers for whatever purpose, but what they are concerned about, what they are concerned about, Mr. Speaker, is that when large numbers of people are brought together for commercial purposes or for purposes of evangelistic fervor or for whatever reason, that there be at least simple standards of sanitation - you know, facilities so that people who need sanitary facilities will have them there, that there will be safety measures, that there will be reasonable standards of police protection and security for the people who go there, reasonable arrangements for the handling of the inordinate number of cars that congregate at these large gatherings that have been held. And these are simple, reasonable requests.

The honourable member, Mr. Speaker, sees in this some horrendous attack upon civil liberty. My God, he repudiates the good conscience and the integrity of every municipal councillor and alderman in the Province of Manitoba, and I think that's a shame, I think that's a shame, Mr. Speaker.

Mr. Speaker, a provision of the bill indicates that after all a council has to have a reasonable discretion in how standards are going to be set for these facilities and it's our intention - I believe that the wording may be overly strong in this section saying that notwithstanding all else that the city council may not grant a permit - but I think that that section can be altered to indicate that there has to be reasonable standards met, but if they are met then the permit will be granted. There's no intention to take away the fundamental right of the freedom of assembly, but that's what the honourable member sees in this piece of legislation and he attacks the integrity and the goodwill of the municipalities from one end of the province to the other.

(MR. MACKLING Cont'd.)

I think, Mr. Speaker, that for those reasons I was constrained to restore the faith that we have in delegated local government in the democratic tradition.

MR. SPEAKER: Are you ready for the question? The Honourable Leader of the Opposition.

MR. SPIVAK: Mr. Speaker, I believe the matter now stands in the name of the Honourable Member from Rhineland, but I would like the opportunity of speaking at this time.

I really rise - I rise because of the remarks of the Attorney-General, because he has indicated that what is required is an opportunity for some control of assembly in the province in which someone can exercise a discretion so that the legitimate needs will be met.

Now, Mr. Speaker, when we talk of freedom of assembly we talk of the right of assembly without anyone questioning or exercising a discretion as to what needs are legitimate, because who is to make that decision. If, in fact, we are serious about civil liberties in this country and civil liberties in a democratic society, we stand up, I believe, and support the right of people to assemble, but assemble in a way in which they will comply with rules and regulations set down that are not discriminatory but apply to all.

Now, Mr. Speaker, the law, the ability to control those situations are now in the hands of the present government under the present legislation. If in fact it has not been acted on it could be acted on, and it ill behoves a government, who in fact have already in the past acted without the legal right to act, as the Minister of Transportation did with respect to the Highway Traffic Act, to the payment on the licence fees for the insurance premiums - that Act hasn't even passed this House yet he has actually taken money from the people of this province without that legislation being passed - and it ill behoves a government who at this point is not prepared to live up to the obligation of the law in holding the hearings that they were obligated to hear under the Local Government Boundaries Commission Act, to stand up and now say that they have no power.

Mr. Speaker, let's look at the Public Health Act. And I can tell you that if we examine the regulations and the power that's given the Lieutenant-Governor-in-Council, everything that is asked for in this Act which has been shifted to the municipalities could be enacted by Legislative Council and a provincial regulation, who can set the rules and standards under which assembly can take place. Mr. Speaker, that is what should happen. Mr. Speaker, may I suggest to you that if that happens, the requirement of a licence is not necessary. Why should there be a requirement of a licence? Why should there be a requirement of in fact a discretion being exercised by anyone on the right of assembly on private property? If, in fact, there is food to be served, if in fact sanitation is to be provided, if in fact parking is to be provided, set the rules and regulations and they abide by them, because if they do not, prosecutions will take place as they take place now if someone offers for sale food that does not comply or is not prepared according to the present health regulations applying to a single commercial enterprise.

Mr. Speaker, the truth of the matter is that the government rushed headlong into this particular situation without realizing the consequences of what it has done, without in effect searching its own conscience with respect to civil liberties. I was very happy, Mr. Speaker, to know that the Minister Without Portfolio when in fact he met with the group that made their protest indicated that there would be changes. I'm not so happy with the Attorney-General's recommendation of what the changes are going to be, and frankly I have been waiting for the members on the opposite side to stand up and to admit, because this is what is going to be necessary -- and it's going to be very hard for the members on the opposite side to once admit that they may have made an error, but they're going to have to do this -- to admit that they rushed headlong into this, as another provincial government did, in an attempt to control the situation which has caused objections to certain segments in other areas in this country and to admit that they've made an error and that in effect the present legislation that now exists can adequately take care of the situation and it is not necessary to require an assembly to be controlled in the way that they've suggested within this Act.

Mr. Speaker, I look forward to the presentation in Law Amendments, for the presentation in Law Amendments of the amendments by the government that will in effect recognize that the regulations can now be made under the Public Health Act. If the Attorney-General wants me to read the sections, I'm prepared to read them, because they're all there, Mr. Speaker, and I refer them to his consideration and I ask him on the basis of that why it's necessary for this specific section. -- (Interjection) -- There is no necessity of setting up departments.

(MR. SPIVAK cont'd.) What there is a necessity of setting up is to set the regulations and then what we have is the Enforcement Branch to see whether those regulations are carried out or not. Mr. Speaker, that is all that's required; there's no licensing required; there's no permit required; and there is no reason why someone has to be given that discretion to determine what the legitimate needs of people who are assembling in Manitoba are. Why should we restrict their freedom? On what basis? And, Mr. Speaker, Mr. Speaker, if in fact the government is prepared to bring in the amendment which will correct this bill, then we are going to be prepared to support it. If not, then, Mr. Speaker, we are going to oppose this bill and in turn we are going to bring in an amendment at the time that the bill is in Law Amendments to ensure that the protection takes place; because, Mr. Speaker, there's far more involved in this particular Act than the issue of rock festivals.

Mr. Speaker, what we are talking about is in fact the freedom of assembly; and it can be a rock festival in one case; it can be a political gathering in another case; it can be a recreational meeting in another case; it can be a religious meeting in another case; and why should there be any discretion exercised by any municipality as to whether the people have the right on private property to assemble. Certainly there is a right, there's a right to know, there's a right for people to understand and to know that there are regulations that they must comply with, and those regulations should be known; but having said this where is it written in our basic system, where is it written in the principle of civil liberty that we have fought so hard for over the years that this kind of restriction and discretion should be given.

Mr. Speaker, I believe that the members on the opposite side have in fact made an error in this particular bill in the way it's drafted, and what I would hope is that they would come forward with the amendment which would alter this and allow this to at least be defined in a way that we will not be making bad law and making bad pronouncements to suit a particular situation that may have aggravated some segments in our society.

MR. SPEAKER: The Honourable the Attorney-General.

MR. MACKLING: I wonder if the honourable member would now submit to a question, Mr. Speaker? I take it that you are opposed to a delegation of authority in respect to provisions for any licensing of provisions to local government; you want the provincial government to provide all these facilities and functions?

MR. SPEAKER: The Honourable Leader of the Opposition.

MR. SPIVAK: . . . the Attorney-General, I do not believe that a discretion has to be exercised on a right of freedom of assembly on private property. I do not believe in that. I believe it is a necessity of regulations being promulgated and known on which people must realize if such an assembly is to take place that they must comply, but I do not believe that a license is required, or a permit should be asked for, for a discretion to be exercised by government.

MR. SPEAKER: The Honourable Attorney-General.

MR. MACKLING: Would the honourable member answer my question as to whether or not he believes in the delegation to local government of a reasonable authority to license provisions and facilities within their territory?

MR. SPEAKER: The Honourable Leader of the Opposition.

MR. SPIVAK: Mr. Speaker, I will repeat for the benefit of the Attorney-General. I do not believe that a license should be given for assembly on private property. I do not believe that someone should have to ask for a permit. I do not believe that government should control that. I think there should be freedom of assembly; but I believe that government has a right to promulgate those regulations which people would have to comply with, and all I suggest is that that power now exists within the provincial statutes and particularly within the regulatory powers of the Public Health Act. I do not believe that a person has to get a permit and I do not believe that should be delegated. I believe that the rules, if you want to talk about the rules of the game, are capable of being promulgated under the present Act, and that's what should have been done.

MR. SPEAKER: The Minister Without Portfolio.

HON. RUSSELL DOERN (Minister without Portfolio) (Elmwood): Mr. Speaker, I wanted to make a few comments on this particular bill. I think that the intent of the legislation is to provide that minimum standards on large public assemblies be required and I think that when the Leader of the Opposition says that when it comes to a question of private property, therefore there's no necessity for having minimum or government standards, I think he's in error,

(MR. DOERN cont'd.) because many people who own private enterprises have to in fact meet various government regulations and have to meet certain minimum standards.

Mr. Speaker, when people are dealing with rock festivals and large assemblies of people of the nature of 10, 20 or 30,000 people or more I think it is absolutely essential that they meet basic requirements in terms of facilities for food provisions, for washrooms, that there be minimum parking requirements and that there be a minimum of medical protection as well as police protection, because there have been some very bad instances in North America of rock festivals that have led to near disasters, and I cite the example of Altamont, California, where a free festival was held -- it was held under the poorest possible conditions, there was inadequate parking, inadequate facilities and the people who sponsored the promotion, a rock band, used for police protection Hell's Angels, which to me was the height of folly or mark of insanity, and as a result of using these disreputable scoundrels and bums, there were numerous fights, numerous harrassments of people in the audience and there were a number of stabbings, and in fact there was ultimately one murder right in front of the bandstand because of absolutely no rational planning whatsoever. Those of us who are associated with the planning of the man pop festival, that includes my honourable friend the Member for Fort Garry, knows that we spent months preparing for that production, months of planning, numerous sub-committees and all sorts of safeguards. Mr. Speaker, for some of the opposition members to attack this government - I understand that my friend the Member for Fort Garry attacked by implication my record or the government's record in regard to youth - I think is absolutely absurd, because this is a government which among other things had the guts to be involved as no other government in North America, through the Centennial Corporation, in the sponsoring of a rock festival; in addition to that this is a government which has lowered the voting age, has lowered the drinking age and so on.

