

## THE LEGISLATIVE ASSEMBLY OF MANITOBA

8:00 o'clock, Friday, May 24, 1968

Opening Prayer by Mr. Speaker.

MR. SPEAKER: Presenting Petitions  
 Reading and Receiving Petitions  
 Presenting Reports by Standing and Special Committees  
 Notices of Motion  
 Introduction of Bills  
 Orders of the Day

The Honourable Leader of the New Democratic Party.

MR. RUSSELL PAULLEY (Leader of the New Democratic Party) (Radisson): Mr. Speaker, before the Orders of the Day, on the same order of business this morning and again this afternoon, I asked the Honourable the Attorney-General under whose authority was approval granted for an increase in the price of a case of beer, that is 12 cans of beer, on whose authority was an increase of 35 cents per carton authorized.

HON. STERLING R. LYON, Q.C. (Attorney-General) (Fort Garry): Mr. Speaker, I have the information now from the Liquor Control Commission who have jurisdiction in these matters. The price announced by the Liquor Control Commission for canned beer is of course the retail price. The responsibility for setting the retail price of beer is that of the Liquor Control Commission under Section 8 of The Liquor Control Act. There is no requirement for Public Utilities Board approval of retail prices fixed by the commission. The wholesale price of beer produced in Manitoba - I underline those words - and purchased by the Liquor Control Commission is subject to Public Utilities Board approval, the wholesale price only. But canned beer will be all produced by out-of-province breweries and is therefore a matter of interprovincial trade and outside the jurisdiction of the Public Utilities Board.

The reason, the Commission advise the reason for the price differential between canned and bottled beer is that canned beer does involve higher packaging costs. Before setting the price, the Commission considered the cost factors carefully, they also referred to the price differentials between canned and bottled beer which exist in other jurisdictions.

MR. PAULLEY: A supplementary question. Mr. Speaker, if this is the case, I wonder if my honourable friend can answer the question then why, if there is a differential in price and a higher price, the Liquor Commission authorizes that increase in price?

MR. LYON: Mr. Speaker, I thought i'd made it clear; it has to do with the container.

MR. ELMAN GUTTORMSON (St. George): Mr. Speaker, a supplementary question on the same topic. Does the brewery who is manufacturing the canned beer, I believe it's Tartan Brewing Company, do they get the same amount of money for their beer at the local brewery?

MR. LYON: I would have to ask the commission. I would presume so, but I would have to ask the Commission, Mr. Speaker.

MR. GUTTORMSON: If that is the case, then why would the Commission -- the packaging I would have to assume would be absorbed by the company, then why would the extra retail price have to be charged. If the brewery is absorbing the cost of packaging, why is it necessary to charge more money for the retail product?

MR. LYON: The difference, for one thing, it will all be shipped into Manitoba. I don't know that the breweries do absorb the cost of packaging. I presume, and it's only a presumption, it would be subject to proper advice from the Commission, who have responsibility for these matters, I can only presume that the price to the commission is likely higher than the price of bottled beer.

MR. GUTTORMSON: Did I not understand the Minister correctly when he said that they paid the same amount of money to the out-of-town brewery as they did locally?

MR. LYON: I presume, I don't know. I would have to ask the Commission. This is a matter that's within the Commission's jurisdiction. I haven't the detail of that at all.

MR. T. P. HILLHOUSE, Q.C. (Selkirk): Mr. Speaker, I would like to address a question to the Honourable Minister of Urban Development and Municipal Affairs, arising out of an answer given this morning by the Honourable the Attorney-General to a question that was asked by the Honourable Member for Portage la Prairie regarding the "Affair Carberry" I'll call it. The Honourable the Attorney-General stated that the legal opinion was on the way. Now has it arrived and if not, is there any possible chance of changing your lead dog and getting one that will be a little faster?

HON. THELMA FORBES (Minister of Urban Development and Municipal Affairs) (Cypress): Mr. Speaker, yes I received the correspondence today.

MR. HILLHOUSE: A supplementary question then, Madam. When are you going to make it public to the House?

MRS. FORBES: No, Mr. Speaker, I haven't had time to give it consideration yet.

MR. SPEAKER: The Honourable Member for Rhineland.

MR. JACOB M. FROESE (Rhineland): Mr. Speaker, I would like to address a question or two to the Honourable the Attorney-General. I presume meetings of the Statutory Orders and Regulations Committee will not be held since it is getting very late in the session. I'd like to ask the question why not, and is there no motion of concurrence required this year in regulations. A further question, will copies of the regulations be distributed to members of the committee?

MR. LYON: Copies of the regulations have already been tabled, Mr. Speaker. There is a motion on the Order Paper which will be dealt with sometime soon, I would imagine, tonight or tomorrow, calling for the sittings of the Statutory Orders Committee between sessions. When the committee is convened the members, as has been the practice for the last seven years, will each receive a copy of the regulations.

MR. SPEAKER: Did the Honourable Leader of the Opposition have a question?

MR. GILDAS MOLGAT (Leader of the Opposition) (Ste. Rose): Yes, Mr. Speaker, following on the question to the Minister of Municipal Affairs, could she advise the House now as to the recommendations made by the Department of the Attorney-General?

MRS. FORBES: No, Mr. Speaker.

MR. MOLGAT: Mr. Speaker, then a subsequent question. Will the Minister undertake to either table in the House if the House is still sitting, and if not, to advise all of the members of the House as to the recommendations in view of the fact that the matter was brought up during the course of the session?

MRS. FORBES: Mr. Speaker, when I make an announcement it will be to, not only the House, but to those interested throughout the province.

MR. MOLGAT: Then a third question, Mr. Speaker. Can the Minister indicate when she will make an announcement, in view of the fact that the matter has now been under discussion for some six weeks and has been fairly clear?

MRS. FORBES: Mr. Speaker, I have a considerable backlog of correspondence on my desk because I have been very busy, as busy as you have in this House, and as soon as I possibly can, I will be making an announcement.

MR. MOLGAT: It wasn't evident, Mr. Speaker, by her attendance in the House. I realize the . . . didn't want her in the House, that's obvious.

MR. PAULLEY: I would like to address a question to the Honourable First Minister. The other day the Minister indicated to my colleague from St. John's that we will be receiving a copy of the Hedlin Menzies Report, a Reallocation of Communities in Northern Manitoba. The Honourable the First Minister indicated that this would be produced at this session. Might I ask my honourable friend if this is still his intention?

HON. WALTER WEIR (Premier) (Minnedosa): Mr. Speaker, I never did say that this would be the case. I said that the Order for Return would be replied to at this session of the Legislature and it is still my intention to be able to do that.

