

THE LEGISLATIVE ASSEMBLY OF MANITOBA
2:30 p.m., Tuesday, June 8, 1976

Opening Prayer by Mr. Speaker.

MR. SPEAKER: Presenting Petitions; Reading and Receiving Petitions; Presenting Reports by Standing and Special Committees. The Honourable Member for Logan.

PRESENTING REPORTS BY STANDING AND SPECIAL COMMITTEES

MR. WILLIAM JENKINS (Logan): Mr. Speaker, I beg to present the Second Report of the Standing Committee on Industrial Relations.

MR. CLERK: Your Committee met on June 5, June 7, and June 8, 1976, and heard representation with respect to the Bills referred, as follows:

No. 14 - An Act to amend The Employment Standards Act: Mr. Art Coulter - Manitoba Federation of Labour.

No. 15 - An Act to amend The Vacations with Pay Act: Mr. Art Coulter - Manitoba Federation of Labour.

No. 16 - An Act to amend The Workers Compensation Act: Mr. Mike Mushumanski - Private Citizen, Mr. Lorne Atkinson - Manitoba Farm Workers Association, Irene Reid - Private Citizen, Mr. Colin McGregor - Private Citizen, Mrs. Ross - Private Citizen, Mr. Edmund Tice - Private Citizen, Mr. Theodore Hudak - Private Citizen, Mrs. Mabel Kutryk - Private Citizen, Mr. Lloyd Preston - Private Citizen, Mr. John Huta - Injured Workers Association, Mr. Bob Douglas - Manitoba Farm Bureau, Mr. Grant Nerbas - Regional Counsel, Canadian National Railways.

No. 57 - An Act to amend The Labour Relations Act: Mr. George Akins - Labour Relations Council, Winnipeg Builders Exchange, Mr. Bernard Christophe, Mr. David Newman - Piling Contractors Association of Manitoba, Mr. Alex Plater - Private Citizen, Mr. Charles Bouskill - Association of Professional Engineers of Manitoba, Mr. William Wilberforce - Private Citizen, Mr. Norman Plater - Private Citizen, Mr. Frank Fowler - Roadbuilders and Heavy Construction Association of Manitoba, Mr. Harold Jantz - Mennonite Central Committee, Mr. Art Coulter - Manitoba Federation of Labour.

No. 83 - The Workplace Safety and Health Act: Mr. George Akins - Labour Relations Council, Winnipeg Builders Exchange, Mr. John Huta - Injured Workers Association, Mr. Ron Hebkirk - United Steelworkers of America, Winnipeg Council, Mr. Art Coulter - Manitoba Federation of Labour, Mr. L. A. Winder - Mechanical Contractors Association of Manitoba, Mr. G. L. Greasley - Winnipeg Builders Exchange.

No. 85 - An Act to amend The Employment Standards Act (2): Mr. Art Coulter - Manitoba Federation of Labour.

Your Committee has considered Bills:

No. 14 - An Act to amend The Employment Standards Act,

No. 15 - An Act to amend The Vacations With Pay Act,

And has agreed to report the same without amendment.

Your Committee has also considered Bills:

No. 83 - The Workplace Safety and Health Act,

No. 85 - An Act to amend The Employment Standards Act (2),

And has agreed to report the same with certain amendments.

MR. JENKINS: Mr. Speaker, I move seconded by the Honourable Member for Thompson, that the report of the committee be received.

MOTION presented and carried.

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

MR. D. JAMES WALDING (St. Vital): Arising out of the Report of the Standing Committee on Private Bills, which appears in the issue of Votes and Proceedings now on members' desks, I beg to move, seconded by the Honourable Member for Gimli, that the fees paid in connection with the following bills be refunded less the costs of printing.

No. 45 - An Act to amend to an Act to Incorporate the Jewish Foundation of Manitoba.

No. 23 - passed in 1975 - An Act to Incorporate St. Andrews River Heights Church Foundation.

MOTION presented and carried.

MR. SPEAKER: Ministerial Statements and Tabling of Reports. The Honourable Minister.

MINISTERIAL STATEMENTS - HOUSE PROCEDURES

HON. SIDNEY GREEN, Q.C. (Minister of Mines, Resources and Environmental Management)(Inkster): Mr. Speaker, I just want to deal with House proceedings. We are meeting in Industrial Relations Committee this evening and Law Amendments tomorrow at 8. If we happen to get out of the House early, I'm suggesting that Industrial Relations Committee try to meet this afternoon and that the Clerk try and get hold of Mr. Art Coulter. Mr. Coulter, I think is going to take some time on Workmens Compensation. If he finishes this afternoon it will expedite the work this evening.

UNEMPLOYMENT FIGURES

MR. SPEAKER: The Honourable Minister of Labour.

HON. RUSSELL PAULLEY (Minister of Labour)(Transcona): Mr. Speaker, it has been the custom that when we are in session and unemployment figures are made available, that the Minister of Labour or a member of the Executive Council discloses the information to the Assembly. I have a statement pertaining to the same for the information of the Assembly.

Mr. Speaker, Manitoba's actual unemployment rate for May, 1976, was 3.8 percent, the second lowest rate in Canada. After that was Saskatchewan. This represents a decrease from 4.6 percent in April, but the same rate as for May, 1975. The seasonally adjusted unemployment rate was 4.3 percent, the lowest rate recorded for this particular month.

In terms of total unemployed from April to May of this year Manitoba decreased by 3,000 from 20,000 to 17,000 which is a considerable decrease. Lest we be worried about our labour force, our labour force in Manitoba for the month under review was approximately 9,000 higher than it was in May of 1976, and 11,000 greater than May of 1975.

All in all, Mr. Speaker, while I do not read out all of the figures contained in this brief - they are available of course to members - but it does indicate that despite the troubled labour situation in Canada the Province of Manitoba is continuing to hold its relatively sound and firm position in the economy of our country, a fact that the government, the Assembly and the people of Manitoba should be well proud of.

MR. SPEAKER: The Honourable Leader of the Opposition.

MR. DONALD W. CRAIK (Leader of the Official Opposition)(Riel): Mr. Speaker we thank the Minister of Labor for his statement. The statistics are encouraging. The question that does remain is whether there is job opportunity developing for the students now out of the universities and how they are accounted for and also for those coming out of the high schools this month, as to whether there's going to be job opportunity for them. There have been indications of a fairly high unemployment rate in that category and I don't know how they're accounted for in these statistics. I conclude that they're not accounted for in the statistics and that there may still be a problem there.

The other question in reading statistics such as these is to determine what the relative out-migration is from the province as opposed to those coming into the province. It would appear here that Alberta unemployment increased by 2,000 but the question would be how much of that unemployment in Alberta is due to migration from the other two prairie provinces. So with those two caveats, I repeat the statistics are encouraging. Whether in fact these two areas of concern are satisfied remains a question.

MR. SPEAKER: Any other Ministerial Statements or Tabling of Reports? The Honourable Minister of Tourism and Recreation.

HON. RENE TOUPIN (Minister of Tourism, Recreation and Cultural Affairs) (Springfield): Mr. Speaker, I would only like to advise members of the House that I will be tabling, as soon as I can get copies made, the fire situation in the Whiteshell Provincial Park.

INTRODUCTION OF GUESTS

MR. SPEAKER: Before we proceed I should like to indicate to the honourable members that we have 19 students, Grade 7 standing of the Deloraine School, under the direction of Mrs. Percival. This school is located in the constituency of the Honourable Member for River Heights. On behalf of all the honourable members I welcome you here.