MR. SPEAKER: The Honourable Member for Fort Garry.

MR. SHERMAN: On a point of order, Mr. Speaker, I think the record should be corrected. I did not attack the record of the Minister Without Portfolio with respect to youth; I did not attack his record with respect to youth generally. I was talking about his conversations with people on Bill 37.

MR. SPEAKER: The Minister Without Portfolio.

MR. DOERN: Mr. Speaker, I think that there is a need to protect the public - because we've had, last year we had a half a dozen major rock festivals in this province - to protect the public by ensuring that certain minimum requirements are met. There have been some pretty bad instances I think of inadequate medical protection and in particular food and toilet facilities and so on. Some of my friends opposite of course have asked here and prior to this for the government to spell out regulations and I leave that to my colleague, the Minister of Municipal Affairs; but if anyone right now can off the top of their head indicate what sort of minimum requirements in terms of how many parking spaces per hundred people or how much food per hundred people or how many toilets per hundred people, then I think that they're very ingenious because I think that it would take - a group of people would have to study the question for a period of time before they could provide us with an answer.

Mr. Speaker, I think that I would conclude simply by saying that the intent of this legislation is certainly not to prevent any assemblies, it's not to prevent the established right of assembly of our people; it's to provide minimum standards and that is certainly a reasonable aim, it's a common aim and I think it's one that warrants the support of the members on all sides of this House.

MR. DEPUTY SPEAKER: The Leader of the Opposition.

MR. SPIVAK: Would the honourable member submit to a question? I wonder if the honourable member could inform me whether he's familiar with the following sections of the Public Health Act and the regulations, and I'd like to read them if I could to him: "The Lieutenant-Governor-in-Council may make such regulations and orders not inconsistent with any provision of . . .

MR. DEPUTY SPEAKER: Order, please. Order, please. The Speaker pointed out to us earlier that the questions must be relevant to the points raised in the debate and whether the member is familiar or not familiar with the particular sections being quoted, I would say is irrelevant to the debate as I heard it. The Leader of the Opposition.

MR. SPIVAK: Well, Mr. Speaker, on the point of order. My question is directly related to the remarks of the honourable member, and I would like -- (Interjection) -- Well, I haven't said . . .

MR. DEPUTY SPEAKER: Order, Order, please.

MR. SPIVAK: Mr. Speaker, . . .

MR. DEPUTY SPEAKER: Well, if the member's going to continue, then I would have to hear the House Leader to a point of order.

MR. SPIVAK: Mr. Speaker, I was speaking on a point of order. -- (Interjection) -- No, I wasn't -- I was speaking on a . . .

MR. DEPUTY SPEAKER: Order, Order, please. I question the relevancy of the member's question. The House Leader rose on a point of order and I had not heard the Leader of the Opposition speak to a point of order, so if he has a point of order, I will hear the House Leader to a point of order and then the Leader of the Opposition to the point of order. The House Leader.

MR. GREEN: The Honourable Leader of the Opposition was asking a question, and it's at that point that I rose, and I say that he should ask his question but in asking it, which I tried to repeat, "are you familiar with these rules" -- and then he started reading the regulations, which means that he is using his question to put the regulations on the record; and I merely say if he's asking a question, let him ask the Minister, if it is a valid question, whether he is familiar with the rules or whether he isn't, and that's it.

MR. DEPUTY SPEAKER: The Leader of the Opposition.

MR. SPIVAK: On a point of order, Mr. Speaker, before I ask the question. My purpose of reading the regulations, and I'm not intending to read all the regulations, Mr. Speaker, I was only going to read I think five that are related directly to the remarks that the Honourable Minister made, because, Mr. Speaker, if I have an opportunity of reading those regulations it will indicate to the Minister if he's not familiar -- and if he's not familiar then I would like him to indicate that he didn't know what he was talking about when he stood up and talked about the necessity of this Act. Now I want to be able to direct it to him and find out whether he knew about it or not.

MR. DEPUTY SPEAKER: Order, please. The part of the question which the Leader of the Opposition asks, "is the Minister familiar", is a legitimate question, but I would suggest what it is not legitimate for him to read into the record or raise at this particular time were the regulations because it wasn't entertained in the Minister Without Portfolio's speech. The Leader of the Opposition.

MR. SPIVAK: I'll frame my question in a way which will be consistent with what you've just said as your ruling. I wonder if the Minister Without Portfolio can indicate whether he's familiar with the regulatory powers under Section 34 of The Public Health Act which provide for regulation of sanitary conditions; which provide for regulation of disposal of refuse and waste material; and which provide for the inspection and approval and operation of premises open to the public where food is consumed on public and private property.

MR. DEPUTY SPEAKER: The Minister Without Portfolio.

MR. DOERN: Mr. Speaker, I think that those sections certainly cover parts of what would be regarded minimum protection, but I noted that that section in the Act does not include such things as parking, police protection, medical facilities, etc.

MR. DEPUTY SPEAKER: Will the member entertain another question? The Leader of the Opposition.

MR. SPIVAK: Is the Minister aware that there are other acts which would provide the same kind of regulatory powers that he suggested are not contained in some of the regulations that I brought forward?

MR. DEPUTY SPEAKER: The Minister Without Portfolio.

MR. DOERN: Well that may be true, Mr. Speaker, but I don't see that there would be any harm in having them collected in one specific Act.

MR. DEPUTY SPEAKER: The House Leader.

MR. GREEN: Mr. Speaker, the debate on this particular bill has certainly gone further and much beyond the proportions that I thought it would take, but I rather don't criticize that at all; as a matter of fact I'm happy that it has taken the proportions that it has taken, because I believe that the members of the Opposition, the Member for Fort Garry, the Leader of the Opposition, the Member for Lakeside, have made perfectly valid points. I want them to understand that the government understands in bringing this legislation forward that there are weaknesses to it; it's indicated when the legislation was presented by the Minister of Municipal Affairs that there would be changes in it, and I wish to assure them that I in any event feel that

(MR. GREEN cont'd.) the Member for Fort Garry, the Leader of the Opposition, the Member for Lakeside and everybody who has raised those fears with regard to the civil liberties of the subjects that are contained within the provisions of that bill have done a service to the House and that there is no sense in pooh-poohing them; that the points are validly made. I think that when the Minister for Municipal Affairs introduced the bill, he indicated that there are valid points that have been made and I would indicate that intentions, the best intentions of the government don't change the situation. Every single infringement of civil liberty that is made by any government at any time was done with the best of intentions, and therefore, it is not satisfactory, it is not satisfactory for us to say in trying to buttress what has been said by the Leader of the Opposition, that it's not satisfactory for we on this side to say that our intention is not to do such and such or such and such, our intention is to have this Act apply only to affect certain situations and to cure certain situations. The fact is that the intention and the inherent words of a bill that interfere with the liberty of the subject have to be consistent with one another. This is what the Leader of the Opposition has said, this is what the Member for Fort Garry - if I can possibly ignore his remarks that what's intended here is to centralize people into some NDP kind of Assembly - if I can ignore that particular reference, then he has demonstrated a genuine fear and all I want to do is to assure members of the Opposition who have expressed this fear that we are now conscious of it, that we became conscious of it as soon as the legislation was prepared and presented, that I thought that the Minister of Municipal Affairs had indicated our consciousness of it, and yet I don't for one moment criticize the members of the Opposition for hammering very strongly on this point. Because I believe that generally where civil liberties are concerned, the people who believe in it in the area of government certainly have a role to play, but it generally takes other people to safeguard the liberty of the individual against a government that is bringing in legislation.

So I have absolutely no objection to the points that were raised, I want to make it clear that I don't pooh-pooh them, that what is needed is definite indication that what is being safeguarded is the types of regulations that are considered to be consistent with regulations that are necessary with any Assembly and every private property, and my honourable friend the Leader of the Opposition will acknowledge that this is so. If you have an assembly on private property in the City of Winnipeg or any other place as long as there's a building there has to be regulations; and once those regulations are adhered to, the people have a perfect right to conduct that assembly. And if that is what the Honourable Leader of the Opposition is saying, and if that is what the Member for Fort Garry is saying and if we can somehow extricate the suggestion that this is being done for some type of NDP purpose, then I say that the speeches have been good ones, they have contributed largely to the process of the debate and I hope that they will contribute to a better piece of legislation, which the Minister of Municipal Affairs has already indicated he will be bringing in.

MR. SPEAKER: The question was adjourned by the Honourable Member for Rhineland who was absent at the time. Does he wish to proceed on the debate now? We are on Bill 37. The Honourable Member for Rhineland.

MR. FROESE: Well I will, Mr. Speaker, having had some time to peruse it and hearing the debate tonight. Naturally the bill contains a large number of amendments to the Municipal Act and since there are no explanations given on the various sections, it is a matter of checking them out. Hearing the Member for La Verendrye speak this afternoon and he certainly dealt with many of them; however, some of the important ones are the ones - especially the one that we have been debating here tonight and I too feel quite strongly on this very point, because I don't think we have reached the stage in Manitoba where legislation of this type is essential that we have to bring it in at this point. Certainly this means more regimentation and I find that this is creeping into many of our bills coming forward. The bill dealing with snowmobiles, and we have other bills where a certain amount of regimentation is creeping in and you continually have to refer to the authorities to get permits, licences and so on, and like the snowmobile Bill that only 16 years and older will be able to ride on them or drive them; certainly a lot of these are impositions that we haven't had to contend with heretofore and I feel that some of these are not necessary at this time.