MR. PAULLEY: Might I ask my honourable friend when he might do that?

MR. WEIR: Mr. Speaker, soon.

MR. PAULLEY: A very typical answer from the Honourable friend's office. -- (Interjection) -- You are still carrying on in your same way, et? As I said this morning possibly now and again you need to get up to air your brain. -- (Interjection) -- I didn't quite hear the rambling of my honourable friend. Mr. Speaker, I would like to address a question to the Honourable the Minister of Public Utilities. Can the Minister indicate how many communities within the Metropolitan area of Greater Winnipeg are prejudiced against by having differentials in telephone rates as the result of not being able to have the same services that apply to most of the Greater Winnipeg or Metropolitan area, namely, and particularly Headingley?

HON. STEWART E. McLEAN, Q. C. (Minister of Public Utilities) (Dauphin): Mr. Speaker, of course there are no communities prejudiced against by the Manitoba Telephone System anywhere in Manitoba. The Honourable the Leader of the New Democratic Party will recall that this question was asked of the Chairman of the Manitoba Telephone System when they were before

(MR. McLEAN cont'd.) . . . . the Committee on Natural Resources and Utilities. My recollection is that he said there were other communities within the Metropolitan area, and I would have to confess that I don't remember the number. I do remember him answering, if I recall correctly, that there were other communities in the same situation.

MR. PAULLEY: Mr. Speaker, may I ask the Honourable Minister whether he will answer my question, instead of referring to other communities. My question was directed insofar as Metropolitan Winnipeg is concerned. This morning my honourable friend tried to prevaricate and get around the thing by talking about 51 communities in Manitoba. I'm concerned within the orbit of Metropolitan Winnipeg. Can my honourable friend tell me how many communities within Metropolitan Winnipeg have differentials in telephone rates which prejudice those communities. The answer should be yes or no.

MR. McLEAN: Mr. Speaker, if it's a yes or no answer, then my answer is no. I remember, however, that the question was asked of the Chairman of the Manitoba Telephone System and that he answered that there were others. I cannot recall the number.

MR. PAULLEY: Within the Winnipeg area?

MR. McLEAN: Yes, that was the question that was asked of him and that was the question he answered.

MR. PAULLEY: What's the order about now, Mr. Speaker? Who's babbling now?

MR. McLEAN: Mr. Speaker, if I might turn to another matter. I wish to table a Return to an Address for Papers No. 3 agreed to on April 22, 1968, on the motion of the Honourable the Leader of the Official Opposition.

MR. SPEAKER: Orders of the Day.

MR. LYON: Mr. Speaker, I wonder if we could now proceed, Sir, to the third reading of those bills which were reported out of the Committee of the Whole just prior to adjournment. That would be bills 28 to 92 as they appeared on the supplemental list of this afternoon's Order Paper.

MR. SPEAKER: May we have the motion for me to vacate the Chair?

MR. LYON: No, this is for third reading, Mr. Speaker. I believe I have the first bill here.

BILLS Nos. 28, 49, 53, 60, 61, 62, 63, 67, 73, 75, 76, 80, 81 and 82 were each read a third time and passed.

MR. GORDON W. BEARD (Churchill) presented Bill No. 84, An Act respecting the Incorporation of The Town of Thompson for third reading.

MR. SPEAKER presented the motion.

MR. SPEAKER: The Honourable Leader of the New Democratic Party.

MR. PAULLEY: Mr. Speaker, I hate to interrupt the rapidity with which legislation is being given third reading at the present time but I feel that I must rise in the House once again to protest against the type of legislation that is being given approval for at this particular time.

Members of the House, on reviewing, I'm sure, Bill 84, will note that in this particular Bill that International Nickel Company of Canada, who control almost a third of the Province of Manitoba, have to give consent to extensions of boundaries of the Town of Churchill and in -- the Town of Thompson, excuse me. We heard so much of the north this session, Mr. Speaker, and we hear of the deplorable situation in the Port of Churchill that sometimes it's quite easy to look at Thompson in similar relationship because of the control that is being put on the communities of the north by forces other than the community themselves, so if I, by slip of the tongue used Churchill instead of Thompson, I'm sure the members of the House will readily understand that slip, because of the fact that this government and its federal counterpart, or the Federal Government, have not given due recognition to the necessity of expansion in the north and taking into consideration the well-being of the people of northern Manitoba, be it Thompson or be it Churchill.

I want to rise once again and protest the provisions within this Bill, that a private company is on par with the Lieutenant-Governor-in-Council of the Province of Manitoba, because that is what it means in effect - this legislation - I suggest, Mr. Speaker, and here a private company, namely, International Nickel Company, can defy in essence under this Bill the will of the people's representatives through the Lieutenant-Governor-in-Council because of the fact that this Bill has the provision "with consent of the company."

Now I'm not going to pursue this any further this evening, but I suggest -- and I'm sure my honourable friend who just nodded that head of his, and I could hear it from here - I'm

(MR. PAULLEY cont'd.) . . . . speaking of the Attorney-General — I suggest to all the members of this House that they should try to get ahold of a copy of the agreement that was entered into between the International Nickel Company and the Government of Manitoba to see and to assess how much power this particular company has insofar as the destiny of our province is concerned, and it would be, I'm sure, Mr. Speaker, a revelation. I have a copy of the agreement; I have read it on a number of occasions. I recommend it as interesting reading to all of the members of this Assembly.

Again, Mr. Speaker, I protest legislation which, as I say, places almost on an equal status a private company, be it INCO or any other company, and the Lieutenant-Governor-in-Council before a town can expand its boundaries.

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

MR. LEMUEL HARRIS (Logan): Mr. Speaker, I'd like to get up and support my Leader in his remarks and quote from you . . .

MR. LAURENT DESJARDINS (St. Boniface): What did he say?

MR. HARRIS: And quote from you -- you wouldn't understand, you can't understand my language anyways so keep quiet, just keep quiet; that's enough out of you. -- (Interjection) — Never you mind, keep quiet. Mr. Speaker . . .

MR. SPEAKER: Order please. I wonder if the Honourable Member for Logan would direct his remarks to the Chair and probably we'd have no mischief.

MR. HARRIS: Mr. Speaker, we hear from our national song "the true north strong and free."

MR. GUTTORMSON: Trudeau strong and free.

MR. HARRIS: Now here we go and we're throttling the very people that we put up there to make it strong and free. These are the people in this Chamber that are supposed to stand on guard for them people, and what do they do? Sit back and let a Bill like this through. -- (Interjections) -- Here are the people that sit back and let a town be sold down the river. You are the people — the guardians of Manitoba — the guardians of Manitoba. -- (Interjections) — Never mind, I can sing it and not you. So, Mr. Speaker, I've said my two bits worth and I'll sit down at that. Thank you.