Notices of Motion; Introduction of Bills; Questions. The Honourable Member for Rock Lake.

ORAL QUESTIONS

MR. HENRY J. EINARSON (Rock Lake): Mr. Speaker, I direct this question to the Minister of Agriculture and it is a question I posed last week in regards to the Task Force being established for investigating the red meats industry in the Province of Manitoba. The Minister indicated then he would have information for us in a few days. I wonder if he could now tell us what the situation is on that matter.

MR. SPEAKER: The Honourable Minister of Agriculture.

HON. SAMUEL USKIW (Minister of Agriculture)(Lac du Bonnet): Mr. Speaker, I believe the public has already been made aware of a list of people who have agreed to participate in the further discussions that will be under way in the next several months. That information went out this morning. That information was released this morning.

MR. EINARSON: Mr. Speaker, I would have hoped the Minister would give the members of this House the courtesy of giving that information into this Chamber. I'm wondering now, if he's announced it, what is the situation insofar as the investigating is concerned. Are there meetings going to be held throughout the province or what are the details in that regard?

MR. USKIW: Again, Mr. Speaker, I would like to advise the Member for Rock Lake that that is not a subject matter for the House to consider, it is a matter of courtesy. The farmers of the province have requested that they play a role in the further discussions and this decision was made many many months ago through these consultations. It is not something that is of such a nature that it requires to be announced in the House.

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

COMMITTEE SUBSTITUTION

MR. GORDON E. JOHNSTON (Portage la Prairie): Mr. Speaker, I'd like to have the name of the Member for Assiniboia placed on Industrial Relations Committee instead of the name of the Member for Fort Rouge.

MR. SPEAKER: Agreed? (Agreed) The Honourable Member for Gladstone.

MR. JAMES R. FERGUSON (Gladstone): Yes, I have a substitution too, Mr. Speaker. That would be the Member for Crescentwood for the Member for Birtle-Russell on Industrial Relations also.

MR. SPEAKER: Agreed? (Agreed) The Honourable Member for Flin Flon.

MR. THOMAS BARROW (Flin Flon): With leave let me make a couple of changes too, Mr. Speaker. The Minister of Autopac will replace the Minister of Mines on the Industrial Relations Committee and on Law Amendments the Minister of Northern Affairs will replace the Minister of Industry and Commerce.

MR. SPEAKER: Agreed? (Agreed) The Honourable Minister of Public Works.

HON. RUSSELL DOERN (Minister of Public Works)(Elmwood): Mr. Speaker, with leave I would like to provide members with copies of the new Provincial Government Telephone Book. I might point out that the book is now completely going to be based on a computer operation where changes are fed in daily etc. and although the book is dated March, the actual cutoff was in April and then from then on it was a case of type-setting and tendering and printing so it is the current edition.

MR. SPEAKER: The Honourable Member for Arthur. We're still on the Question Period.

MR. J. DOUGLAS WATT (Arthur): Mr. Speaker, with leave of the House I would like to make - not exactly a correction but to restate the position in regard to the class up to your right from Deloraine. They happen to be from the constituency of Arthur

COMMITTEE SUBSTITUTION

(MR. WATT cont'd)and they are visiting the constituency of River Heights. The Member from River Heights has not exchanged places with me at this moment, he still represents River Heights and I still represent Arthur constituency.

MR. SPEAKER: Unfortunately, if that is the correct information, all I have here is that the school is called Deloraine and the teacher is Mrs. Percival and the Member's name is River Heights. I can only go by written information until I have it altered. Any other questions? The Honourable Member for Wolseley.

ORAL QUESTIONS (Cont'd)

MR. ROBERT G. WILSON (Wolseley): I guess this would be - thank you, Mr. Speaker - to the Attorney-General. Can the Minister inform me if there is anything questionable or illegal about using Chargex and Master Charge by Sensitivity Awareness, Body Rub and Nude Photo Studios. . .

MR. SPEAKER: Order please. The question is asking for a legal opinion. The honourable member should know that's not correct. Orders of the Day. Order please. Orders of the Day. The Honourable House Leader.

ORDERS OF THE DAY

MR. GREEN: Mr. Speaker, I'd like to proceed to the adjourned debates on second reading. Well perhaps, Mr. Speaker, I'll accommodate the report stage of the two amendments because I know there are members here who have to introduce them. So let's deal first with Bill 56.

THIRD READING - REPORT STAGEBILL 56 - THE FOREIGN CULTURAL OBJECTS IMMUNITY FROM SEIZURE ACT

MR. SPEAKER: Bill 56. Proposed report stage. The Honourable Member for Morris.

MR. WARNER H. JORGENSON (Morris): Mr. Speaker, I try once more. This is the third attempt that I've had at amending this bit of legislation. I seem to be encountering some difficulties. The amendment was moved this morning and I believe it has been recorded so I don't need to go through the formality of introducing it a second time. I might add that in consultation with the legislative counsel and the Attorney-General, they felt that the addition of the word that I had suggested this morning would not add anything to the particular amendment and therefore I am not going to insist on proceeding with it. So I take the legislative counsel's word that as the amendment is now presented, it covers the situation that I had hoped it would cover in the introduction of this amendment.

Sir, the amendment is introduced simply because of the fears that I expressed during the second reading of this particular piece of legislation that a government could, on its own initiative at any time, invoke the provision of that particular Act and deny people in this province their rights which are, in effect, taken away from them under the provisions of this piece of legislation. What I'm suggesting is simply that the Lieutenant-Governor-in-Council will not be able to invoke the provision of this particular Act unless there is a formal application before the Lieutenant-Governor-in-Council requesting that it be done, which would mean that any museum or educational institution that wanted to have this type of immunity would have to apply to the Lieutenant-Governor-in-Council. Now maybe that may not mean too much to honourable gentlemen opposite but I suggest to you Sir, that there is an example that comes to my mind that could possibly happen and honourable gentlemen opposite may want to give consideration to how important it is.

For example if some educational institution in this province decided that for purposes of education on matters dealing with government involvement in business, they wanted to invite Dr. Kasser into Manitoba for the purpose of giving a series of lectures, then the educational institution could ask that the provisions of this particular Act be

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(MR. JORGENSEN cont'd)invoked to declare him a cultural object and give him that kind of immunity that the bill provides for. That's one example and I presume there are many others.

But it seems to me, Sir, that with this kind of provision in the Act it prevents indiscriminate use of the provisions of this Act. I'm not suggesting that the present government or maybe even the foreseeable governments could or would invoke its provisions. But I do suggest to you, Sir, that the provisions of the Act as they are currently stated does invite abuse that could take place.

One only has to recall again, as I did during the second reading, of the abuse of the enabling Act that was passed in the German Parliament in 1933. If anyone suggests that a government may be elected that could not or would not abuse that particular section then we should at least recall the experiences of the past and do what we can to ensure that those things do not happen in this country.

The amendment is designed simply to make sure that a formal application is before the Lieutenant-Governor-in-Council before the provisions of this Act are invoked. I hope that it will meet with the approval of the House.

MR. SPEAKER: The Honourable Attorney-General.

HON. HOWARD PAWLEY (Attorney-General)(Selkirk): Mr. Speaker, I've had an opportunity to review the amendment and it seems to be quite in order with any intent on the part of the province when it introduced the bill. It simply provides that the application must be made by a group, educational or cultural in nature, etc.