I know that, and maybe I should mention it, if honourable members wanted to attend a Social Credit picnic at my home place and if there should be a large gathering I would be subject to all the conditions laid out in the Act, even though they were only to be there for an hour or so, yet you would still be required to comply with this Act, and on that basis I think they are

(MR. FROESE cont'd.) not essential, it is not necessary to bring in legislation of this type at this time.

Mr. Speaker, there are other amendments in the bill and I certainly will have further things to say when the bill comes to Law Amendments and I hope the bill will be referred to Law Amendments Committee because I don't think the Municipal Affairs Committee has any other bills referred to it. Am I correct Mr. . . . ?

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

MR. CRAIK: Mr. Speaker, I assume the Minister was going to close debate. I'd just like to say in summary that after the debate that has taken place and the discussion on it that it would be our position on it to vote against the bill in light of the fact that the changes are not evident in it at second reading. If some changes are . . .

MR. SPEAKER: Order, please. I am informed by the Clerk who keeps a record in Votes and Proceedings that the Honourable Member for Riel had spoken on Bill 37 on May 26th. That's what the records indicate. -- (Interjection) -- The honourable member also spoke. Are you ready for the question? The Honourable Minister of Municipal Affairs.

MR. PAWLEY: In closing debate on this bill, it's been rather interesting to again discern the usual type of pattern of debate that we have heard over the last several weeks from the Opposition. A pattern of debate which is intended and continues to be purely political, not based on an attempt in order to be factual or balanced in the type of constructive criticism that is being directed at government measures, and this has been the type of debate and criticism that we have heard this evening on this bill across the way.

Now if I could be particular and specific, if we would carry the logic of the honourable members across the way to its reasonable and ultimate course of action, we would find tremendous interference and removal of the rights of municipalities to deal with many of the important areas of municipal government at the present time. Let me give you some examples: Under the Municipal Act there are many provisions dealing with by-laws pertaining to health and safety and regulation thereto in respect to certain areas. This is a municipal responsibility. Although the Health Act may give to the province certain rights in respect to regulations respecting health, it is a recognized part that local people should have the opportunity in order to ascertain certain particular by-laws and provisions respecting their own local area, their own autonomy. For instance, it is no accident that two municipalities is given the right to, for instance, regulate and control the sale of firecrackers. It is no accident that two municipalities is given the right to close up restaurants or hotels if it is found as a result of local authorities or inspectors that the health conditions or the safety conditions in that hotel or that restaurant is of such a nature that is of a danger to the health or the safety of those within the municipality involved. And I don't know, I don't know whether or not when these provisions were added to the Municipal Act, the government of the day felt that they were dealing in an undemocratic and arbitrary manner, that they were acting as social reactionaries or that they were being accused by the Opposition of that day of pigeon-holing people. I doubt that very much. I would suspect that in those days there probably was a little bit of a more constructive voice on the part of the Opposition than there is at this particular time in this Legislature.

Let us proceed to the fire codes which are under the auspices of the local municipalities. The power and the control to close up buildings, to remove buildings, to destroy buildings - destroy buildings, if they are in fact contrary to certain fire hazards. Local authority has that control and I have never heard a member of the Opposition suggest that the province had some way or other abandoned its responsibility in permitting municipalities to have this measure of control and exercise. The Member for Sturgeon Creek over a month ago surprised me in debate by suggesting that the province was abandoning its responsibility in this bill - abandoning its responsibility. And on the other had, within a few days of that particular address, he went on to suggest that the province in fact was insofar as another bill before this Legislature, was attempting to grab more and more power onto itself to remove from local autonomy. It seems with the Opposition you just can't win. There's one story one day and an opposite story the next day. You just can't win with the Opposition that we have in this House, because as I suggested before their criticism is not of a balanced nature whatsoever.

As I had indicated some time back and the Minister without Portfolio has indicated, there is no intent here to centralize anything; there was an accusation of centralization. It's the very opposite. Two municipalities as a result of requests by certain municipalities that have been involved has been given the simple right to regulate in regard to standards pertaining to health

(MR. PAWLEY cont'd.) and safety and control by the police insofar as law and order are concerned in regard to rock festivals. That is what is involved in this bill; and if we have made an error insofar as the drafting of this bill is concerned we're quite prepared and eager to acknowledge this. To listen to the Leader of the Opposition he would think that we are some type of paranoid group over at this side of the House. I don't know, I think he must look in the mirror every morning and see a certain image and then feels that he can transfer that image over to this side of the House. Because we're not paranoids, we're not schizophrenics. — (Interjection) — When I'm finished. If we have made a mistake we are quite prepared to acknowledge it. And let me say to the Leader of the Opposition, if there is doubt as per and as we have said before, not only myself but my colleague the Minister without Portfolio has said repeatedly, if there is error here, if there is doubt as to the intent of this bill, then that intent will be clarified. — (Interjection) — that has been stated, if you had been listening or following the matters pertaining to this, you would have had plenty of opportunity to be aware of that.

I wonder, Mr. Speaker, if I could be permitted to continue without constant interruption from the Leader of the Opposition. At the amendment stage it is intended to remove any possibility that a municipality could — could exercise a discretion which is arbitrary in this bill, that once matters pertaining to proper safety, health standard, etc., had been met as per regulations, reasonable standards, then the municipality will have to grant the licence, and the legislation that will be presented in committee stage will remove any ambiguity, any doubt as to that being the intention. So to those honourable members that are really concerned about this area — and I know some of them are — let them rest assured that any doubt on this score will be removed in committee stage, and to continue that type of argument is just simply repetitious and is not worthwhile at this point.

Another interesting thing that has been ignored by members opposite is the fact the bill indicates very clearly that whether or not any of this legislation, any of this legislation, is passed at any level depends upon the municipality not on the province. A municipality may or may not pass by-laws in this respect. So that if a municipality such as Ste. Anne, such as Ste. Anne, indicates that they wish to pass such a by-law as this, and they have indicated support for this bill by way of correspondence, in fact they have urged us to proceed on this because of their own particular problem, they will have the right to do so, to set reasonable standards. But if the municipality of Rhineland decides that they are not going to pass this type of by-law then that is also their right, the right of the local people to make these decisions as to safety and conduct, etc.

Let me refer the honourable members to an article which was in today's Free Press about a particular situation that occurred just north of the City of Toronto two days ago. I would just like to read bits and pieces from this article and I would refer members to that article so that they themselves can read it in more detail. But here are some of the things that occurred because there was no regulation, no effort to provide some measure of responsibility, impose some responsibility on those holding the event itself. The article states "Gate crashing proved to be a major problem. Unity was evident at the festival and sunburn was one of the major problems faced when emergency hospital unit had to be set up on the grounds." The article went on to state, "Doctors also treated everything from fractures to bad drug trips to venereal disease. Mr. Hill, — this is on the property involved — "Mr. Hill's barn burned down, \$1,000 worth of saddles were destroyed." So obviously there wasn't even proper fire precautions. "Besides that our water lines had been slashed three times an official said; now do you think kids would cut their own water lines or burn somebody's barn." This is the type of difficulty that you can encounter unless you have some reasonable criteria, some standard that is being applied, but not to take away anybody's liberties, anybody's freedom, that isn't the intention; but to propose responsibility along with the holding of events.

The Honourable Member for Pembina I think raised a valid point this afternoon about the three-week provision and certainly we're going to look at that closely to see if there should be some alteration in regard to that three-week mandatory provision, because I think that there was a legitimate criticism that should be examined closely by us and it may be necessary to amend in Committee on that point.

Two more points I would like to clear up in regard to the bill before us: Ward boundary divisions insofar as municipalities are concerned. As I indicated on the introduction of this bill, amendments will be introduced at committee stage which will permit municipalities that so desire to defer the implementation of ward boundary changes based on the 25 percent

(MR. PAWLEY cont'd.) quotient until next year. Those that wish to proceed may continue to do so on the basis of the present provisions. During now and the end of next year the municipal organizations and myself will meet in order to discuss the possibility of obtaining a more reasonable alternative that might be more acceptable to both sides insofar as ward boundaries are concerned, so there will be amendments in this respect at the committee stage.

The Honourable Member for La Verendrye posed a question with regard to \$100 tender, the tendering or the expenditure of up to \$100 by council with one of its members. I want to make it clear to him that the members of council may do business with one of their own members up to the sum of \$100 and/or can tender out the contract, and if the lowest bid is that of a member of council, they can so award that contract to that member of council. That is the intention, and if there is any uncertainty as to the wording of that, then we'll have to re-check that word but that is the intention.

So I want to simply state in closing that the arguments posed by the Opposition are inconsistent, they are emotional and they are hyper-political and without any real substance whatsoever. Well certainly, every opinion we give in this house is, Mr. Speaker, simply our own opinion and we are all quite fallible individuals, we all recognize that and I make mistakes from time to time. I don't know whether the members of the Opposition are prepared to admit that they make mistakes, they don't seem to ever acknowledge that. They seem to profess infallibility - infallibility, and this is the first time that I've ever come across people that profess such traits, Mr. Speaker.

MR. SPEAKER: Are you ready for the question? The Honourable Leader of the Opposition.

MR. SPIVAK: I wonder if the honourable member would submit to a question or two. I wonder if the honourable member would indicate what influence the proposed rock festival at St. Malo had on this legislation being brought forth.

MR. PAWLEY: I couldn't indicate to you what specific influence the St. Malo Rock Festival had on this legislation. I would say to you however this, that there has been a great deal of requests by municipal people and other local people in the rural areas surrounding Winnipeg that they have some opportunity to provide some reasonable standard of regulation in regard to the holding of large events of a thousand or over, and certainly this is not a bill that was generated on the part of the government without recognizing that there were problems, problems brought to our attention by local people, and being a government that attempts to respond to these type of requests, this is simply what we have attempted to do here.