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

MR. SPEAKER: I think we're at the end of those bills, are we not.

MR. DOUGLAS M. STANES (St. James): Bill No. 86, Mr. Speaker?

BILL No. 86 was read a third time and passed.

MR. LYON presented Bill No. 87, An Act to amend The Surrogate Courts Act, for third reading.

MR. SPEAKER presented the motion.

MR. PAULLEY: Mr. Speaker, just before the last motion on this particular Bill is passed, I'd like to again raise the point of the lack of representation of the student body on the Board of Governors — (Interjection) -- Wrong Bill? Oh, Surrogate Court? I'm sorry, Sir.

MR. SPEAKER: Order please. Students are a little young for that job.

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

HON. GEORGE JOHNSON (Minister of Education) (Gimli): Mr. Speaker, the students would make as big a contribution on the Surrogate Courts as they would in the University.

MR. JOHNSON presented Bill No. 92, The University of Manitoba Act, for third reading.

MR. SPEAKER presented the motion.

MR. MOLGAT: Mr. Speaker, I wish to get up and express my appreciation to the Leader of the New Democratic Party for his support of this resolution at this time. I was looking forward to it this afternoon and I'm pleased to see it coming forward this evening.

MR. PAULLEY: Mr. Speaker, in connection with this Bill, if my honourable friend the Leader of the Liberal Party had have been here at 2:00 o'clock this morning, as I was, when this Bill was considered in the Committee, he would have known that we had support with most of the Liberal members, with the exception of the Leader of the Party, and those of my Party, including its Leader, that were attending to the business at 2:00 o'clock this morning.

But apart from that -- (Interjection) — before one? I'm sorry, I stand corrected. I knew it was today and not yesterday anyway that we considered this Bill, and I want to say to my honourable friend the Minister of Education, if enough reliance was placed in the students in connection with the conduct of the affairs of the University and the Board of Governors of the University as he apparently applied with the Surrogate Court, democracy would be better

(MR. PAULLEY cont'd.) . . . . served in the Province of Manitoba, and particularly insofar as the University of Manitoba is concerned.

We're not going to oppose the passage of this Bill because it contains many valuable sections and it's necessary. I merely rise, as I indicated previously, that we think the students of Manitoba are intelligent enough and deserving enough of direct representation on the Board of Governors of the University of Manitoba.

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

MR. LYON: Mr. Speaker, before moving Committee of the Whole, I wonder if I could at this stage of the proceedings seek leave from the House to have my colleague the Minister of Mines and Resources introduce a Bill relating to the exchange of some Crown land in the constituency, I believe, of the Honourable the Leader of the New Democratic Party.

MR. MOLGAT: Mr. Speaker, I'm prepared to give leave.

MR. FROESE: I already agreed prior to this.

HON. DONALD W. CRAIK (Minister of Mines and Natural Resources) (St. Vital): Mr. Speaker, I apologize for this late intrusion into the affairs of the House, but I would like to ask leave of the House to introduce Bill No. 115, An Act respecting the Relocation of the Seine River, and the same be now received and read a first time. His Honour recommends the proposed measure to the House, and I ask leave.

MR. SPEAKER: Did the Honourable Minister have a seconder?

MR. CRAIK: Seconded by the Honourable Minister of Municipal Affairs and Urban Development.

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

MR. LYON: . . . enquire from honourable members while the Bill is now being distributed, would they like to hear the Minister's explanation, maybe after it's distributed, or after we come out of Committee. Whatever suits your convenience.

MR. PAULLEY: Mr. Speaker, if I may ask my honourable friend the House Leader if it's his intention to have this Bill go to Law Amendments Committee in order that public representations may be heard in respect of this particular Bill?

MR. LYON: They've already - I think - I would expect that the Bill would be dealt with in Committee of the Whole.

MR. PAULLEY: The answer would be "no", that there will not be any public representations as far as this Bill is concerned in Law Amendments Committee, as is of course the practice in the Government of Manitoba?

MR. SPEAKER: Order. We're having an interesting conversation.

MR. CRAIK: Mr. Speaker, by leave, I would move, seconded by the Honourable the Minister of Urban Development and Municipal Affairs, that Bill No. 115, An Act respecting the Relocation of the Seine River, be now read a second time.

MR. SPEAKER presented the motion.

MR. CRAIK: Mr. Speaker, just a brief explanation. This stretch of the Seine River is a small oxbow that is located approximately behind the Niakwa Golf Course Clubhouse and it serves as a boundary also; the Seine River serves as a boundary there between St. Boniface and St. Vital. A portion of the golf course property was acquired by a contractor and it was his desire, with the approval of the City of St. Boniface and the City of St. Vital as well as the golf course, to have the river diverted over, cutting across the oxbow or across this short stretch. It was beneficial to the City of St. Vital in that the river previously cut up against the Niakwa Road and was eroding it very severely, and they were quite happy to have this portion of it moved. The land that is benefitted from it will be used for, I believe, development purposes.

The reason that I'm bringing the Bill in is partially as the MLA for the area, partially because the river bed itself does constitute Crown land, but the real legal requirement for the Bill is the fact that the transaction cannot be completed in the Land Titles Office until the described land is approved by the Legislature. I would also indicate that in this move that the constituency of St. Vital has gained ground from the constituency of Radisson.

MR. MOLGAT: Mr. Speaker, I suppose the proper question now is, were there any electors involved? Mr. Speaker, I frankly do not particularly like the manner by which we are proceeding on this bill and I recognize the problem in which the government finds itself, and so I was prepared to give leave. I think normally on these sort of bills it would be very helpful if we could get them before committee where we can be sure that we hear from all the parties

(MR. MOLGAT cont'd.) . . . . who may be involved. I understand that here both the City of St. Boniface and the City of St. Vital are involved as well as a number of private parties. I understand from the Minister that there are no objections from any of the parties involved, whether they be municipal corporations or individuals, and on that basis I do not object to the bill; I am prepared to see it go forward.

I would hope, however, that wherever possible these type of bills, where a number of parties have an interest, do in fact go to a public committee where the House can be assured that any individual who may be affected in any way has an opportunity to appear before the members of the House to give assurance to the members that they do agree to the proposition. I am not going to object to the second reading. I am prepared to proceed with it, on the specific assurance from the government that all parties have been properly notified of the bill, that there is assurance from all parties that they agree to it, and that we are not, by passing this bill, establishing any precedent which could cause us difficulties in the future. We are, in this particular case, transferring a piece of Crown land to a private party. It's an exchange of land for which there is no value paid. I think that the piece of land that is being transferred to the private individual is in this particular case somewhat larger than the piece of land which becomes now Crown property. I don't think that in this particular case there is any harmful effect to the Crown and thereby to the people of Manitoba, but there could be other cases, Mr. Speaker, where there would be such an effect, and I'm thinking, for example, of some of the very large loops in the Assiniboine River where there is very substantial land involved and where a similar transfer would in fact substantially benefit a private individual at the expense of the Crown, and I wouldn't want this to be in any way a precedent towards this. On this particular case it appears that there is no loss to the province, and I'm prepared to proceed with the bill.