The only question that comes to mind arising from the statements by the Honourable Member for Morris, and I've had a chance to obtain some opinion on it, I would hope that if Dr. Kasser in fact was invited to Manitoba that we would have the opportunity to invoke these provisions to permit him to enter the province to show his exhibition, then possibly within, let's say four hours, six hours prior to his departure to rescind these provisions so that we could undertake appropriate action prior to his final departure from the province.

MR. SPEAKER: Is it the pleasure of the House to adopt the motion? The Honourable Minister of Mines.

MR. GREEN: Mr. Speaker, I'm going to try desperately to avoid confrontation on this issue. The Member from Morris has moved something which appears to be acceptable which will not change things. I'm not going to frustrate that or even to have extended discussion on it.

I do as a question of principle Mr. Speaker, want to state that I do not think that the government is less representative of the people in terms of having something occur than an organized group. I make that point for what it's worth. I do not believe that the government would have acted this time if it were not for a request of a group; I don't believe that it would act another time if it were not for the request of a group. We are putting this in the legislation to achieve peace, order and good government, not because it is necessary that the government act or not act at the request of any particular group. That's my position.

MR. SPEAKER: The Honourable Member for Lakeside.

MR. HENRY J. ENNS (Lakeside): Mr. Speaker, I find myself in somewhat difficult position having argued the case that the bill in its initial form represented some curtailment of rights. The mere acceptance by the House of this amendment vindicates that position and should indicate to all and sundry that my argument was correct. What this amendment does is curtail that original curtailment of rights or more narrowly define them.

So, Mr. Speaker, I cannot change my feelings of principle on this bill. If I argued as eloquently as I could that in the initial instance a taking away of certain rights was being proposed, then even the honourable member's abridgement or curtailment of those rights to a more narrowly defined position doesn't relieve me of my concern and for that reason I cannot support the amendment.

QUESTION put, MOTION carried.

BILL 62 - AN ACT TO AMEND THE HUMAN RIGHTS ACT

MR. SPEAKER: Bill 62. Report stage.

MR. SIDNEY SPIVAK Q.C. (River Heights): Mr. Speaker, I assume I have to move the . . .

MR. SPEAKER: Yes.

MR. SPIVAK: I move, seconded by the Honourable Member for Arthur, that Section 16 of Bill 62 be amended by being struck out and the following sections being substituted therefor:

16: Section 23 of the Act is repealed and the following section be substituted therefore:

"23(1) For the purpose of investigating a specific complaint under this Act the Executive Director, any person with the written authorization of the Executive Director, or the Board of Adjudication (a) shall have access during normal business hours to any land, residence or business premises of any person with respect to whom there is reasonable and probable grounds to believe that such access will assist the investigation of the complaint; and (b) may inspect such specific documents, correspondence and records relevant to the complaint and may make copies thereof or take extracts therefrom."

"23(2) Where a person refuses to grant access or to produce documents, correspondence or records as required under subsection (1) the Executive Director or a Board of Adjudication may on an ex parte application to a Judge of the Country Court, and with leave, Mr. Speaker, I would like to add "or Provincial Judges' Court, apply for an order granting him access to the land, residence, business premises, documents correspondence or records as the case may be and the judge, if he is satisfied that the authority for access is reasonable and necessary, grant the order."

"23(3) Except for the purposes of a prosecution under this Act or any court proceedings or for the purposes of the administration and enforcement of this Act no person shall (a) knowingly communicate or allow to be communicated to any person any information obtained under this section or (b) knowingly allow any person to inspect or have access to any copy of any document, correspondence or record obtained under this section."

"23(4) Subsection 3 does not prohibit (a) the communication of any information by the Executive Director or Board of Adjudication or by a person acting under the authority of the Executive Director to persons charged with the administration of any Statutes of Canada or any other province that relate to the subject matter of this Act; or (b) the communication of any information with the consent of the persons to whom the information relates; or (c) the release or publication by the Executive Director or the Board of Adjudication with the consent of the owner of any document, correspondence or record of any copy thereof."

MOTION presented.

MR. SPEAKER: The Honourable Member for River Heights.

MR. SPIVAK: Mr. Speaker, before the motion is voted on I believe that there's agreement on the government side for the acceptance of this, the changes that were made. --(Interjection)-- It depends on what I now say. Well, all I can do is lose the case then, Mr. Speaker, and the Honourable Minister of Mines and Natural Resources knows that that has happened before, not with me but with others, not necessarily with me.

Mr. Speaker, I want to point out that in the zeal of those who are charged with the responsibility of carrying out the administrative functions of government and in the attempt to try and fulfill those functions in a reasonably complex world, there is a tendency to forget about certain checks and balances that have developed and been built up over a period of time. As the whole field of consumer legislation has been developed and the need for examination of documents and for copies of records, for the obtaining of information to be able to deal with any complaint that be made, there is a tendency to ignore the basic requirement that there should be a check and balance on the power, the power available to those who carry out the administration of their responsibilities.

In past years when we dealt with the field of consumer legislation with a number of Acts that have been proposed in the early stages of the present government's legislative program, we met what was referred to as the snooper clauses. In dealing with it

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(MR. SPIVAK cont'd) in the House and in committee there was a general agreement when the matter was brought to the attention of the government that in effect there were and there should be checks and balances and the court was the proper way in which this should be resolved. The basic amendment that's proposed here follows almost identically the amendments that were accepted at that time after the debate and discussion took place. I'm happy to say, Mr. Speaker, that the government at this point is prepared to accept it unless I persuaded them differently from my argument and I believe that this is a correct procedure and I believe it is the kind of thing that is necessary to restate over and over again so that in effect there is the ability for those who have responsibility for investigating whatever the complaint may be, the right to be able to do all the things that are necessary and if in any way they are prevented, because of the refusal on the part of individuals or companies to produce information or make their records available, they then have the right to be able to apply ex parte to court and the court on the basis of their request will judge that request and will give them that opportunity to be able to carry out their investigation. Thus the court is there as the check and balance on the abuse of power and we have to be concerned about that.

Whether it will ever take place or not is not the question. Whether the personalities of the people involved now have the best of goodwill or not is not the issue. The issue fundamentally is that there has to be a protection of individual rights. I believe that this amendment is consistent with what we have done in the past and is a correct one and as I say, I'm happy that the government has seen its way to accept the proposal.

MR. SPEAKER: The Honourable Attorney-General.

MR. PAWLEY: Mr. Speaker, I just simply want to indicate that the amendment proposed by the Member for River Heights is acceptable to us on the government side and I think it does provide for improvement.

QUESTION put on the Amendment, MOTION carried.

MR. SPEAKER: The Honourable Minister of Mines.

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BILL NO. 56
THE FOREIGN CULTURAL OBJECTS IMMUNITY FROM SEIZURE ACT

MR. GREEN presented Bill 56, The Foreign Cultural Objects Immunity from Seizure Act, for third reading.

MR. SPEAKER: I believe there's one step ahead of that and that is concurrence in the report stage. Is that correct?

MR. GREEN: I thought we voted for the . . .

MR. SPEAKER: No. All we did was vote on the amendments to each of the bills at the report stage.

MR. GREEN: I move that the report on Bill 56 be concurred with.

MOTION presented and carried.

MR. SPEAKER: The Honourable Minister of Mines.

MR. GREEN: I move, seconded by the Honourable the Attorney-General, that we concur with the report to the House on Bill No. 62.

MOTION presented and carried.

MR. SPEAKER: The Honourable Minister of Mines.

MR. GREEN presented Bill 56, The Foreign Cultural Objects Immunity from Seizure Act, for third reading.

MOTION presented.

MR. SPEAKER: The Honourable Member for Lakeside. I wonder if he would give me one moment first before he starts.