MR. SPIVAK: I wonder if the Minister of Municipal Affairs could indicate whether or not the promoters of the Rock Festival in St. Malo have requested for the past few months to obtain information of what the government's intention and regulations would be with respect to the proposed rock festival in August.

MR. PAWLEY: I couldn't specifically answer that except to say to the Leader of the Opposition that insofar as I am concerned myself, I'm not aware of any requests. I was rather surprised that when there was apparently some lobbying that had been going on earlier, that lobbying had taken place with practically every member of the House except for myself the Minister that was involved in this bill, and no enquiries have been made from me personally, to my knowledge, in respect to information.

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

MR. GREEN: Yeas and Nays, Mr. Speaker.

MR. SPEAKER: Call in the members.

MR. SPEAKER: Order, please. The question before the House is Bill 37.

A STANDING VOTE was taken, the result being as follows:

YEAS: Messrs. Adam, Allard, Barkman, Barrow, Borowski, Boyce, Burtniak, Desjardins, Doern, Evans, Gonick, Gottfried, Green, Hanuschak, Jenkins, Johannson, Johnston (Portage la Prairie), McBryde, Malinowski, Miller, Paulley, Pawley, Petursson, Schreyer, Shafransky, Toupin, Turnbull, Uskiw, Uruski and Walding.

NAYS: Messrs. Bilton, Craik, Einarson, Enns, Froese, Girard, Graham, Johnston (Sturgeon Creek), Jorgenson, McGill, McKellar, McKenzie, Moug, Sherman, Spivak, Weir and Mrs. Trueman.

MR. CLERK: Yeas, 30; Nays, 17.

MR. SPEAKER: In my opinion the "Yeas" have it and I declare the motion carried. The Honourable the House Leader.

MR. GREEN: Call Bill No. 40, Mr. Speaker.

MR. SPEAKER: On the proposed motion of the Honourable Minister of Industry and Commerce, The Honourable Minister.

MR. MACKLING: Mr. Speaker, I wanted to indicate that on the last vote I was paired with the Honourable Member from Assiniboia. Had I voted, I would have voted in favour.

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

HON. LEONARD S. EVANS (Minister of Industry and Commerce) (Brandon East) presented Bill No. 40, The Statistics Act, for second reading.

MR. SPEAKER presented the motion.

MR. EVANS: Mr. Speaker, although I could wax eloquent on this particular subject for many an hour, I'll talk very briefly. I have been given strict orders by people who believe in brevity on our side of the House.

In introducing this bill for second reading, I have particular pleasure, both as a former official of the Dominion Bureau of Statistics and also as a former teacher of economics, who has had to use a lot of statistics in my professional career, and I have an appreciation of this particular legislation from a professional point of view.

Essentially, the bill now before us is merely permissive legislation which takes cognizance of the new federal legislation governing the Dominion Bureau of Statistics that became effective on the 1st of May just past. In line with this Statistics Canada legislation, our bill creates a responsible statistics authority in Manitoba and thereby fulfills a necessary federal prerequisite for the gaining of access to the extensive data resources of the Dominion Bureau of Statistics in Ottawa.

Under Section 10 of the Federal Statistics Canada legislation, the Dominion Bureau of Statistics in Ottawa, from May 1st, 1971 onward may enter into agreements for the sharing of such information only with a responsible authority of the kind that we have created in this bill.

The existence of the Manitoba Bureau of Statistics will enable us to do three things, Mr. Speaker, very broadly speaking.

No. 1. It will enable us to sort out some confusion that has existed in the past with regard to data availability, both within and without the Manitoba Government service. I think it will end unnecessary duplication and indeed even triplication of certain data processes, and in effect therefore I'm suggesting, Mr. Speaker, this legislation will allow for more efficiency with respect to statistical gathering and statistical compilation.

No. 2 The second benefit that we anticipate from the existence of the Manitoba Bureau of Statistics, and I think this is the crux of the matter, is the availability of more data for all of Manitobans at every level, both in the public sector and in the private sector, more than ever before. And let me give you just one example. I think this is quite important. On June 1st, as everybody now realizes, there was a census conducted in Canada, and in due course the information flowing into Ottawa from Manitoba as a result of the census day activities of the Dominion Bureau of Statistics will find its way onto various computer tapes stored at DBS. Under this particular Act, Mr. Speaker, and only under such an Act, shall we in the Province of Manitoba have access to this particular census information. Without this Act we will not have access to the detailed census information, and therefore I suggest that we will obviously be obtaining valuable information in great detail, in fact in ultimate detail. Mr. Speaker, I can't hear myself speak.

MR. SPEAKER: Order, please. The Honourable Minister.

MR. EVANS: Thank you, I'm sorry, I couldn't hear the words myself that I was uttering. Maybe I shouldn't utter any words. -- (Interjection) -- Thank you my friend, my usual kind friends on the Opposition. I appreciate those kind words. I may be preaching to the converted. I assume the disinterest or uninterest in this bill is that everybody's in agreement with it, and therefore I will make my remarks very short.

The point I was making was that this particular bill enables us to have access to all the details available from the recent census and from other surveys carried out by the Dominion Bureau of Statistics and therefore it's quite essential to the Province of Manitoba. In effect, Mr. Speaker, we will have information available to us at literally no cost to the Manitoba taxpayer.

And thirdly, by having this detailed information and not simply the tabulations provided by the Dominion Bureau of Statistics, we will have infinite detail that will enable us to analyse problems respecting the economic and social development of our province, including the often

(MR. EVANS cont'd.) referred to regional problems that my honourable friends opposite have great interest in, and we will have, on an unprecedented scale, data available to us on various small zones, small sections of the province, which will enable us to better formulate policy and to cope with the problems of socio-economic development.

I would just say in conclusion, Mr. Speaker, that the large business corporation in existence today is making use of statistics more and more, they are making use, the large business corporation today and government corporations such as Air Canada, are making use of new mathematical statistical theories, techniques that were unknown one or two generations ago, game theory, linear programming, mark-off chains, computer simulation, daisy and decision theory, experimental designs - and the list is very long, Mr. Speaker, and it embodies, for all its contemporaneousness, most of the developed theory of the socio sciences since the very beginning of this branch of organized human inquiry. I suggest, Mr. Speaker, that not only the public sector but also the private sector in Manitoba will be further ahead with the information that will now be available because of the passage of this Act, and I look forward to unanimity in this House in the passage of this particular piece of legislation. Thank you,

MR. SPEAKER: The Honourable Member for Riel.

MR. CRAIK: Mr. Speaker, I move, seconded by the Member for Fort Garry, that the debate be adjourned.

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

MR. SPEAKER: The Honourable the House Leader.

MR. GREEN: Bill No. 48, Mr. Speaker.

MR. SPEAKER: On the proposed motion of the Honourable Minister of Transportation, The Honourable Member for Rock Lake.

MR. HENRY J. EINARSON (Rock Lake): Mr. Speaker, I adjourned that bill for the Honourable Member for Charleswood.

MR. SPEAKER: The Honourable Member for Charleswood.

MR. ARTHUR MOUG (Charleswood): Thank you, Mr. Speaker. I am short of material here -- here's the bill right here, Bill No. 48. Thank you.

Mr. Speaker, checking through the bill, several areas of this bill would certainly bring back old times, brings back the dog sleighs and several dogs in front of our toboggans rather than one power toboggan and it's become a fairly acceptable thing in the Province of Manitoba as well as throughout Canada the use we are making out of the several toboggans that the people are using. The Minister of Highways and Public Works was criticized to an extent in the paper the other night for his attitude towards what toboggans would do to one LaSalle Lake. I think that that has to be overlooked. We have to go back to what the toboggans can do for the people of Manitoba as well as the others throughout the North American Continent, particularly in the North the part of the continent that we make use of. I realize that skiers and skaters and ice fishermen have to be considered. I don't think that we should cut off the toboggan people to make good areas for skiers and skaters, I don't think that we should cut off toboggans and restrict them to one limited use because ice fishermen are on the ice. I think probably ice fishermen use toboggans more so than anybody else in the area. They are used by trappers and several other types that enjoy the outdoors and in the far north you'll find them more widely used than what you find in the area that we make great reference to, the build-up of Metro Winnipeg I think where all the problems really and truly are based by the first bill that was brought out and the amendments thereto on this bill.

I think that there's mention in the bill that certain restrictions to be made to manufacturers, they be made to bring out specifications on their toboggans before they'd be allowed use in the future in the Province of Manitoba. I think this is bad because the closest manufacturer there is to the City of Winnipeg and the closest outlet that that manufacturer has of course is this city, they turn out 80,000 toboggans a year and 800 of those 80,000 or one percent is sold in the Province of Manitoba. I don't think that there is any way that you could convince them to go down and ask them to put amber lights on their toboggan on the side or to make one change regardless of how small it is. Originally when the Snowmobile Act was introduced in this Legislature they suggested that amber lights be put on the side of snow toboggans and you couldn't convince any manufacturer in the North American continent to put amber lights on the sides of a snow toboggan, last year. This year you could because the Federal Government in Canada decided that they would come out with that stipulation. But Canada takes in probably 10 percent or 15 percent of the produced toboggans in the world, so for that reason they can

(MR. MOUG cont'd.) call the shot. But certainly Manitoba couldn't come out with that and make it stick because they're the market of one percent of the toboggans, so for that reason the manufacturer, he wouldn't pick up a screwdriver to change one part of his assembly line to suit the Province of Manitoba. I think this is what the Highways Minister has got to take into consideration before he starts saying "we shall put on amber lights." And if he was to think that amber lights could be put on by the distributor in the Province of Manitoba or by any dealer selling it, or by any owner of a toboggan, you can't, because that toboggan is set out in the first instance, Sir, with the alternator or the power-producing pack that is used to its limit. If you take one light bulb out of it, it will burn out the other two; if you add two light bulbs to it it will burn out the alternator. It's simple to say, yes, put them on, but to ask the manufacturer to do it they'll just tell you no, because one percent of their business does not get them to change their assembly line.