MR. PAULLEY: Mr. Speaker, this particular project was indicated to me some, I guess about two months ago, and a request was made of me as the Member for Radisson at that particular time, to introduce a Private Member's bill into the Assembly to validate the action that had been taken. However, under the rules of the House as at the present time, being only a private member in the Assembly - which of course will be changed in due course - I was not able to - (Interjection) - That's right. Could well be - but it won't be because of Trudeau, as you know - I was not able to introduce the bill which has to be done by a Minister of the Crown. But, as the Minister indicated, there is general agreement - or there is agreement, not general agreement, there is agreement between my constituency and the City of St. Boniface and the City of St. Vital which I also represent a goodly portion, that there's no objection to this particular bill.

The only thing I do point out to you, Mr. Speaker, and I don't want to criticize the drafter of this particular bill and I'm in favour of the bill being proceeded with, but it seems rather peculiar to me, the wording of the first preamble which reads that: "Whereas under the Water Rights Act, the City of St. Vital was authorized by the acting Minister of Highways on or about the 24th day of May" (which is today) "to proceed with the relocation of a portion of the Seine River situated within the City of St. Vital and the City of St. Boniface and the relocation has been completed." It seems to me that the government or somebody moved far more rapidly in respect that this particular matter is concerned than is normal with government, for here it is, the 24th day of May, and we have authorization to proceed with a project which has already been completed - we're now giving authorization for it to be done. So I suggest possibly somebody, some historian, looking at this particular bill some time will take a look at it, that it was agreed to in this House on the evening of the 24th day of May, it was a considerable project - as indeed it is - and we're authorizing a bill to proceed with it on the same day as it is completed. However, aside from that, Mr. Speaker, we have no objections to proceeding with the bill. We realize the situation completely insofar as the re-allocation of the river bed in the Seine River in this particular location.

MR. SPEAKER: The Honourable Member for Rhineland.

MR. FROESE: Mr. Speaker, it seems that the City of St. Vital is very fortunate in that it is getting some virgin soil in their constituency, a piece of land that heretofore has never been touched, I guess. What is the channel - once it's freed, what will it be used for? Is it going to be filled up and used for housing or is it going to be used for recreational purposes? So, I certainly have no objection of having this done and I think we could stand more of this in the rural parts of Manitoba where we have streams that are meandering, and where we could set

(MR. FROESE cont'd.) . . . . to and certainly make use of some of our lands in this way much better.

MR. SPEAKER: The Honourable Member for Selkirk.

MR. HILLHOUSE: Mr. Speaker, I don't want to delay matters in the House and I certainly will vote for the bill, but I do believe this, that these matters could be best resolved by an agreement between the various parties involved and then this House asked to ratify the agreement. Then we'd be sure that all parties had consented.

MR. SPEAKER: The Honourable Minister of Mines and Natural Resources.

MR. CRAIK: Mr. Speaker, if no one else wishes to speak, I'll close it with the comment that the work, the diversion has taken place. I think what arose was that it was a case of shooting first and asking questions later. The cities agreed to it and everybody else involved agreed to it, and they got down to the final act which was registering the title and found out that it took an Act of the Legislature to do it, and this is why we're bringing it in. It has been in the hands of the Water Commission; we received the permit today - I should mention, from this - on it, and this is why unfortunately I haven't been able to give you more notice of it but I wanted to bring it in, otherwise it would have been held up until another session. I don't think there's any other questions for me to answer.

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

MR. LYON: Mr. Speaker, we're now going to go into Committee of the Whole, and I presume that the House would agree that this Bill 115 could be dealt with in Committee of the Whole? Thank you.

Mr. Speaker, I beg to move, seconded by the Honourable Provincial Treasurer, that Mr. Speaker do now leave the Chair and the House resolve itself into a Committee of the Whole to consider of Bills 95 to 115.

MR. SPEAKER presented the motion and after a voice vote declared the motion carried, and the House resolved itself into a Committee of the Whole with the Honourable Member for Arthur in the Chair.

#### COMMITTEE OF THE WHOLE HOUSE

MR. CHAIRMAN: Are you ready to proceed? Bill No. 95. (Bill 95 was read page by page and passed. Bill No. 96, pages 1 to 18 were read and passed.) The Member for Brokenhead.

MR. SAMUEL USKIW (Brokenhead): Yesterday, I attempted to - in vain I must admit - impress upon members of Law Amendments Committee, which were at that time few in number, that we ought to have given consideration to amendments to the bill that would in effect not abandon the entire principle of the Act which this Act is going to replace, namely the Agricultural Credit Corporation - yes, Agricultural Credit Act - that we had on the statute books since 1958, and my point, Mr. Chairman, was that I wasn't satisfied, that there was not a proper spelling out of who lending institutions might be, and I suggested to the committee that what we should do is amend the bill so that the corporation itself may make loans to farmers, banks and credit unions, and other lending institutions. So the departure there is that I would suggest that the corporation should still be in the business for the purpose of making loans to farmers under age 35, because there is no provision under any Act, federal or provincial, that deals specifically with this particular problem, and I wanted to give recognition to the fact that credit unions should be considered as lending institutions under this Act.

Now, Mr. Chairman, I think we all recognize the importance of what I'm trying to say. I don't know why we have the reluctance on the part of government to accept decent amendments or decent propositions. To bring to mind to the members that were asking from Law Amendments Committee, Mr. Chairman, I would simply like to read to you what my proposition was so that you have a complete idea of what I'm trying to get at. Yesterday at Law Amendments I proposed that Section 22 (1) be amended to read as follows: "Subject to subsections (2) and (3), no direct loan shall be made by the corporation to any person." And you will note that I said "subject to subsection (2)" which was in the bill, but I've also added clause (3), that being that the corporation may make direct loans to farmers under the age of 35 at an interest rate of two percent below the interest rate as determined under clause (c) (i) (b) of Section 21. And the principle behind that amendment, Mr. Chairman, is that we have been involved in long-term loans for all the farmers of Manitoba, but in particular we have had a particular status for young farmers over the last ten years. The idea was that we should encourage young

(MR. USKIW cont'd.) . . . . farmers to stay on the land in view of the fact that there is virtually an absence of youth on the farm today and in recognition of the fact that we don't want to end up with giant corporate type of farming enterprises, that we do want our youth to take over the farms from their parents, and that we recognize this as being the most desirable farming enterprise that a province would wish to have.