INTRODUCTION OF GUESTS

MR. SPEAKER: I'd like to draw the attention of the honourable members to the gallery where we have 25 students, Grades 3, 4 and 5 standing of Southdale Elementary School from Ear Falls, Ontario, under the direction of Mrs. Thompson, as our guests.

I welcome you.

The Honourable Member for Lakeside.

BILL NO. 56 cont'd

MR. ENNS: Thank you, Mr. Speaker. Yes, I do have a few final remarks to make with respect to third passage of this bill. As I indicated to the House earlier on the amendment, I had difficulty in supporting the amendment insofar as having made the argument that it was not a question of where the art exhibit came from but that it was an abridgement, a curtailment of rights and the House has acknowledged that argument by accepting the amendment just a few moments ago. Because if, of course, no rights were being abridged, no amendment would be necessary. And indeed the Attorney-General in his few remarks indicated just to what extent it's possible to abridge those rights in the example that he responded to by the Honourable Member from Morris.

Mr. Speaker, I regret, although I should not express surprise, that the honourable members chose not to accept the debate or take up the debate as I had initiated it. They chose as is often the case and that's why I say I don't express surprise at predetermined position for themselves, as we all do from time to time, and I suppose to some extent I must hold myself responsible for having added to that predetermined position and a position generally that has been attributed to me with respect to this bill.

I do wish to indicate to honourable members and you, Sir, that unlike my friends opposite, I have regarded the matter of the bill before us in a very open and a free way. I have listened to their arguments and I am about to indicate a very basic and fundamental change with respect to my position on Bill 56. I regret that the honourable members who spoke, whether it was the speaker who has shown a particular interest in art, the Minister of Public Works, that he chose to ignore so completely the remarks that I made on an earlier occasion. I read to you, just as a reminder because that debate took place some time ago, his opening sentence when the Minister of Public Works rose to speak on the bill. Mr. Speaker, he is quoted: "I don't want to spend my time rebutting the speech of the Honourable Member for Lakeside," and so on. Then proceeded, Sir,

(MR. ENNS cont'd). . . . to give us a lecture in the finer arts that we are about to see.

Mr. Speaker, without being unduly unfair to the Honourable Minister, I have some difficulty in accepting the accolades that were so readily and generously heaped upon him by so many members in this Chamber, particularly on that side, as if the Minister of Public Works in this province was the fountain of cultural knowledge, cultural art. I have difficulty in putting the two together. It says something when that is said because, you know, driving into this building every morning I shield myself from that monstrosity, the Woodsworth Building, or the outhouse bunker that degenerates the Memorial Park Boulevard and I ask myself, yes, this is the great architectural contribution that the Minister of Public Works has left this province. He, however, is the arbiter of all things great and wonderful, particularly when it pertains to art.

So, Mr. Speaker, I do want to indicate to you that I have a concern. I would like the Honourable Minister to take the time to acquaint himself with some of the true and wonderful art that the USSR has to offer. I offer him just the use of some of my books on art, particularly arts of Russia. These are books that I give to him from my personal collection, my library if you wish. I want to assure him - maybe the Page could bring these books over to the Minister. I want to assure him that these books were acquired at my expense, many years before this bill arrived. If possible also for the Honourable Member for St. Matthews to make himself available to them.

What I am again just trying to demonstrate in a very factual way, the wrongness of the position being put forward by members and attributed to me by all too many members of the media - although with exception - the position that my whole approach to this matter stems from a frustrated anger and dislike for the Soviet regime which is, despite what other members have said requesting this legislation not the request of Canadian officials.

I am concerned, Mr. Speaker, because only the Member for Inkster, the Minister of Resources at least, who took time to argue the position that I put forward insofar as it being a matter of rights took some time to rebut that argument although I think there was a degree of hollowness in that argument. He very quickly took me up on the point that I made during the course of that debate that I doubted very much whether there was any legitimate claim to be had by any Manitoban and therefore, ergo, no rights were in fact being denied if this legislation was passed. It's a little bit like saying to me, Mr. Speaker, that if I undertake now to give an assurance that I have no intention of committing murder, I shouldn't feel that my rights would be in any way abridged if he took away my right to due process of law and due defence.

Mr. Speaker, he went on to say that after all we have always had the right to pursue a suit in the country of origin, in this case in the USSR. Mr. Speaker, in that sense there was no denial of right, no denial of right seeing as how the right to suit has always existed. Mr. Speaker, what is the province spending upwards to a million, a million plus dollars for, in pursuing Dr. Alexander Kasser? Our rights exist to sue him in the Austrian courts, never mind the Soviet courts. So there's a degree of hollowness, Mr. Speaker, in the Honourable Minister's remarks with respect to the fact that no rights are being abridged by this bill because we have, after all, the opportunity of suing in a Russian court.

Mr. Speaker, the Minister of Mines and Resources himself, however, could not resist the fact that he too felt that my basic position, the position that motivated me to speak on this matter, stemmed from my desire to continue an aura of mistrust, continue an aura of tension and to continue to exhibit my anger at the present Government of the Soviet Union that is requesting us to pass this piece of legislation.

Well, Mr. Speaker, I don't mind losing an argument if I've made the argument to the best of my ability but I do mind losing an argument and having things attributed to me when I haven't advanced the argument that I feel I could have or should have made to the best of my capability, if that in fact was the argument that the members opposite wanted me to take. Mr. Speaker, most who rose and spoke imputed to me the position that they wanted or they felt that I was taking. So, Mr. Speaker, I'm quite prepared to take that position. Yes, Mr. Speaker, I believe with all my heart that there is ample reason to search out, to seek out from time to time particular ways and means of

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(MR. ENNS cont'd) exhibiting our disgust, our affront, our frustration and our anger at the form, a particular form of tyranny as it exists.

The Honourable Minister of Mines and Natural Resources should not be on record alone in this Chamber of having expressed some antipathy towards the present Soviet government, although perhaps for different reasons. Mr. Speaker, the suggestion that I have not the inclination, or shy away from speaking out in this manner, should be dismissed. I approached the bill originally on the basis that it was an affront to me to be asked, particularly by a government that shows so little concern for individual freedom or individual basic human rights, basic justice, that I should be asked as an individual legislator to pass this kind of legislation. I attempted to make the argument totally divorced of the exhibit in question.

But, Mr. Speaker, I'm quite prepared to thank the Art Gallery for having put into my hands a tool on which I at least can speak out for free men and women in this world. I'd like to speak to you of somebody who can't. By coincidence or not, this editorial comment appeared the same day that we gave second reading to this bill: "Although he is only one of many brave men and women imprisoned in the Soviet Union for daring to demand the basic freedoms which we take for granted, the courage and the suffering of Valentine Moroz have particularly captured the hearts of the Canadian people. Thousands have participated in hunger strikes and marches to protest the continued persecution of Mr. Moroz, and their efforts have moved even the Federal Government to promise to express the concern of the Canadian people to the Soviet Union about the fate of the Ukrainian historian. Now, however, Mr. Moroz is in greater danger than he has ever been. Even during his years of forced labour and his lengthy hunger strike, he has been transferred from solitary confinement in a prison near Moscow to an insane asylum, the Serbsky Institute for Forensic Psychiatry."

MR. SPEAKER: Order please. Order please. I'm going to suggest that I allowed very much latitude during debate in principle on second reading. I think on third reading we should stick strictly with the bill and I'm going to curtail the debate to a much narrower range under the third readings. So I would suggest the honourable member deal with the bill before us. The Honourable Member for Lakeside.