When you look at the restrictions or suggestions that the paper brought out the other day, I don't say that these are the suggestions of the Minister, that if anybody is within 100 feet of a slide or of a skating area that's in use, particularly on La Salle River where there's one known skating rink on a narrow river, that you can close off that river, there's no way you can go past there without coming within 100 feet, in other words you block that one thoroughfare for snow toboggans. They're restricted in the first instance from going down any highways or crossing unless they have a driver's licence. I think really they are much of a plaything where those of us under sixteen would probably enjoy them more than those over sixteen. So I think that rivers is probably the right place to have the children using them.

The river in the area that was referred to in the press, I was told previous to this reporter for the Free Press reporting this the other day in the paper, I was told last year that the Highways Minister made it fairly clear to all and sundry that nobody drives past that area because he had a skating rink in the area. I think that he controls La Salle River and toboggans much the same as he controls the perimeter highway and people that speed. Fortunately on La Salle River he could step out there and he could just tell the kids, you know, "you don't pass that skating rink because that's my skating rink", but it happened that the kid that was on the toboggan said "Yeah, my Dad owns half of the river too because he lives just across the river from you."

Now, I make reference to that because it's like the letter that he wrote because he was driving down the perimeter highway and a car passed him. He took the licence number, but because he had to put 100,000 lakes across the top - did you want to check me, Mr. Speaker? - he wanted to write 100,000 lakes across the top and put the front end of the buffalo on there, with no room for the back end of the buffalo because the Minister's name is too long, the numbers are small . . .

MR. SPEAKER: I fail to see the point of the argument the honourable member is making in regard to Bill 48. We're discussing the Snowmobile Act, I believe. The Honourable Member for Charleswood.

MR. MOUG: I mentioned that, Sir, because the use of toboggans on La Salle River is being curtailed by the Minister building a skating rink which is crossways on the river and it makes it very hard for toboggans to pass there and stay 100 feet away from where children are skating. I have a family that enjoys skating; I also have a family that enjoys snowmobiles in their off skating hours. I was making reference to the fact that every time somebody passed the Highways Minister on the perimeter - because he travels sixty at all times, he's always a person that likes to stay within the law, he travels sixty. I have a copy of a letter but it's in the caucus room. But every time somebody passed him on the perimeter he mails them a letter and tells them this could increase their Autopac insurance, it could jeopardize their driver's licence, it could do several other things to him. But with the kids there he just tells them to stay off the river with toboggans. Now I say that this has become an industry that is growing. From 1960 to 1971, Mr. Speaker, the industry in the North American continent, it's increased by, I think the figure is 2,000 percent. Where only the Eskimos and the Indians used to use this in the North country it's become something that - in the area of Charleswood for instance, you would find one in two and I would think the average in there is about, oh, five percent of the homes have two and sixty percent of the homes have one, was the last figures we had. So it shows that it's a sport that everybody's making use of, they can make use of it every day, they don't have to take a boat to the lake to make use of their investment, they're enjoying themselves very much.

(MR. MOUG cont'd.)

I appreciate the fact that the Minister has brought in that you should be a licenced driver to cross highways, travel adjacent to them on ditches, I think it is very good.

There's mention in this bill that you should have a towing bar or not be towed at any greater length than three feet with a sled or cutter and I think that the Minister should consider bringing that in to be a rigid bar so that at that close area that a toboggan or sleigh that is being pulled won't run into the backtrack and create a problem for any young children that's being pulled.

In the bill it mentions that nobody should be able to pull this across a highway at the designated intersections or crossways. I think that is wrong because if they have a driver's licence in order to operate that to cross it, I think they're capable enough to pull that sleigh behind them in daylight hours particularly, regardless of whether - it's the same as a car pulling a trailer across.

The Federal requirements that they come out with, I think, are very stringent, I think they're tough enough, I don't think the Province of Manitoba should come in there and try to influence the manufacturers of these toboggans to be any more strict than the Federal Government is.

There is another area in there where they ask that anybody under sixteen should not be allowed to be out by themselves on a toboggan any higher than 300 c.c.'s. The knowledge I have with it is that the most popular machine that is sold today and the most common on the market is 340 c.c.'s. If the information that the department is using to set this up is information that was picked up about three years ago, since then they've dropped this popular motor which was 300 c.c.'s and they've gone to 340, I think that if the department looks into this they'll find that they should change it from 300 to 340 c.c.'s; it has become the popular motor; there's very very small difference between the 300 c.c.'s and the horsepower is very very small difference. I can understand what the department's getting at when they brought this up because they felt that the children shouldn't be running the so-called muscle machines and get themselves into trouble.

The Operator's Training, I think is a good thing. I think that anybody that stumbles across one of these machines that hasn't had the experience should have the opportunity to go to a racing club and work together with some of the organizers that have had the experience and know the difficulties of young children and greenhorns that get out and get themselves into trouble and make a bad name for the balance of the people.

There is mention of permits for those that would want to conduct or any community wanting to hold a race. I think that this is fine but there's no way that any community could organize a fair and get the authorization of the Registrar and get things going before - with the late snows we have here and the early thaws I don't think the snow would be on the ground long enough. I think that, at least I would hope that the government would bring in an amendment to say that they would acknowledge a group that call themselves the MSRA, Manitoba Snowmobile Racing Association; they are now called the Manitoba Snowmobile Association, the MSA, they dropped the "Racing" out there in order to enlarge their group, they felt that those who weren't racing didn't want to join; they've been successful previous to dropping the "R" out of it and more successful since. They have a good strong committee that goes around and they tell the area, be it Portage la Prairie or Binscarth or Plumas, they tell them how to build a track, how to put up spectator safety, what the requirements are, where to stand their snow fences, where to make their entrances and their exits, parking area involved, you know, they tell them how to run a race and I think it's real good and so far they are trouble free.

There was one bad accident in the city last year and I share the department's concern, the Minister's concern with what happened, because there's one boy that's permanently injured with that and I certainly share his concern. I think it's a matter that they should drop the idea where the Registrar has the control and change it over to "recognized group" because this group that organized the association and the members of that, the executive, have done a good job of keeping racing enthusiasts and the spectators out of trouble during the past years in the province. It takes more than one group to do it because they can only be one place each week-end and there's several races, several communities that like to hold their races from time to time across the province. I think if the Minister would encourage these people to get together that there would be no trouble keeping the safety end of it involved along with good enthusiastic participation.

(MR. MOUG cont'd.)

The insurance coverage on it, I think, is a must, P.L. and P.D. particularly; whether it should be government insurance or not, I don't think I have to mention, I think the Minister knows how I feel in that regard.

As I mentioned before and I think the most important thing that the Minister should take into consideration is looking at 300 c. c. 's versus 340 c. c. 's because really and truly the 300 c. c. engine is fast becoming antiquated and it's something that people just won't buy; unless a bill of course like this in the Province of Manitoba were to be the authority people would be forced to buy it and I think within one or two years you'll find that the manufacturers are not putting out machines with a 300 c. c. engine in it, their minimums will be 340 and the legislation will become antiquated at that level, if no other way. Thank you.

MR. SPEAKER: Are you ready for the question? The Honourable Member for Portage la Prairie.

MR. G. JOHNSTON: Mr. Speaker, on second reading we deal with the principle of any legislation and I cannot help but wonder what the Minister of Transport is up to when he introduces legislation with the harsh penalties that are contained in this bill. As I understand the legislation, this means that a person who buys a snowmobile which does not fit the regulations imposed by the Minister, can be fined \$1,000 or imprisonment for six months.

Mr. Speaker, I can hardly believe that a person in Canada, in a democratic country, would be subjected to this type of legislation. It's unbelievable - it's unbelievable in my opinion. The very fact that these harsh penalties are imposed in a bill such as this -- (Interjection) -- I have read the bill, I have read the bill. Okay. I've been asked to read the bill, Mr. Speaker, and I shall do so . . .

MR. SPEAKER: Order, please.

MR. G. JOHNSTON: I shall read the pertaining . . .

MR. SPEAKER: Order, please. I am certain all honourable members are aware of our rules and the interjections which are not to be made are of no account as a direction to the honourable member. I am certain he will follow the rules and not the interjections. The Honourable Member for Portage la Prairie.

MR. G. JOHNSTON: Thank you, Mr. Speaker, I might also paraphrase the fact that - if this should become law you can rest assured that there will be no manufacturers in Manitoba of snowmobiles, where a manufacturer can be fined up to \$5,000 or be imprisoned for a term of not more than one year. This is a fact, that if a manufacturer in Manitoba makes a snowmobile that violates this Act, this is what will happen to him. Yet that snowmobile can be for export to other provinces or to the United States, but if he manufactures it in Manitoba this can be his penalty. This can be his penalty.

I find it strange, rather strange, Mr. Speaker, that while we recognize the fact that there should be some control on snowmobile races, I don't think there should be any more control on the promoter or the association of a race of snowmobiles than there should be on the promoters of races for motorcycles or automobiles. Certainly there should be laws, certainly there should be laws.

MR. SPEAKER: Order, please. The Honourable Minister of Consumer and Corporate Affairs.

HON. BEN HANUSCHAK (Minister of Consumer, Corporate and Internal Services) (Burrows): Did I understand the honourable member correctly to say that the contravention of this Act would make one subject to the penalties that he had mentioned?

MR. G. JOHNSTON: Well I would ask the - well with your permission, Mr. Speaker, I'd like to read this section of the Act, obviously the Minister of Consumer Affairs has not read it. "23 1(5) . . .