So, Mr. Chairman, it was a good principle; it still is a good principle; and I want to mention to you that today the statistics tell us that across Canada the average age of farmers is somewhere in the upper 50s or close to 60, which means that within ten years we are going to have a substantial change in the farmers of Canada - that is, in the operators; that we are going to have a transitional period in the next ten years, and it appears to me that it may go in either of two directions: one is that our youth may decide that agriculture is promising and will purchase farms from their parents or otherwise, and the other is that we may get into massive consolidation of the corporate type of farming enterprises which are not most desirable. So, Mr. Chairman, my intention here is to suggest to the House that we shouldn't abandon the youth of Manitoba; that we should continue with that principle that we have to encourage and assist the young farmers to stay on the land and to encourage more of them back to the land, and the fact that the Minister may argue that to make a provision within this Act to deal only with the young people, would necessitate some administration, some personnel, which may be overly expensive in relation to the amount of loans that they may be making. But I want to say, if that is his objection, Mr. Chairman, that it's quite reasonable to expect that the Minister could under this Act, if he wanted to make the necessary amendments, make a deal with the federal Farm Corporation that although they would provide the funds under their Act, that the province would be willing to subsidize those farmers so far as the interest rate is concerned, those farmers that are under the age of 35, and make some reciprocal arrangement with the Federal Government in this connection, if they felt that my proposal was not sound in that it would require the continuance of an administrative body, that would have a limited scope and a limited field; and I hope, Mr. Chairman, that the Minister would reconsider and would introduce amendments that would recognize the fact that we do want to encourage our youth to stay on the land and that we recognize the particular problems that they are facing in trying to establish themselves. I fail to see that a principle that was so worthy some several years ago, or ten years ago - in fact it was one of the major planks in the election campaigns of those years; the government was taking pride in the fact that they were doing this for young farmers; and today they have somehow seen fit to abandon the whole principle.

I want to say that I do like some of the other sections of the bill; I think they are positive. But I don't like to lose some of the good things that we had in the old Act and I would hope that the Minister would respond to my pleas on behalf of the youth in the Province of Manitoba.

MR. CHAIRMAN: (The balance of Bill 96 was read and passed. Bills Nos. 98, 100, 101, were read page by page and passed.) Bill No. 102. Page 1--passed . .

MR. SIDNEY GREEN (Inkster): Mr. Chairman . . .

MR. CHAIRMAN: The Member for St. Boniface.

MR. DESJARDINS: Mr. Chairman, I imagine you have a motion not to report the bill, so maybe yours would be in order, then you might support some of my resolutions . . .

MR. GREEN: Mr. Chairman, this is Alphonse and Gaston. I wanted to speak on the bill before it was reported but if there are some other matters that my honourable friend wishes to raise, I would be happy to hear them first.

MR. DESJARDINS: Fine Gaston - I mean Alphonse. Mr. Chairman, I'd like to move an amendment and I believe that there are some amendments ready if they can be distributed. I think this is what's going on in the meantime; yes.

I move that Bill 102 be amended by adding thereto immediately after section 1 thereof, the following section:

1 (a) Section 36 of the Act is amended by adding thereto immediately after subsection (1) thereof, the following subsections:

1 (a) No agreement made under subsection (1) shall be effective until it has been approved by resolution of the Assembly.

1 (b) Every schedule of fees to be paid by the corporation to medical practitioners in respect of medical services rendered to insured persons, and any variation of amendment thereto agreed to under subsection(1) shall be published in the Manitoba Gazette."

MR. CHAIRMAN: You have all heard the motion. Are you ready for the question?



MR. DESJARDINS: Mr. Speaker, I don't intend to debate this too long. All I want to say is that 1 (a) includes the schedule of fees, gives the Assembly, the House, a chance to approve the schedule of fees, and I think that this is important especially in the first instance that we can come back to that later, but the way things have been going since last year, with the failure of having the schedule of fees approved in the House or in the Bill, when this is done I think it should teach us a lesson and this is why this clause is in here. This is 1 (a).

Now 1 (b) just makes it mandatory to make the schedule public by having it published in the Manitoba Gazette. That's all I have to say.

MR. GREEN: Mr. Chairman, I would just wonder what effect this amendment would have with respect to the implementation of a medical care scheme by July 1, 1968. We have had fairly strong statements by the Prime Minister, which would indicate that no party that is elected on June 25th, whether it be the Liberal Party or the Conservative Party or the New Democratic Party, would change the law, which would mean that on July 1st of 1968 the provinces of Canada could participate in a medical care scheme whereby the Federal Government would pick up roughly half the cost of the scheme, and I still would hope that the Liberal Party has not given up the suggestion which is phrased in their resolution that Manitoba go into this scheme as at July 1, 1968, and I think that that is a proper suggestion and one which this party of course will support.

I don't know that I have to protest a thousand times our support for a medical care scheme. The fact is that if this particular amendment is approved, would it mean that the House would have to be called into session before July 1, 1968, to approve an agreement and a fee schedule before the scheme could be put into effect? Because, as I understand the existing legislation, the government could negotiate a fee schedule with the medical profession or else pass one by regulation, which if they choose to work under, they would, and if they choose not to work under it, they wouldn't. That can be done under the existing legislation, and I would think that the schedule of fees that the profession itself had in force at the time that the Medical Bill 68 was passed, would be a base from which to start; in other words, that if the government would merely put that schedule into force until it was changed, that at least those doctors who chose to work under that schedule could do so, and those that chose not to could decline to do so. If this amendment is put into force, it would mean that there would be no possibility of the government proclaiming - or am I wrong in this thought? I would like the members to tell me. It would mean that we would not be able to have participation under the July 1, 1968, scheme unless there was a special session of the Legislature to be approved by resolution of the Assembly.

MR. DESJARDINS: Mr. Chairman, I would be very pleased to answer that. I think the honourable member, as far as I am concerned, is absolutely right, not that we could not have anything by July 1st - we haven't abandoned that, although my resolution, that part of it has been defeated - but we certainly feel that this is a most important, the most serious thing facing the people of Manitoba, and I and the members of my party would be only too pleased to come in next week or something, for a few days, to negotiate or to come in a day any time (without pay I can assure you) and we feel that it would be, we probably would accomplish more in that one day than we accomplished in this session, so we certainly would feel that it is important enough to come in just to ratify that, and we would be only too willing to come.