MR. ENNS: Mr. Speaker, the bill deals with our rights and any manner and way in which you can see me not speaking about the rights of another individual, that is under the inhumane treatment by the same government that is requesting us to pass this bill, I would have to . . .

MR. SPEAKER: Order please. On a procedural matter --(Interjection)-- Order please.

MR. ENNS: . . . to allow me to proceed.

MR. SPEAKER: Order please. I'm not going to debate with the honourable gentleman, but the procedural matter is this, that this bill is here before this Assembly because the Legislators of this Assembly desire it and not anyone else. That is the issue and of course the principle of the bill is the only issue before us. --(Interjection)-- The Honourable Member for Lakeside.

MR. ENNS: Now, however Mr. Moroz is in greater danger than he has ever been. Even during his years of forced labour and his lengthy hunger strike, he has been transferred from solitary confinement in a prison near Moscow to an Insane Asylum, the Serbsky Institute for Forensic Psychiatry for psychiatric examination. There can be no doubt what this means. The torments inflicted upon the Soviet dissident's unfortunate enough to be sent to mental hospitals are too well known not to be denied.

Leonid Plyushch recently released after years of hell in such an institution has told the world of the daily agony prescribed for prisoners through this monstrous perversion of medicine. Mr. Plyushch was saved only by world-wide outcry that forced the Soviet Union to release him and allow him to come to the west. Such an outcry seems now to be the only hope for Mr. Moroz.

The Canadian people have marched and fasted for Mr. Moroz before. Now it is to be hoped that their government will follow their lead and protest as strongly as possible against his persecution. There should be no question of this being interference in the

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(MR. ENNS cont'd) internal affairs of the Soviet Union. The imprisonment and the torture of Mr. Moroz is no more the private business of the Soviet Union than was the imprisonment and the hanging of Dietrich Bonhoeffer a matter that concerned only the Nazis.

At his trial in 1970 Mr. Moroz told the court: "You wanted to put out the fire, instead you have thrown fuel on the flames. I must be silent in a cell in the Vladimir prison, cut off from the outside world. There's a sort of silence that is louder than a cry. And even if you destroy me you will not be able to stifle it." Valentine Moroz spoke out against tyranny. Now he has no choice but to be silent. If we in Canada are to avoid tyranny at home we must oppose it wherever it occurs. We have no choice but to speak out.

Mr. Speaker, if that offends the sensibility of some of the members in this Chamber then let them speak out and let them call it nonsense. We have on other occasions used and taken government action . . .

MR. SPEAKER: Order please. The Honourable Member for Portage la Prairie have a point of order?

MR. G. JOHNSTON: . . . point of privilege. I understood you to have made a ruling that the honourable member was straying from the contents of the bill for whatever purpose he so desires, I don't question that. But you have suggested to him, Sir, that he was straying considerably from the bill and it's my interpretation of his remarks that he's using them for another purpose.

Now if he wishes to introduce a subject matter that he is introducing, let him choose a proper time and a proper place to do it, but not on this bill.

MR. SPEAKER: The Honourable Member for Morris.

MR. JORGENSON: On the same point of order. The same member a few moments ago injected the word "nonsense" and that is the biggest bunch of nonsense I've ever heard. The principle behind this bill and inherent in the bill is the taking away of rights; and surely that is a proper subject for discussion during the course of this debate. All my honourable friend is doing is discussing the taking away of right --(Interjection)-- Second reading or third reading, what's the difference? It's the same principle that's involved.

MR. SPEAKER: Order please. Order please. Order please. Order please. Order please. The Honourable Member for Lakeside carry on.

MR. ENNS: Well, Mr. Speaker, I was about to say that we as a people, we as a government, have taken and supported specific issues where we are affronted by the internal policies of a government. We support generally the economic sanctions opposed against Rhodesia because we don't like their internal politics. I've already mentioned the particular action, although half-hearted, that this government has shown with expectant sanctions against South Africa, because we are affronted by their internal politics. --(Interjection)-- I don't ask honourable members to necessarily agree with me because I know they probably will not.

But I want to indicate to you, Mr. Speaker, that I have absolutely no qualms about presently and putting forward a case and using whatever tools or mechanisms that come into my hands; and when I have that opportunity to show that affront and speak out against tyranny I choose to do so. In this instance it happens to be provided by the Winnipeg Art Gallery in their request for this bill.

But Mr. Speaker, I have no problems with that question on principle. I believe that if Mr. Moroz, or the hundreds or thousands like him, not just in the Soviet Union wherever people are oppressed, we're given an opportunity to pass comment on it. If they were standing in my position in a free country and a free Legislature, they would tend to concur with me when I say in conclusion, Mr. Speaker, "the painting has yet to be painted" or "the sculpture has yet to be sculpted," indeed "the poem yet to be written" that is worth just one of my rights.

MR. SPEAKER: The Honourable Minister of Public Works.

MR. DOERN: Mr. Speaker, I would like to make a few comments on the other side of the coin because we've listened to several eloquent contributions by the Member for Lakeside who contends that there is something in this bill that he cannot swallow,

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(MR. DOERN cont'd) and that there's some challenge of rights and democratic rights and privileges in this particular bill.

He referred to this by implication or otherwise, that this was in effect dangerous legislation. This came out in the second reading of the bill and none of those fears and concerns expressed by the Member for Lakeside were in evidence on the part of the public during their opportunity at Law Amendments. The public read the contributions and listened to the contributions of members of this Assembly. They were given an opportunity; if ever there was a time to come forward and speak it was then, and not one voice was raised in opposition in that public hearing. Not one delegation appeared to support the Member for Lakeside. So we must conclude, Mr. Speaker, those of us who do not share his particular concern - we all I think share his concern for individual freedom and rights, but we obviously understand that differently in regard to different issues. There are few, if any members, who share this overwhelming concern of the member in regard to the imminent passage of this particular bill.

We heard debate, Mr. Speaker, about the specter of Communism, about the Russian Revolution of 1917. But there was also a debate going on, I suppose, at other levels about Manitoba politics; and last and least unfortunately about the importance of international art and international cultural exchanges.

We were told that there was a likelihood by the Member for Lakeside a month or so ago when he first fastened onto this particular bill, that there was a likelihood that there would be a Manitoban, there would be someone somewhere in this province of a million who would have a claim; that there was this possibility or probability or likelihood that someone would come forward and produce evidence that their grandfather, great great grandfather, great great great great great grandfather or cousin would have a painting, some claim to some work of art and would come forward. Then there was later after that the admission by the Member for Lakeside that there would likely be none. First there was the likelihood and then there was the admission that there was no likelihood.

There was a useful clarification made in this House by some of our lawyer MLAs and Ministers who indicated that what the concern was in regard to this legislation was not a legal action, but was the seizure of a goods pending a legal action. I think that was a very useful point.

There was also the clarification in the debate that unlike what the Member for Lakeside, who poses as a single guardian of freedom in the Province of Manitoba, the one man who can see through this legislation, the one man who will speak on behalf of Democrats everywhere, he was concerned about the fact that the Secretary of the Soviet Communist Party was demanding this legislation. It was made very clear, Mr. Speaker, that it was the Canadian Government that approached the Soviet Government for the exhibition and then the Winnipeg Art Gallery asked this Provincial Government to pass this legislation. That that was the route, from the Federal Government to the Winnipeg Art Gallery to the Provincial Government.