MR. SPEAKER: Order, please. I'm certain the honourable gentleman can make his point in debate by arguing the principle without reading the Act. I'm also quite certain that all honourable members have done their homework and have read the Act themselves and a debate takes place in order to express an opinion and an opinion will be expressed on that. Each gentleman is entitled to his own interpretation and they can express that in debate. The Honourable Member for Portage la Prairie.

MR. G. JOHNSTON: Thank you, Mr. Speaker, and I hope that the Minister of Consumer Affairs will take note of the bill.

MR. SPEAKER: Order, please.

MR. G. JOHNSTON: As I understand the bill, if a person or an organization or an association who contravenes or violates or disobeys a section of the act to do with holding of races, the person, the association or the organization, will be subject to a fine of \$500, or in default, an imprisonment of three months. We are talking now about organizations and associations. I suggest to you, Mr. Speaker, that this bill is not democratic, it is not - while there is certainly a need for control and regulation, this is the harshest type of legislation I have ever seen in this House in nine years.

For example, in the Act it says that if someone is driving someone else's snowmobile and that snowmobile gets into some sort of a violation or trouble, the owner can be held responsible. The owner can be held responsible and subject to heavy penalties. I would ask the Minister of Transport when he closes debate to suggest or to tell this House how someone can be held responsible for someone else's act. Mr. Speaker, there is no way anyone who has the concept of democratic principles can support Bill 48.

MR. SPEAKER: Are you ready for the question? The Honourable Minister of Transportation.

HON. JOSEPH P. BOROWSKI (Minister of Public Works and Highways) (Thompson): Well, Mr. Speaker, I am closing debate and I must reiterate what I said some time ago that if the opposition spent as much time reading the bill as they do Orders for Return, they would make a more intelligent debate in this House. One of the members, from Emerson, spoke on it yesterday and I know he's studied the bill, but again he get mixed up in it, that happens occasionally but it was obvious from his debate at least he did read the bill, which is something I can't say for some of the other members.

Before I get into answering the questions, Mr. Speaker, I would like to say I meant what I said last night. I think I indicated that only a low-down polecat like the Free Press would accuse me of bringing in legislation for personal selfish reasons, -- (Interjection) -- well you can see the donkeys braying again. I have to amend that today, saying that there are some Conservatives that are lower and meaner than that, because that charge has been made against me today, and I think that indicates a total and complete bankruptcy of ideas of the opposition. You know in the years past when we were in the opposition when they ran out of arguments as the Minister of Mines has often said, when they were stuck for answers they'd say "Socialism"; well now when they are stuck for some argument to throw against us they'll attack a person, they'll say you are doing it for yourself.

MR. SPEAKER: Order please. Point of order by the Honourable Member for Swan River.

MR. BILTON: I wonder, Sir, if, through you, with due respect if the Minister might not direct his remarks to the bill rather than making a political speech.

MR. SPEAKER: This house is involved - I certainly can't rule on what is politics, I don't intend to - but this House is involved in debating issues and each and every member as I stated before is entitled to express his opinion within the rules and to use his own interpretation providing he stays within the rules. The Honourable Minister of Transportation.

MR. BOROWSKI: Mr. Speaker, I think that this is an excellent indication of the bankruptcy of the opposition. I was answering charges, the Member for Swan River sat there, I don't know if he was sleeping or not, which wouldn't be unusual, but he didn't protest when the Member for Charleswood made the innuendoes about me and that had nothing to do about what we were talking about. -- (Interjection) -- Tell the billy goat to sit down, please.

MR. SPEAKER: Order, please. Order, please. My attention was called that the honourable member wished to state a point of order. I would like to hear the point of order. The Honourable Minister of Transportation.

MR. BOROWSKI: Mr. Speaker, if the goats from the other side have stopped their braying, I'll get on with the business and answer some of the . . .

MR. SPEAKER: Order, order please. I would ask the Honourable Minister of Transportation to choose his words carefully and not to cast aspersion or to name honourable members in a disrespectful way. The Honourable Minister of Transportation.

MR. BOROWSKI: Thank you, Mr. Speaker. I would like to start off by answering the question that was raised by the Member for Portage la Prairie, and you know I find it strange to be attacked because we are getting tough, because we have severe penalties. The Member for Emerson I think indicated that "the penalties shouldn't be too strong," and I think I'm quoting him, "but there should be better enforcement". Now you know what the end result of that

(MR. BOROWSKI cont'd.) is, it's like giving the people who park in front here a \$2.00 ticket. We have excellent enforcement, every car gets a ticket, including members, elected members from the House here on this side. What good is this enforcement when it's only \$2.00? You know, enforcement without any bite to it is useless; who cares about \$2.00? All you do is you have the Security Police walking around and writing tickets all day, it doesn't solve our parking problem. So if we are really serious about doing something in the snowmobile field, we have to have some teeth in it.

I think the speeding fines are a good example. A guy gets caught for speeding, he pays \$25.00, you know, it's a big joke to him, so what, what's \$25.00 in this day and age. But when he's got to pay \$125 he thinks twice before he speeds . . . I think all you have to do is talk to the police and the magistrates in this province and they'll tell you the effect it's had. But the Member for Portage, of course, is a very clever fellow. He likes to come in on a certain section and try and make a deal out of it like the member was trying to do on the estate taxes. He's concerned about the individual. The fact of the matter is the severe penalty - and they are severe -- (Interjection) -- Section 12(1) subsection 5, it does not deal with the people it deals with the manufacturer. I would like him to look at the legislation, the federal legislation pertaining to safety standards on cars, that I think they run up to \$100,000 and several years in jail. They are not talking about people, they are talking about the manufacturer who can't make the claim as a person can, "I didn't know that was the law." People can't possibly know all the laws that we pass - what did we pass? - 150 bills last session; you can't expect the public to know that; but the manufacturer knows and that's why the manufacturer is always dealt with more severely, and so they should be. And the section that he's complaining so loudly about deals with manufacturers. The section that deals with people is section . . .

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MR. SPEAKER: Order, please. The Honourable Member for Porgage la Prairie.

MR. G. JOHNSTON: On a point of order, the Minister is misquoting me. If he could direct his eyes to 23 (1) (5) (a) where the person is not a manufacturer is liable on summary conviction to a fine of not less than \$200 or more than \$1,000 or imprisonment for a term of not more than six months. And I would ask him to withdraw that statement that he's made.

MR. BOROWSKI: Well, Mr. Speaker, since the member chooses to quote the section - I'm glad he did - because he is absolutely right and he proves the point I just finished making. (a) deals with where a person is not a manufacturer is liable to \$200; (b) deals with where a person is a manufacturer and it's \$1,000 to \$5,000. Surely even you, even the Member for Porgage knows the difference between that, if nothing else.

There's no question that there is a different penalty for the manufacturer and for the individual and a great difference. Section 31, subsection (4) deals with further offences and the fine there is \$100 or three months, and in Section 41, subsection (6) again is \$100 to \$500 and the alternative is suspension of the registration card and number plates issued to the person to disqualify him from registering a snowmobile until the fine is paid. So there is a difference, Mr. Chairman, and it's a deliberate difference. It's one that I expect that the opposition notwithstanding what they've said will support; and if they don't support, we'll have that recorded vote and we'll see to it that any of these sections they vote against the public will know which members voted against this thing here. We'll let the public know who voted against a section that the public wants in here. These aren't my ideas, these are ideas that come from the police departments, the mayors, councillors and reeves and from the public in general, snowmobile associations; and they're from all political stripes, they're not New Democrats, they're various types of people. If they want to vote against it, I challenge them to get up and vote against these sections in this House.

Now getting down to the questions raised last night by the Member for Emerson. He was asking about the mufflers and the question was "must they be changed" and the answer of course is "yes, they must be changed." He's saying that it may create a hardship to an individual, that after he's paid \$1,000 or whatever he pays for the machine, it's a terrible hardship to pay \$15.00 or \$20.00 for a good muffler. And you know, I disagree with that. Many of the people say that they should be able to run their machine from their home down the street to the highway, because why should we force them to buy a trailer, a trailer costs around \$100, and the mayors and council made it very clear, you are not going to ride costs the machine in the streets, and if that means buying a trailer then you buy a trailer. And in this case, we are saying you'll have to buy a muffler. The Federal Government did the same thing when they bring in legislation and I don't think that its being very harsh by saying that you'll have to spend \$15 or \$20 so the other people can live in peace. We have, I think, about two percent of the population have snowmobiles, I don't think it's fair that 98 percent of the people should suffer because they want to have some fun. They can have their fun, the rest want their peace and I think they're entitled to it.

About racing. The bill does not outlaw racing, and I think if you read the paper today, you'll find that the people that are involved in racing have indicated that they think that's a good bill. They'll have an opportunity I suspect at Law Amendments to present their views on what they think of the bill. This was brought about, again, largely as a result of one particular accident where a child was maimed for life, and I suppose if we had representation on anything outside of noise it was to stop this idiotic uncontrolled racing, where anybody could turn around and say we'll have a race in there and put no protection for the public and hold a race. If somebody gets hurt, you know, it's just too bad for him, he'll bleed to death there. We are fortunate that this child is living - if being a cripple all your life is fortunate, but at least he's living and we want to see that this does not happen again. It's been happening across the country and the U.S. We are really lucky in Manitoba, we had one serious case, across the country there's been many.

In any case, it's spelled out in the bill and some of it of course is subject to regulation, about what type of precautions they must take and they'll be reasonable precautions. We have been and we are in consultation with the snowmobile clubs across Manitoba because in the final analysis we must have their cooperation because they are going to be involved in this.