MR. HILLHOUSE: The way I feel about this matter is this. Now I may be wrong, but I think the Manitoba Medical Services Insurance Act, Chapter 36 of the 1966-67 Statutes, does come into force, does it not, by proclamation? Well, why not make Bill 102 come into force by proclamation instead of by Royal Assent? And if the government should decide to come into the Medicare scheme on July 1st, all they would have to do is not proclaim Bill 102 but simply proclaim the Act of Chapter 36 of the 1966-67 Statutes.

MR. GREEN: Mr. Chairman, as I said before, my impression is that the present Act would permit the government to, by regulation, set a schedule of fees under which the doctors could work, and I would ask them to do that. I would not wish to have the implementation of a medical care scheme require a resolution of the Assembly if that was not necessary, and I don't think that that is necessary under the present legislation but I do agree - and I don't wish to be misunderstood in this - we agree that the government should set a schedule; that that schedule should be made available to those doctors who wish to work under it, and if they don't wish to work under it, they are free not to do so. But it seems to me to be a cumbersome and unnecessary requirement, and I'm still open, I have an open mind on it, that we have no

(MR. GREEN cont'd.) . . . . possibility of going in by July 1, 1968, unless there is another session of the Legislature, and I assure you that I am just as willing to come back for a day or two days or three days, if necessary, and work that out - if it's necessary.

But why would it be necessary if the government can, by regulation -- I'm not even concerned with an agreement, because there might be no agreement between the government and the doctors. This is no agreement under subsection (1). It means that if the doctors say that they will not have an agreement, there will be no schedule of fees, and I say that that is no agreement made under subsection (1) and you are referring to the agreement -- that the government shall negotiate an agreement regarding a schedule of fees. Presuming that the government cannot reach agreement with the doctors (and I would say that if the doctors can prevent agreement they will not enter into agreement) we are suggesting that we can't do anything, and I feel that under the Act, as it's presently constituted, the government can prepare a schedule by regulation and tell the doctors that there it is, or --

First of all, I agree they should try and get agreement but if they can't get agreement, they should prepare a schedule; I would base it on the existing schedule; and if the doctors work under it, that's fine. If they don't, that will be a problem that the government of the province will have to deal with and there are various ways of dealing with it. I don't suggest, by any means, that we are under their control but I don't know that it's of value to first of all, require the agreement; secondly, to not be able to go ahead on July 1, 1968, without a special session of the Legislature.

MR. DESJARDINS: Mr. Chairman, we feel, or I feel that it is practically impossible to have a plan without a schedule of fees. I mean, a government-owned plan. Now, of course, the New Democratic Party have said that they want the existing plan or none at all, because they have voted against this Bill 102. Now this amendment would cover last year's plan, Bill 68, it would have been done by Bill 68, but we have not voted against Bill 102. If we cannot -- we have the resolution; we've asked the government to go in the bill now, the bill that's offered to us, but we said to the government, if you have a catastrophic clause, or something like this -- a plan, I should say - we'll take this before taking nothing at all. Our suggestion is Bill 68 of last year -- I should say the existing plan. If this isn't done, if you give us some kind of plan, it would be second best, but we are not the government; we will accept it and this clause will cover all these things. It will cover any type of plan. And we feel that once we sign a contract - and this is what it is if we have a plan - that a contract has to be negotiated by the two sides, the people that will give the service and the people that receive the service, and we feel that this is the whole thing. Where we have chastized the government, it's been on this, that the public has not been recognized and that nothing has been done for their negotiating, so this is why we've got this clause in there. We insist that there should be a schedule of fees. You cannot get into any plan until you find out how much it is going to cost. It's impossible. It's ridiculous. And I think the Minister, as far as I am concerned - not the Minister, the Honourable Member for Inkster - is absolutely right when he said you cannot have anything until you come back.

The government has said that we will definitely not have anything for a year. We hope not to push them in a corner and make them stick to this. We hope they're wrong. We hope they realize that and change their mind, and if they do, as I said, we will be only too glad to come in for one or two days because we feel that it will be very important business, and it would be wrong, in our mind, to let the government put in any plan because the government has shown that they haven't even started to negotiate for the past year on this schedule of fees, so the only thing that I can see -- it's not going to delay anything because we want it and we want it now. The only thing, the member is right, we will have to come back; and I don't think this is going to be too much of a hardship; there is too much at stake.

MR. GREEN: Mr. Chairman, in sorting this out, as I see it - and I'm not even quite sure of my ground - as I see it, the present Act would permit the government to present a schedule of fees if there was no agreement. The Minister of Health is not helping me and he doesn't have to, but I would hope that they could do that, that the whole Act does not depend on them reaching an agreement with the doctors. I remember asking that question last year and he indicated that we would have to come back if no agreement was reached. Well, we may have to come back in any event. My position and the position of our party is this: if no agreement is reached, we are prepared to come back here before July 1, 1968, and enact a schedule of fees. If an agreement is reached, then we agree with the members of the Liberal Party, we

(MR. GREEN cont'd.) . . . . want to know what that agreement is and we want the Legislature to approve of it, because the way they are handing out money at the present time we don't know that they can be relied upon to agree to a schedule of fees which will do justice to the people of Manitoba. So we put the position twofold: if no agreement is reached by the time that we have to get into the plan on July 1, 1968, we want a schedule. If that means coming back here and enacting one, we are prepared to come back here and enact one. If an agreement is reached, we want to come back here and approve of that agreement. We say that we don't need that agreement, and this is the position that we wish to emphasize, that we want Manitobans to get the benefit of the \$20 million of Federal money that's available to this province, and if that means coming back here before July 1, 1968, to pass the schedule of fees, we're asking the government to do so and will continue to ask them to do so week by week before July 1, 1968. However, the Liberal amendment doesn't preclude that possibility; it merely says if you reach an agreement we'd like to see it and ratify it. We'll go along with that as well.

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

MR. FROESE: Mr. Chairman, I think the amendments that are being proposed before us, 1 (a) and 1 (b), are good. Firstly, it gives us the chance to voice our opinions and our views on any agreement that may be reached; secondly, it also will be gazetted so that we will get notice of it through the normal channels. I fail to see where this should not be workable and where it should not be of value to all members.

MR. CHAIRMAN: The Minister of Health.

HON. CHARLES H. WITNEY (Minister of Health) (Flin Flon): In the interests of getting the business of the House done the other members have been short, and I will be short too.