It was also pointed out in Law Amendments, an interesting point or two, that the amount of money required to fund this particular exhibition, assuming there was no income but just in terms of outlay, was more than the entire exhibition budget of the Art Gallery for the year. So there would have to be a charge. But projecting to expected interest in the exhibition and the thousands of people who will attend, there is a real possibility that there will be a break-even point or perhaps even a profit. A projection was given of maybe some 50,000 to 60,000 people who would attend. Very realistic on the basis of earlier exhibitions. I think this may have come out. I discussed this with a number of people. Mr. Speaker, when we look at the facilities we had a few years ago compared to at present, they were indeed lacking; and the Van Gogh Exhibition which drew some 50,000 was held in the Norquay Building in 1961. That's where that particular well-attended exhibition was, and the King Tutankhamen Exhibition of some 43,000 was held right in this building in Room 200. Now we have a first-class facility, maybe of international calibre, if not in size at least in quality, and we are able to attract exhibitions we never could have had before, and this may be the first in a series.

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(MR. DOERN cont'd)

There was a suggestion made but later withdrawn that perhaps a self-destruct clause was valuable. I think this was sort of a six of one and half a dozen of the other proposition; but I think in the last analysis members agreed with the Art Gallery that it would be better to have this legislation on the books so that it might be access in the future. If this bill were limited and another opportunity arose in a few months, then it would be necessary to either forgo the exhibition or to try somehow to have the Legislature introduce that legislation.

So, Mr. Speaker, I would simply say in conclusion that there appears to be almost unanimity in the House - we don't know what the final vote will bring but I suspect that it will be overwhelming in support of the motion as amended - and I think that it will provide us an opportunity to see some great works of art. Many people don't like modern sculpture, modern art, and they are the ones who will be particularly pleased with this particular exhibition, because I know when they look at the new sculpture that the Federal Public Works gifted to the city - the Grain Commissioners Building - it will take them sometime to absorb that. But this there will be instant recognition and instant appreciation.

So I would simply like to say to those members who have started with one position and perhaps in the end, having heard all the debate, are now deciding to support the bill which will benefit all Manitobans, that we're delighted to have aboard.

MR. SPEAKER: The Honourable Member for Morris.

MR. JORGENSEN: Mr. Speaker, the words of the Minister of Public Works are nothing more than a repetition of the position that he took on second reading. If one wants to sum them up, what he says in effect, is that the abridgment of human rights is not important. That the bringing over of this exhibition into Canada - and I'm not going to dispute the aesthetic value, the cultural experience and benefit that can be achieved from the bringing over of this particular exhibition, no one has argued that point. That is not the question that is in dispute. But the Minister continues to argue along those lines as if it was the only argument he can find, and I presume that that is the only argument he can find.

But he did say something at the outset of his remarks that were rather intriguing, and is an indication of the kind of mentality that brings on this kind of legislation, when he suggested that just because there were no representations at the committee meetings, that we have no right in this House to stand up and argue against the bill. The principle of that particular piece of legislation inherent in that piece of legislation is an abridgment of rights.

MR. SPEAKER: Order please. The Honourable Minister state his matter of privilege.

MR. DOERN: Mr. Speaker, I think it's only fair that I did not say that, but I said that that was evidence that perhaps the particular Member for Lakeside was mistaken in his concern. I did not say that "a member did not have the right to make that case." I would accede that immediately.

MR. SPEAKER: The Honourable Member for Morris.

MR. JORGENSEN: It amounts to the same thing, Mr. Speaker. What the Minister of Public Works has said in effect, that because there was no representations at that hearing that there should be no argument in this House; that that was proof that the people of this province accepted the abridgment of their rights. Well, I can tell the honourable member that I would estimate that 95 percent of the people of this province don't know what's going on, don't know what's happening in this Legislature. They send us here as a guardian of those rights. We have not only an obligation, we have a responsibility and a duty to acquaint them of what is going on, and to ensure that there is no abridgment of rights in this Chamber or outside this Chamber. That's what we're doing.

For the Honourable Minister of Public Works to argue that because there was no representation in that committee, that we should simply accept the fact that their rights are being abridged and not worry about it, it is an argument that, Sir, I cannot accept. The fact is we have a piece of legislation before us, and some may argue that it is not a great abridgment of rights. That's beside the point. The fact is that there is

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(MR. JORGENSEN cont'd) and nobody can deny that. Even the Minister of Public Works in his obtuse way may have to even concede that there is an abridgment of rights. He shakes his head which is an indication that he does not agree with me. He believes that no rights are being abridged. Well, Sir, I have news for him. I agree with the Member for Lakeside, who said no painting, no piece of art, no poem or any other cultural works is worth the loss of a single right of the individual. That's the point we're attempting to make in this legislation. That's all we're attempting to say, that the possibility does exist.

The minor amendment that is now before the House is attempting to in a small way ensure that that does not happen. I'm glad it passed. I'm glad it passed because of the words of the Attorney-General when he said that they would, they would, on the instance that I outlined, abridge those rights half way through it. If the government can do that, they can do many things and that's really what worries me.

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

MR. G. JOHNSTON: Mr. Speaker, I had not intended to speak on this bill and I know a great many members wish that it would have gone through. I notice that the House Leader is pretty upset because I got up.

MR. GREEN: No.

MR. G. JOHNSTON: Well let me tell you, when somebody questions my motives in this House I get up.

MR. GREEN: Mr. Speaker, I am not upset that the honourable member got up. I want to tell him that. I'm upset but not with the honourable member.

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

MR. G. JOHNSTON: Mr. Speaker, the Member for Lakeside takes it upon himself to lecture members of this House who vote differently to what he does and he takes it upon himself to give them a lecture. Well I don't mind a lecture on my lack of judgment or my errors in judgment but I resent very much a lecture on my motives or my patriotism and that's what that amounted to. That's what that amounted to.

If my honourable friend feels so conscience ridden about this matter and he feels so conscience ridden about the actions that take place in the Soviet Union then why doesn't he and those who feel like him have nothing whatsoever to do with selling wheat to Russia. Why doesn't he and the people who think like him have nothing whatsoever to do with sports exchanges with Russia. Is it not a fact that we operate in the world of realism in politics today? There are certain things that we feel we must do to get along in the world with other countries, countries with which we do not agree on their policies inside their country.

Can one imagine what the wheat sales do for Russia, a country who needs food desperately and who runs a state-wide chain of prison camps that are talked about and mentioned in the . . . Archipelago. Is the Member for Lakeside saying because we respond to a request from an art group here and a request from our Federal Government that somehow those members who vote against his wishes are some sort of fools or traitors? I think the Member for Lakeside should apologize for imputing the motives that he has to members of this House. Every country in the world at one time or another we have had a difference with. We do not hold those grudges in our world dealings with them. We try to change things through the instruments that are available to us, the United Nations, trade treaties, cultural exchanges and so on. For the Member for Lakeside to whip up a phoney bunch of hatred and a phoney bunch of reasons to put before --(Interjection)-- yes, snake oil, to put before the people in my opinion he's playing a two-bit vote getter.

MR. SPEAKER: The Honourable Member for Rock Lake.

MR. EINARSON: Mr. Chairman, I thought this debate was going to be very agreeable or reasonable this afternoon. But the comments that I'm hearing, they seem to be getting just a little bit to the point where I'm more concerned on third reading than I was on second reading of this bill, Mr. Speaker. I have just listened to the comments from the Member for Portage la Prairie and I voted against the bill on second reading, Mr. Speaker. I want to make it perfectly clear that I have no objections and I think it's a wonderful thing that an exhibit of art from Russia can come to Manitoba and be exhibited by the Art Gallery. I think that's a wonderful thing and I have no objection to

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(MR. EINARSON cont'd) that. But when an honourable member stands up in this House and asks us why we think it's a good thing that we deal with Russia by selling them wheat, and we may buy goods from them, I think has no evidence, it has no relevance to the subject at hand this afternoon, Mr. Speaker. --(Interjection)--

MR. SPEAKER: Order please.