As far as the course is concerned, I think I indicated in the introduction that the course will be available throughout Manitoba, I suppose on the same basis as we have drivers' licences and plates; there will be people that may have to drive 20 miles, but you can't have it in every

(MR. BOROWSKI cont'd) community, we don't have a hospital in every community, we don't have driver testing in every community, so we will be largely duplicating what we have, which I don't think is a terrible hardship to anybody who wants to take a test. Of course, those who have been driving will signify by signing a statement that they have been operating a machine for over a year and that will be considered as passed and they will get the certificate and be qualified to drive.

The question of towing. We have had reports from the police where people will go snow-skiing, it's like water skiing, they will tie on a rope to the machine and when they cross the highway there is a machine on one side and if they cross the perimeter where there is heavy traffic, the person driving the car feels there is no danger because the machine is in the ditch and yet the one that's being towed may be on the other side of the ditch. We have also had toboggans hooked up on long ropes, where the machine is on one shoulder of the highway and the toboggan is on the other one, and that's a real hazard; so that is why we put a three foot hitch to the machine. Now, you could say three feet isn't enough, we could say it should be 3 1/2; it's like a voting age, should it be 19 or 18 1/2 or 18; we had to get some kind of a figure and the standard hitch that I believe we have today on the trailers is three feet so we simply put the figure three feet. If members of the opposition think it should be four feet, I have no objections.

And stickers on license plates, I've mentioned in there, I think I've indicated that instead of going to metal stickers which are very expensive and also very small. . .

A MEMBER: Question . . .

MR. BOROWSKI: I'll answer your question when I'm finished. We're going to use the stickers, the validation stickers that the Americans use, if anybody has looked at American cars in front you'll find an adhesive sticker stuck on the plate. That is the type of stickers we'll use and that sticker will indicate the insurance has been paid; and I indicated again, there will be no insurance this year, we can't possibly program it in time, so it'll be available next year. Stickers will be sold and they'll be fixed on there and there's no way you can steal it, it's a self-destruct type of sticker; if you take it off, you'll take it off bit by bit, you can't transfer it.

The member also complained that it's discriminatory because there's one law or one rule for the people in the north and another one for the south. Well, I'm not going to blush about it and I didn't do this because I'm from the north. In fact, as the Member for Morris will tell you, I'm from the south now, I live in La Salle, I'm doing all the things for La Salle so it's strange to have them accuse me for doing things for the north. But we had a very practical reason for doing it. There are villages where there's no police; there are no government offices, so what is the point of having laws and rules and regulations when there's nobody to enforce them. We're not going to go and set up in every whistle stop to Churchill and every reservation set up a licensing office at great expense to the public to sell plates, to sell plates and to station police to enforce it. We haven't got enough police to look after the problems in the south, and that's where we have problems. We don't have the mischief and the idiotic tearing up north as they have down here. You go to South Indian Lake - and I know the Member for Lakeside has been down there, the crime rate is practically non-existent. Juvenile delinquency is practically non-existent; there's no problem with snowmobiles -- (Interjection) -- there's no pollution, that's right, except when the politicians go up there. So what is the point of going in there and saying to these people who are living and getting along and not bothering anybody, why should we go in there and spend tax money to say you gotta put the plate on and to station police. So that's the reason we didn't do it. The that we're putting in, we're not going to have applicable to them because there's simply no point and that is the reason. And I don't consider it discriminatory.

As a matter of fact, Mr. Chairman, if there is anything discriminatory - and we're guilty of it like the Conservatives were - is that today people working -- I think it's north of 53 -- where if you're married you get \$75.00 housing allowance, \$50.00 living allowance; that's \$125.00 a month you get for doing the same work, working for the same government, for the same department, living in the north. Now, isn't that discriminatory? You know, by the opposition's or by the Member for Emerson's definition that's discriminatory. But there's a reason for it, because it costs a heck of a lot more to live in the north. So the previous government - I believe it was the Conservative; it may have been the Liberals, I'm not sure - but whichever government brought it in, it was a sensible measure and we're following it. I

(MR. BOROWSKI cont'd) don't think anytime you do something for a particular area that you're suddenly discriminating, you're just recognizing the peculiar situation and the problems in that area and you're dealing with them, and that's what we're doing. The Member for Emerson is a person that I would expect, the first person to get up and congratulate us instead of criticizing us for recognizing these particular problems.

The Member for Wellington asked a question about minibikes, and that's a question that we have been wrestling with for some time; we have banned seven makes, basic makes of those bikes in Manitoba because they don't come up to the safety standards, like the height has to be, I believe, 27 inches from the ground, the seat has to be 27 inches from the ground, they have to have lights, brakes, reflectors, and certain other things, and if they didn't qualify, we wouldn't register them. But that doesn't stop any member to buy one of them and go out on his farm or in his backyard to run around. You know, I've seen kids, you know, scare the heck out of me, riding these big machines. Some of them can get up to fairly high speeds and you don't have the protection on a bike like you do in a car, for example; there's no padded dash on these bikes and if you fall, you know, you're in trouble especially a little kid, it don't take much to break a knee or bust his head. Why parents do it, I don't know, they'll have to answer for it. We have done what we can as a government and I think the rest must be left up to the mayors, councils and reeves and their councils and possibly the Minister of Tourism could do something about it in parks. He gets complaints and I know we get a lot of complaints from people who go to the lake for the weekend, after working hard, whether it's in here or any place else -- (Interjection) -- I shouldn't include the Member for Lakeside, because I know he doesn't spend too much time here therefore he doesn't work. But they get out there for a weekend and these bikes are running around, they're noisy as heck like the motorcycle so we're getting complaints. My answer to the Member for Wellington is I am sorry but there's nothing we can do. We have done I think what we can do and the rest we leave to the second level of government.

The Member for Rhineland wanted to know what standard or what yardstick was used for noise. I think you will notice in the bill we said it will be done by regulation; and there's a good reason for it. If we put a certain standard in the bill, let's say it's 78 decibels, and that may well be 78 decibels. If we want to change it, we've got to come back in the House to change it. It's a lot simpler to change it by regulation, the manufacturer, we have a manufacturer - what's the name of the company just opened here that manufactures -- Cowl Industries, and these people were the first ones that come to us and said to the government, if you are prepared to bring in regulation or legislation we guarantee that we can get you a muffler that'll cut down the noise. Every manufacturer, every manufacturer -- the Member for Lakeside then -- every manufacturer that we have talked to swore on his bankbook that he cannot produce a muffler that'll bring the noise level, I think it's 85 decibels right now, cannot bring it down before 1975 -- and they said, look if you can find us a muffler or anybody can build a muffler we'll do it, but really we have tried and we just can't find anybody who'll manufacture that muffler. So, of course, we couldn't argue with them if what they said is true, it would be unfair of us to say well, either do it or stop manufacturing. This company come along and when they made that statement we said fine, we'll take you up on it, you manufacture that muffler. I'm sure the companies whether it's Bombardier in Quebec or any company in Canada or in the USA will buy that muffler. This is all, I understand, that the various governments have been waiting for, some manufacturer to come along and say we can do it.

It's like a request for getting a bumper on cars that'll withstand an impact for five miles. Allstate has been putting full page ads for a long time, that say five, if you have a car that will withstand an impact at five miles without damage, we will cut your insurance by 20 percent. They haven't had any takers yet. I know that nobody in this House believes that the manufacturers can't build a car or a bumper to withstand an impact of five miles. You just simply have to say to the manufacturer, we're not asking you, we're telling you. Reagan in California made that very clear to them. You'll find that he has the manufacturers, the big four manufacturing cars to that government's specifications. Any government can do it; we can do that and we're doing it. We could sit back and say, well let somebody else set the lead, we don't want to be accused of being dictators, and kicking the companies around and saying, you know, we're going to be the big boss man. It's a decision that has to be made; we felt this is an area that's important enough and we passed this legislation and I hope that the members in the opposition will support it.

(MR. BOROWSKI cont'd)

As far as enforcing it, there are noise meters; industry uses noise meters in their plants to see if the noise gets too high it has an adverse effect on a person. There's ways of measuring noise the same as there is a booze meter, breathalyzer; well, there's noise meters that'll work the same way as a breathalyzer and I suppose that the police will have one in their car to determine whether or not that vehicle is noisy or not. Today I was looking at the figures from British Columbia; last year they had about 2,500 convictions against people who had cars that were noisy and I asked the Minister, I said how do your courts determine and your police, you know, you don't have any meters, you don't have any decibels, how can you take these people to court and fine them, not having any standards. Well, he says, our police have pretty good ears, and he says that's all we can go on. If a policeman thinks the car's too noisy, he says okay buddy, here's a ticket; and that was unfair to the policemen because some of them have better hearing than others and we want to eliminate that type of thing. A policeman shouldn't be put on the spot of being a judge and -- (Interjection) -- if it's relevant, yes.

MR. SPEAKER: The Honourable Member for Swan River.

MR. BILTON: I can assure the Minister it will be relevant or I wouldn't be rising. -- (Interjection) -- I said "relevant." Mr. Speaker, I'll be British until I die. I wonder if the Minister would answer this question which is sincerely put to him. The Minister must know how many machines are on distribution; are the complaints he gets so great to really warrant the regulations we are discussing? Are the complaints really great?

MR. SPEAKER: The Honourable Minister of Transportation.

MR. BOROWSKI: Mr. Speaker, I believe the last count we had on machines, around 15,000 which is -- 15 or 20,000 -- which is considerably less than we were told before we brought in the licensing, and really the only way we could find out how many machines there was is by having license plates and registration, and through that I think the last figure seen is between 15 and 20,000. I can get the exact figure but it's in that neighborhood. And as far as complaints, I can't give him the exact figures except to say that of all the problems that I hear, and I am sure that he as an MLA and every MLA in this House gets complaints about various things, I don't think there is one item in this province or one problem that has received such widespread criticism as snowmobiles. Now the ratio may be 2 to 1 or 3 to 1, I can't say, but I can tell him that the Registrar of Motor Vehicles and my office have had more calls and complaints and delegations on snowmobiles than we've had on any other single item. -- (Interjection) -- You're crazy.