I'm sorry I can't support this amendment. When we designed Bill 63 last year or - yes, it was Bill 68 - over a period of time we had hammered out some principles with the medical profession and the Bill is being amended to provide for flexibility for whatever type of plan we go into, but using the Manitoba Medical Services Insurance Corporation. We hammered out that the Board would have representation from the Manitoba Medical Association, that that Board would be a Crown corporation, and that the matter of negotiating on fees and types of contracts would be between the MMA and the Manitoba Medical Services Incorporation. If this were to pass, that would be a violation of that principle which we had hammered out with the medical profession and which is embodied in Bill 68.

MR. CHAIRMAN: The Member for Gladstone.

MR. NELSON SHOEMAKER (Gladstone): Mr. Chairman, it seems to me that the amendment that is before us is quite in order. My guess is that every member of the Legislative Assembly present and not present here have already a contract with MMS and have had one for some years. Now isn't it only right and proper to know, if you're going to buy a contract, what the price is and what you're going to get for what you pay. Nobody in the world buys an insurance policy without knowing first, the premium; and second, the indemnity. This is what we're saying: we want to know - and certainly there's rumours that the government will be taking MMS over on July 1st. We don't know whether this is going to be a fact or whether it isn't, but there's rumours circulating that this is so and we are simply asking in the amendment here that a schedule of fees be included in the contract. Let us know - let us know what the price is going to be and let us know what the premium is going to be. This is what we're asking for in this contract and I believe the public have a right to know. How can you expect people to buy a pig in a poke?

Now I don't want to discuss the motion No. 2. I'm prepared to discuss that when we come to it because actually motion No. 1 and motion No. 2 are tied into the Bill, but in the motion No. 1 that is before the Committee at the moment it simply asks that a schedule of fees form part of the Bill, and surely to goodness this is a small thing to ask for and surely the public are entitled to know. They're entitled to know what the bill is going to be because the public are going to be asked to pay part of the bill - and I'll deal with that when we get to the second motion - but I think it's only just and reasonable that the public should get to know, either by the contract or by four weeks notice in the Gazette that here is the proposed schedule of fees, so that the people can at least know what to expect.

MR. DESJARDINS: Mr. Chairman, I don't rise to keep on this debate. If the government feels that we shouldn't have the right to sit in, the representatives of the people shouldn't have the right to sit in in negotiations, I just want to say one thing to the Minister before we have this vote. I want to bring it to his attention because this should be quite clear that I have 1 (a) and 1 (b).

(MR. DESJARDINS cont'd.) . . . . Now if the Minister feels that the schedule of fees should not come to this House for approval, I ask him to read carefully 1 (b) which only says that once you have a schedule that it be made public and that it be published in the Manitoba Gazette. This has nothing to do with putting it in the Bill or anything, and I would hope the Minister will at least bring in an amendment and allow or vote for the principle of 1 (b). This is the least we can do, although we still insist on presenting our motion as it is.

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

MR. DESJARDINS: Yeas and nays, Mr. Chairman.

MR. CHAIRMAN: Call in the members.

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

Yeas, 21; Nays, 25

MR. CHAIRMAN: I declare the motion lost. Now before we proceed I think that we agreed in committee this afternoon that where amendments were brought in that the page in that area should be called out by sections. If I just call out by sections it may avoid some confusion. (Sections 1 to 3 were read section by section and passed). Section 4-46 (a). The Member for St. Boniface.

MR. DESJARDINS: I think this is the place. I would like to move that the proposed new section 46 (a) of The Manitoba Medical Services Insurance Act as set out in Section 4 of Bill 102 be amended by adding thereto at the end thereof the following subsection:

(3) Unless he has made an election under subsection (1) of Section 41 which is in effect, or has notified the Corporation in writing that he does not wish to co-operate with the scheme of insurance provided under subsection (1), a medical practitioner rendering a medical service to a person insured under the scheme of insurance shall not charge to or collect from that person in respect of medical service any fee or charge in excess of the benefits to which that person is entitled under the scheme of insurance in respect of that medical service.

MR. CHAIRMAN: You all heard the motion. Are you ready for the question?

MR. DESJARDINS: Mr. Speaker, again I don't intend to be long. This provision is now in Bill 68 but it hasn't been proclaimed. This, if you remember right, is the amendment that I had brought in last year to Bill 68 and that was refused in Committee, defeated in Committee, but then with the help first of the New Democratic Party and then the government, it was passed unanimously.

Now if the government decides to enter into the plan that we have now, the one offered by Ottawa, all they would do is proclaim the sections of Bill 68 that have not been proclaimed and that amendment is part of that, so there would be on a compulsory plan or the plan that we have now, there would be no direct billing. Now this resolution here, or this amendment, only applies the same principle to any other plan that the government might take. We're protected already, as I said, because the government would have to proclaim the rest of the sections under 68 if we were to enter the plan now, the one offered by Ottawa. If not - and this is why we said we agreed with this government; we supported Bill 102 because we can get that, and I repeat, this is what we want at this stage of the game, we think that this is it - then if we're going to have a partial plan or a phased-in plan or at least a plan that will be, as I say a catastrophic plan, we will take that before we leave the thing the way it is now because we think this is ridiculous.

As was mentioned earlier, the Minister can forget this red herring - or I think he said the Winnipeg goldeye - Mr. Trudeau very very clearly said that he is not going to change this plan - very clearly - and he said not to believe any politician that says that he will. He could have stopped there. Then he gave his own impression, so I think that this man has made it quite clear and your gamble is again taking longer odds and I don't think that you can go ahead and gamble with the people of Manitoba. But we've said all this and I'm not going to repeat it. This amendment will only make it the same principle that you agreed to last year and that you should support now, just saying that there will not be direct billing.

Now I want to make this quite clear. What the doctors are doing now with this direct billing doesn't concern me or anybody in this House, if we want to be technical, because we have no deal; the government has no deal and therefore the representatives of the people do not have any deals on that. We've said that you should have negotiated and so on, but the First Minister just said "We'll give you one year; we won't join the plan for one year," and you've given them all the chance to get organized and so. This is fine. I'm not going to repeat that, but we feel that no matter if -- the minute that you enter a plan, if you don't this one, the rest

(MR. DESJARDINS cont'd.) . . . . of 68 that has not been proclaimed, it's not going to change anything. There's no plan, there's no plan, and the doctors will be a doctor-patient relationship; the government can do what they want. But the minute that you get into a plan you are defeating the purpose of the plan if you have direct billing, because then you are creating two sets of people. And then we expect a shortage of doctors, especially if there is a plan, the plan as offered now, for awhile anyway and you will make it worse than ever.

The main thing that you would gain under a compulsory plan or - I want to repeat - I say the one that's offered to us now because of -- to some of my friends, it is not compulsory - but under this plan the main thing that you would gain would be lost if you had direct billing. So I don't intend to repeat all this. Last year we worked hard on this; it paid off; we got this one amendment, you agreed with us, you felt it was fair. There is no reason that you can't support this if you're going to be consistent and if you feel the same as last year, and I hope you won't change your mind on that.