MR. EINARSON: Mr. Speaker, whose rights in Canada have been asked to be sacrificed in order that we can make a sale of wheat to Russia? Or even in Russia, Mr. Speaker? I ask you, Sir. I pose it in that manner. When a question is brought up like that and we start comparing selling wheat to Russia from Canada in trade for what we are talking about here this afternoon with regards to whether or not we are going to allow an exhibit of Russian culture to come to Manitoba, I want to further, Mr. Speaker - while I didn't reply in second reading, I listened to the comments from the Member for St. Matthews when he pointed over to myself and others and said, you know, if you don't pass this bill, you are preventing the citizens of Manitoba of coming to see art from Russia. I refute that comment, Mr. Speaker, and I say there's nothing further from the truth. He completely aborted what we were discussing as the principle of our fundamental individual rights in this Province of Manitoba and that's what my colleague from Lakeside has been debating from its inception.

I say, Mr. Speaker, that when the Member for Portage la Prairie - and that's what concerned me, Mr. Speaker - that we are somehow using this and it's not fair that we should deny the Russian people for bringing this culture to Manitoba when on the other hand we're perfectly happy to sell them wheat. I think there's no comparison, Mr. Speaker, on those two things at all.

So, Mr. Speaker, I just wanted to rise and make a few comments in regards to the comments I heard this afternoon and I will make my decision when it comes to voting on third reading.

QUESTION put, MOTION carried.

MR. SPEAKER: The Honourable House Leader.

Bill 62 was read a third time and passed.

Does the Honourable Minister of Mines wish me to go down second reading, now?

MR. GREEN: Yes, Mr. Speaker, proceed with the second readings.

MR. SPEAKER: Thank you. There's one more bill on third reading, Bill 67. Do you wish to take that one now?

MR. GREEN: Second readings.

SECOND READINGS

MR. SPEAKER: Second reading. Bill No. 20 proposed by the Honourable Minister of Consumer, Corporate and Internal Services. The Honourable Member for La Verendrye. I'll wait a moment.

The Honourable Member for Morris.

MR. JORGENSEN: Bill 67, The Municipal Assessment Act, I believe that on third reading the Member for Birtle-Russell was prepared to go on that one. We'll send out for him and if he's . . .

MR. GREEN: Hold the bill, Mr. Speaker.

MR. SPEAKER: I'll hold it. I started on 20 but the Honourable Member for St. James ran out to get someone. I figured that he was going to get the Member for La Verendrye. (Stand)? Bill No. 20 will stand.

The Member for Birtle-Russell will be coming in shortly. We'll catch him then.

MR. GREEN: Well take the next one, Bill No. 79, Bill No. 80, Bill No. 81, I mean just keep going.

MR. SPEAKER: Very well, I'll go down the list.

Bill No. 79, proposed by the First Minister. The Honourable Member for Lakeside.

Bill No. 80, proposed by the Attorney-General. The Honourable Member for Birtle-Russell.

SECOND READINGS

(MR. SPEAKER cont'd)

Bill 81, proposed by the Honourable Minister of Agriculture. The Honourable Member for Rock Lake.

Bill No. 82, proposed by the Honourable Minister of Highways. The Honourable Member for Pembina.

BILL NO. 82 - AN ACT TO AMEND THE HIGHWAY TRAFFIC ACT (2)

MR. GEORGE HENDERSON (Pembina): Well, Mr. Speaker, it's unfortunate that we have to get back to debating a bill which isn't of as much interest as the former one because it will slow the tempo considerably.

In studying Bill 82 I have found that they've changed the definition of a school bus. I think we'll have to be very careful on this because in some particular areas there's different circumstances and they might still be required to use cars for certain parts of the route. This is very odd of course but when they're classifying buses now and trying to bring them in all in one category I think that this is something that should be thought about.

They're also having the registration of slide-in campers and charging them a licence fee and also in there is a sales tax. The think that comes to my mind when I see this part of the bill is that the government's trying to get some more money out of the public again in the form of a licence fee. When you read about what his explanation is it's because they feel that some of them are coming in without them getting the sales tax. Well maybe that's all right too but it just shows that they're out to get all the dollars they can.

I think it's a good feature of the bill that licences can be purchased for a short period of time because there are certain occasions when a short licence is just what a person needs. It might be too that somebody on the farm might just want a licence on a truck for a certain period of the year in the harvest and he doesn't want it for the rest of the year. Rather than having to purchase it for the whole year and then to reclaim, I think it's better this way.

I think the biggest change in the bill is where all vehicles will have to have a safety check-up and be stamped before they're sold again. I'm sure that this meets with Automobile Dealers Associations approval and possibly all people in the garage business. I don't think it will meet with the approval of every farmer or individual that has a car and would like to maybe sell it to his son or to some other members of the family. He'll have to go to a garage and pay somebody to make a thorough check-up on it and he's got to be a qualified person and this will be another fee that will be taken out of somebody and they'll wonder whether it's good. But possibly it's one of the extra prices we'll have to pay for having vehicles on the road that have passed safety checks and I suppose it's coming to that. Although I know when some farmers go to sell to their neighbour and they feel that they know the car and everything or the truck, whatever they're buying, and they have to go and have this safety check-up, they'll be somewhat put out about that.

As to having tarps on trucks that are hauling gravel and stones, this is something that probably has to be nowadays too because we had several examples in the spring and we heard about it several times where stones had been falling off these big trucks and going through the windshields of vehicles behind them or else breaking windows or lights. It's something that has to happen. I do think that the people that are checking these trucks could probably take care of a lot of this. I hope that quite a bit of consideration could be used because where loads are down in the truck and they're levelled I don't think the stones would be falling off. I think probably it's when they aren't loaded properly that the stones are falling off. So I guess probably we should be having these trucks with tarps on them especially when they are hauling long distances. I see that there are special provisions for hauling dirt and other things and I think that that's good.

There is provision in the bill now where they're not going to allow these trial bicycle roads to be running around on the highways and the ditches or these here motor bikes and possibly skidoos they probably mean in there. They're going to keep them

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(MR. HENDERSON cont'd) out of residential areas and especially at night. We've heard people complaining for years about that and I think probably it's high time that they quit running around where there's a divided highway and places where they're disturbing people.

Persons under 16 years of age are not going to be allowed to buy any car and it will be considered an offence and a fine for it which is only right because they aren't supposed to be driving before they're 16 so they shouldn't be buying cars and running them around. So if we're talking about safety, these people have to be kept off the road and I think that's proper.

Where it states in there about a driver's licence being suspended for a period of over five years, it says now that he can be reinstated if he's got a good record. Reading it you know seems a little bit confusing to me because if his licence has been taken away for life and then it says if he has a good record and no accidents that he can be reinstated under certain conditions. Well, what comes to my mind is that if he's lost his licence completely how is he driving at all to have a good record. I just wondered why it's put together like that.

It says that where a person has lost his licence that he goes to the Court of Appeal first and then he can appeal that decision to a County Judge but then there's no further appeal after that. I think in some cases - and I'm not saying in all cases but there might be different circumstances surrounding some of the cases - and I'd hate to see that ruled out that he couldn't go to an appeal. He may have something that's just a little different and the judge may have taken a different slant on it. I think possibly if he wants to go to a Court of Appeal let him go and he'll be paying the costs if he loses. I hate to see that right taken away from him.