Somebody suggests that the age limit should be lowered but they should use smaller machines. I don't know who said that, but I don't know how much lower you can get than 16. You're talking about a machine that can go 70 miles an hour and it's a lot more dangerous than a car. -- (Interjection) -- Well, we're setting it lower, 300 c.c.'s. I don't know how fast the 300 c.c.'s can go; I am told that it's considerably less than the other one. Now the Member for Emerson may know more about machines than I do, but we have discussed this with the groups, snowmobile associations and people and some police, and again it's very difficult to strike a figure, whether it should be 300, 310 or 219, it's like a voting age, we had to pick a figure and we felt that 300 would be reasonable; maybe it's too high. I don't know if I'd like a child of eight years old to be driving on a machine that can go 40 miles an hour. I wouldn't let my child but I know other children go and I think we have some responsibility as legislators to pass legislation that'll give some protection to people and particularly to children. If the members of the opposition feel that that is unfair they're certainly at liberty to bring in an amendment and say we want the age lowered. I'll tell them right now I'll vote against it but they certainly have every right to bring in such an amendment.

Racing across country, there's no prohibition against that; I think the bill clearly shows that by application to the Registrar that these races will be allowed. We will naturally say that you must have certain provisions taken like the race from here to Emerson, or was it to Minneapolis? It was St. Paul? The police were out there, and they were breaking the law, they did things that they shouldn't, but the bill gives dispensation to these occasions where you could say that the police are there, and it's run in accordance with certain safety standards, that these rules will be waived and they can go ahead and race here to St. Paul or to Thompson, wherever they want to go. So there's two sections for the racing, one is for the local racing where they have I suppose what you'd call hot rodding and the other one is cross country racing, and all we want is some protection for the people involved and of the areas through which

(MR. BOROWSKI cont'd) they will be going.

Mr. Speaker, it seems to me - I think I've covered the questions asked. If I haven't, of course I can answer them in Law Amendments.

MR. SPEAKER: The Honourable Member for Emerson.

MR. GIRARD: I wonder if the Honourable Minister would answer one question for clarification sake? Should I decide to take my family down to my father-in-law's farm in southern Manitoba and obtain from him the permission. . .

MR. SPEAKER: Order, please. I indicated earlier and I am sure the honourable member is well aware that questions must be a clarification on what the Minister indicated in his debate. I don't recall the Honourable Minister indicating anything in his debate about your father-in-law being on a trip.

The Honourable Member for Portage la Prairie.

MR. G. JOHNSTON: Mr. Speaker, in my speech I posed a number of questions to the Minister, and he didn't answer to my satisfaction the question, or the situation as to what happens, what is the penalty for someone who lends or rents a machine and that other person commits an offence. What is the penalty for the person who lends or rents the machine?

MR. SPEAKER: I do believe the honourable member is asking for a legal interpretation, and I'm not convinced that this is part of the procedure in the House that we should ask for legal opinion. The Honourable Member for Charleswood.

MR. MOUG: I'd like to direct a question to the Minister of Services. He mentioned about a snow toboggan being on one side of the street and the skiers in the other ditch -- you know, toboggans in that ditch and skiers in that one. It's not mentioned in the bill, I was wondering if he'd clarify that. It only mentions sled or cutter. That's why I felt we should have a rigid tow bar between.

MR. SPEAKER: The Honourable Member for Emerson.

MR. GIRARD: I would like to have a clarification from the Minister if I may, and to assist in understanding the clarification I'd like to obtain I'd like to use a hypothetical -- (Interjection) -- well, okay. Does the bill, does the bill as printed say that if an individual gives his children a ride on a toboggan tied by a rope with permission on a farmer's farm and is observed and caught by a policeman he is under those circumstances convicted. I suppose he's convicted therefore he's charged \$200.00 to \$500.00 or three months in jail. Is this correct interpretation?

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

MR. SPEAKER: The Honourable the House Leader.

MR. GREEN: Bill No. 68, Mr. Speaker.

MR. SPEAKER: On the proposed motion of the Honourable Minister of Agriculture. The Honourable Member for Roblin. The Honourable Member for Morris.

MR. JORGENSON: The Honourable Member for Roblin adjourned that debate for me so if I may be permitted to speak on his . . . (Agreed).

Mr. Speaker, the bill upon first examination appears to be one of those innocent looking things that one would glance at and then pass off as, in the term so often expressed by honourable gentlemen opposite, as one of those "housekeeping" bills. However, there are several questions that come to mind when one examines it a little more carefully. The Wheat Board Money Trust Act is an Act that was introduced into this Chamber some years ago in order to take care of monies that were left over or that were turned over to the province by the Federal Government, I believe 1929 was the year. That money was invested by the Trust in 128, 1000-30 year CNR Bonds.

The Minister during the course of his remarks did not indicate, at least, I regret I wasn't here, but I made some enquiries and I don't think that he indicated just how much money now has accumulated out of that original investment. I should like to know, also, how the money is being paid out and where it is being paid out. What the accumulated amount of money is now in that Trust Fund. There seems to be some question in our mind as to what the money is being used for and I would appreciate very much if the Minister could indicate to us when he closes debate just how it is being disposed of. In looking over some of the sections, I have suspicion that it's going to be used for a purpose that it was not intended for. Part of the bill seems to indicate that a practice that was followed in the past where board members who were appointed received no remuneration. Now I don't know, Sir, how often that board meets and perhaps the Minister could give some indication as to how frequently they do meet

(MR. JORGENSEN cont'd) and I don't know what expenses are involved in those meetings. Apparently in the past, whether they meet frequently or infrequently, apparently in the past it's always been possible to get appointees to this Board who act without remuneration. I wonder now why it is that they suddenly have to be paid. The "further" part of the bill strikes out parts of the purpose of the board and now limits their responsibilities to paying themselves, and if this is just another way of handing out patronage, well then of course the bill is going to meet with our objection, but perhaps the Minister can clarify those points when he replies.

There's just one other point that I want to raise and that deals with the final section of the Act, and I just fail to see the connection here. It indicated that this particular amendment comes into operation the day that Bill 69 is enacted and I just fail to see the connection between the Cooperative Association and Loans Guarantee Act and this particular, I wonder if the Minister could explain to the House just what that connection is so that we have some clarification as to what the intent and purpose of these amendments are. I must confess that on my examination of Bill 68, it seems to me that the only purpose in the amendment is to enable the Board that I presume will be appointed by the government to hand out moneys under this Act to themselves as remuneration for meetings. I hope that I'm wrong but I would like the Minister to be able to clarify that for the House so that we have a better understanding of what this amendment is all about and the purpose of the Trust Fund in the first place.

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

MR. FROESE: Mr. Speaker, I, too, would like to make a few brief comments. If I understand correctly this is the money that is being handled by the Co-op Promotion Board. Isn't that the same money and that loans are made to various Co-operatives in past years. I recall one such loan being made to a cooperative in past years. I recall one such loan being made to a cooperative in my constituency. I don't know how many loans are outstanding and so on but I recall some of the activities that were going on at that time. Is the whole matter transferred now to another organization or what is the situation?

MR. SPEAKER: The Honourable Minister of Agriculture will be closing debate.

MR. USKIW: Mr. Speaker, I know that it's midnight and midnight is usually a time of night when the sun is down and it's dark and shadows appear and the sounds make their noises, and no doubt my honourable friend from Morris is awfully suspicious of these noises; but let me assure my honourable friend opposite that there is nothing to be suspicious about, that the bill is as innocent as it appears. I don't know the amount of money that is in the Fund at the present time, that we can find out and advise the members opposite. The usual way, of course, is to put in an Order for Return but I have no reason to provide for that kind of delay and will endeavour to get the information at the earliest opportunity. As I understand the legislation, that the monies were not be depleted but that only the profits of the investment of those funds were to be used; and therefore I suspect that the sum is intact in total, that there has not been a depletion of that fund over the years. And that's only an assumption, I haven't looked at it. So I would hope that my honourable friend doesn't impute motivations behind this legislation that doesn't exist. I don't know, as I say, how much money was paid out can't be answered because I assume the fund is intact as it was originally set up.

The Board usually meets about four times a year, it's not often that it meets. It is our hope that it will become a much more active board and that the promotion of cooperative development in Manitoba will be on a much more aggressive scale than it has ever been in the past. This is what the Fund was set up for in the first place. And because we would hope that it's going to be a very active Board, we put in the section which suggests that members 'may' receive per diem payments, or recognition for their services by way of per diem amounts and their expenses. And that's quite reasonable.

I think that the cooperative developments within Manitoba are going to play a very important role in the future and therefore we would want these people to be most active. In particular, this organization has been active with the development of cooperatives in northern Manitoba wherein they undertook some very high risk ventures. Using this as a tool to develop the native areas of Manitoba, the native peoples of Manitoba -- my honourable friends opposite that have been in government only know too well what has taken place in the past -- usually resulted in very substantial losses from time to time which were replenished by an amount in the Estimates of the Department of Agriculture, to the extent of \$100,000 a year. This has

(MR. USKIW cont'd) been going on for some time and it has really been used as a social development tool to quite an extent and in that area deviated a bit from the original purpose. That is the purpose of education and promotion and not financing.

We are setting up a financing authority to develop cooperatives under Bill 69 and therefore it will not be necessary to use the Wheat Board Money Trust funds for that purpose any more and that is the significance of the mention in this bill that it comes into effect the date that Bill 69 is also operative. That is the explanation for that, Mr. Speaker. I think that covers it.

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

MR. SPEAKER: The Honourable the House Leader.

MR. GREEN: Mr. Speaker, I move, seconded by the Honourable the Minister of Labour that the House do now adjourn.

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