The last part of the bill is what we were told earlier, that the licences now are going to be based on the weight of a vehicle rather than on the wheelbase. There's arguments both ways against this but I think the thinking behind this when it came in was that it was the big heavy cars that were the luxury cars and they should be taxed higher. I don't think that's always the case because I think there's many station wagons owned by people with a larger family and they bought this type of a car to accommodate the family. I think possibly too that there's some of the older cars which really aren't old but they're the heavier big cars and some of the people that are poorer are buying them because they need a cheaper car. So I hate to see this change this way.

But generally speaking I think the bill is really a good one and it has a lot of good features in it. I'm sure that it will be an improvement to many of the things we've had.

There was one other thing that the bill had in it about the Executive Council being able to change the speed limits on the highways. I believe possibly this is all right but I do hope that if the Executive Council try to get advice from anybody, when they're talking about the country they'll talk to country people and not to the city people because I think that's the place to get the advice when you're changing the speed limits in the rural areas. If you're changing the speed limits in the city you can talk to the people in the city because I'm sure what we heard is 80 percent of the accidents are in the city anyway and they have low speed limits. So I hope that they don't just get a bunch of those city fellows together and start changing the speed limits to suit themselves and not considering country people.

I think probably that's all that I have to say but there might be others on this side that have some comments but I'm satisfied to see it go to committee.

MR. SPEAKER: The Honourable Member for La Verendrye.

MR. BOB BANMAN (La Verendrye): Thank you, Mr. Speaker. I have just a few brief comments on the bill too. The Member from Pembina has touched on most of the things that I wanted to talk about and I think I'd just like to elaborate very slightly on them.

The tarpaulins on the trucks I know is going to cause quite a stir probably from the trucking industry and I would just ask the Minister to make sure that the inspectors, when they're out on the road, that they use quite a bit of common sense when they're trying to police this thing. When you're dealing with something like weight restrictions or

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(MR. BANMAN cont'd) something like that, you've got concrete figures that you're dealing with but this is sort of a discretionary power that will be left up to the inspectors and I hope that they use that properly and don't abuse that particular right that they've been given right now.

The matter of compulsory safety checks I think is something that has been brought up not only by myself but members of the opposition for awhile now, as it affects cars sold by the Minister for MPIC, Autopac. There were certain concerns expressed that these cars could come back onto the highways and byways of Manitoba without ever receiving a safety check and I'm sure that this particular section will now make it compulsory for these cars to have that particular check.

We also note - and I'd just like to ask the Minister to take note that 50 percent of all vehicles as far as the used car registrations in Manitoba are concerned are sold by the private sector. And I think the Minister will have to, before the implementation of this bill, make sure that the public is aware of what is happening because I would hate to see the type of thing happening where a fellow buys a car from a private individual and then gets stuck with a big repair bill because he's forced to pay for it. In other words, we'll have to make sure that the consumer in this particular instance is looked after and that he doesn't get stuck with a \$300 or \$400 repair bill when he's buying a car from a neighbour or something like that. In other words there'll have to be a certain amount of education as far as the public is concerned. As the Member for Pembina mentioned there's probably some areas where the people will have to be educated along these lines and I would just like to point out that Ontario has had that type of legislation for quite awhile and I know from personal experience it has caused some problems the first couple of years that it was implemented but now everybody knows what's happening and I think that again the highways and the roads in Ontario are safer for it. And after all I think this is the motivating force behind the Minister in proposing this type of legislation, that's safety on the highways.

There are several other areas which the Member for Pembina also touched on, the slide-in campers and the weight registration of automobiles, and I think we've debated that during the Budget Speech so I won't touch on it now.

So, Mr. Speaker, with those few words I'd just like to add my own personal comment to it in that I hope that the tightening up of the checking of motor vehicles will be beneficial to all Manitobans and, as I mentioned, make the highways a safer place for all of us. Thank you, Mr. Speaker.

MR. SPEAKER: The Honourable Member for Birtle-Russell.

MR. GRAHAM: Mr. Speaker, I just want to add a couple of words here and it's dealing with the checking of motor vehicles, and the fact that the Minister has tried to lay down a few guidelines on what he considers to be a qualified mechanic. And I think that the aims of the department here are admirable but I don't know whether they're attainable. I would hope that in certain areas of the province that there will be consideration given if there is a shortage of mechanics that meet the requirements that are laid down by the Minister here, if consideration would be given to the qualifications of these mechanics that are available in certain areas of the province. I think it's fairly important because we do know in some areas there may be mechanics who have not had the technical training but are doing an excellent job, and we know that almost everywhere you go there is a shortage of qualified mechanics, so much so that in some areas mechanics are almost non-existent. So I just raise that point with the Minister, asking him if he has some way of assuring that all areas of rural Manitoba will have good qualified mechanics I hope he would tell us how he is going to do it because we would certainly like to see them in some areas.

QUESTION put MOTION carried.

MR. SPEAKER: The Honourable House Leader.

MR. GREEN: How about 89? 67, I don't see 67, oh yes. All right 67.

BILL NO. 67 - AN ACT TO AMEND THE MUNICIPAL ASSESSMENT ACT

MR. SPEAKER: On the proposed motion of the Honourable Minister of Municipal Affairs, the Honourable Member for Birtle-Russell.

MR. GRAHAM: Mr. Speaker, I took adjournment this morning to just clarify with the Attorney-General my inability to read a section of the amendment properly. That has been cleared and I would like to, at this time, thank the Attorney-General for paying attention to some of the remarks that were directed in this manner and enshrining in the legislation exemptions that had been statutory for years in this province and ensuring that that statutory exemption remained. And with those few remarks I commend the bill to the House.

QUESTION put MOTION carried.

MR. SPEAKER: The Honourable House Leader.

MR. GREEN: Well, Mr. Speaker, I'd appreciate knowing if there are any honourable members who were wanting to speak to any of the bills on second reading? I'm prepared to wait a few minutes if there is; if there's not then I'm going to adjourn the House.

MR. JORGENSON: Not this afternoon, Mr. Speaker, perhaps tomorrow morning.

MR. GREEN: All right.

MR. SPEAKER: The Honourable Minister.

MR. GREEN: Mr. Speaker, I'm not able to ascertain whether Mr. Coulter has been definitely obtained, so I have no choice but to suggest . . . I can't call the committee on the speculation that he may or may not be there, so the Industrial Relations Committee will meet at 8 p.m. tonight and I would accordingly move . . .

MR. SPEAKER: Order. I wonder if the honourable gentleman is prepared to take Bill 69 into Committee of the Whole.

MR. GREEN: Yes we can move 69 . . . well Mr. Craik wanted to speak on that I know.

MR. SPEAKER: The Honourable First Minister.

HON. EDWARD SCHREYER (Premier) (Rossmere): Mr. Speaker, to reply directly to the point that has been raised by the Chair I would advise that we could proceed into committee consideration. However, the Honourable the Leader of the Opposition does have certain points to express at committee stage and we are working on an amendment which he is suggesting and I, Sir, have to say that the amendment is not finalized yet.

MR. SPEAKER: It was only a suggestion. The Honourable House Leader.

MR. GREEN: Mr. Speaker, I move, seconded by the Attorney-General, that the House do now adjourn.

MOTION presented and carried.

MR. SPEAKER: Accordingly the House stands adjourned until 10 a.m. tomorrow morning (Wednesday)