MR. PAULLEY: Mr. Speaker, the amendment proposed by the Honourable Member for St. Boniface is a very intriguing one, and on surface it's the establishment of a principle as opposed to extra billing. We agree with that particular principle and therefore we'll support the amendment proposed by the Honourable the Member for St. Boniface, but I want it clearly understood that as far as we are concerned in this Party, that in supporting the general principle in opposition to extra billing, this is not to be construed as implying any support at all for Section 46 (a) of the Bill, because, Mr. Chairman, if you take a look at the Bill and read Section 46 (a), it is instituting or setting up a voluntary plan, so-called voluntary plan of medical insurance for the people of Manitoba, which we reject because of our concern for adequate care of medicare services for all of the people of Manitoba, and those people that cannot afford premiums and the likes of that should be taken care of social costs without the indignity of means tests or needs tests, or call it what you will.

So I want my honourable friend from St. Boniface, the proposer of this amendment, and also all of the members of the House, to be perfectly clear on our position. We reject the whole of Bill 102, but because of the fact that we're in a position where this particular amendment deals with the matter of extra billing over and above any schedule or any agreement, we find that we will support it on the basis of rejection of Bill 102.

MR. DESJARDINS: I think the Leader made it quite clear for his Party when he voted against 102. I think I fully appreciate that.

MR. CHAIRMAN: The Member for Rhineland.

MR. FROESE: Mr. Chairman, this particular amendment before us is contingent on Section 41 which provides for the election of a medical officer to choose under which plan he wants to operate or whether he will be collecting under the medical scheme program and, if not, then this subsection will apply. Therefore, I will support the amendment because I do not believe that the excess billing should be allowed to go on.

MR. CHAIRMAN: The Member for Gladstone.

MR. SHOEMAKER: Mr. Chairman, the Bill that is before us, and in particular 46 (a), leaves the Lieutenant-Governor-in-Council free to make all the regulations they like without the approval of the Assembly, and I know that it is a fact that the First Minister, and I think the Minister of Health as well, said that hopefully that he would hope that the medical profession would not extra bill, but it is a fact that they are extra billing now; they're doing it now, and I think that they have every intention to continue in this practice. I have already received a bill for extra billing and I've paid it, and I've got a receipt to establish the fact that they are extra billing, and I'm not quarrelling with it because it is me; I can afford to pay the bill. But I think the principle is wrong, because it leaves the door open for suspicion that the people that can afford to pay gets preferred treatment and this is wrong in principle. That's the stand I take. Maybe it will not be so, but the door is left open for the people to suspect that the people that can afford to pay get preferred treatment and I don't like that; I think it's wrong. The doctors can say we will treat those that have the ability to pay, we'll extra bill them and the other people, well, they will become second-class citizens. I don't like this principle at all.

I don't like the principle too - and I'm speaking of this particular bill that I have before me that concerns myself - where they have extra billed and they only bill me for the 15 percent. They don't say that here, so I don't know what the bill was in total. I don't mind reading it to you, Mr. Chairman, because you'll probably get one of these in the next few days and - I hope you don't, I hope nobody does - and I'm not naming any doctor, I'm not naming anyone here, but

(MR. SHOEMAKER cont'd.) . . . . it says - and this is a stamp apparently that they all intend to use - it's a stamp that goes on the bill. It says: "Manitoba Medical Service does not pay the doctors' fees in full; this bill therefore represents the difference between their payments and the full fee schedule. Please notify our office if you are a Social Allowance Medicare or member of the railway group. This is not included in your hospital bill or the surgeon's bill." Well, they billed me for the difference, so I had to phone them and say, well what was the bill in total? What was it in total? I'm billed for 15 percent. Well, as I say, I'm not objecting to pay it, the fact that I've paid it and I'm holding a receipt here, I'm not objecting to that, but I think the principle is wrong, and surely to goodness we will have certain members of the back-bench at least vote with us on this amendment.

MR. USKIW: Mr. Chairman, I wonder if I might be permitted to ask the Honourable Member for Gladstone a question. How did the doctors define whether you were one of those that required extra billing? How do they know that your income position is such that they would extra bill you?

MR. SHOEMAKER: Well, Mr. Chairman, in answer to that, my guess is - and this is only a guess - but my guess is that these bills will go out to everyone and the onus is on the recipient of the bill to establish whether or not he is in a position to pay. Now this is my guess. I don't suppose that the profession sit down and say, well you can afford it and you can't. I don't think they do that. My guess is it's mailed out to everybody.

MR. USKIW: Mr. Chairman, if I may, I know that they can find out from the income tax people how much money a person earns, so I'm wondering just -- (Interjection) -- no, but the honourable member may be in deficit because he's doing other things than representing the people of his constituency. He may operate a business that's running a deficit for that year, so how would the doctors assume that the honourable member is really in that taxable bracket that he should receive extra billing?

MR. DESJARDINS: Mr. Chairman, there's one thing that I think we should make clear. I don't want this thing to get out of hand. My deskmate here has expressed a principle; he thinks this is wrong. My amendment does not deal with this at all. If we have no plan, it's none of my business. If it's a doctor-patient relationship, fine. I want to have that clear. I might not like it; I can go to another doctor; I can get another insurance; this is fine. I'm only saying that once, once if and when the government, therefore the taxpayer, the public, gets into a contract or - well, a plan, which is a contract - I feel then it is impossible and it will destroy that contract, whatever we're trying to do, if we have any direct billing. If it's just a partial contract, if it's just going to be phased in like my friends have been saying, going to deal with only one percentage, a certain percentage of the population, the lower income people, there shouldn't be - shouldn't be any extra billing. So there's no need -- this is not dangerous at all, this is not going to hurt - going to hurt anybody, but it's going to help the people that we also represent, the people that haven't been represented for the last year.

MR. CHAIRMAN: Are you ready for the question?

MR. MOLGAT: . . . would like to hear from the Minister though in this regard because last year the government was prepared to make some changes in their Bill, and the Bill as passed last year, Chapter 36 of the '67 statutes, reflect that change. Is the Minister now prepared, in the light of the amendment that he's proposing, to accept a similar change as proposed by my colleague?

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

MR. DESJARDINS: Yeas and nays, by all means.

MR. CHAIRMAN: Call in the members.

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

Yeas, 21; Nays, 26.

MR. CHAIRMAN: I declare the motion lost. (The remainder of Bill No. 102 was read section by section and passed.) Bill be reported?

MR. GREEN: Mr. Chairman, I move that the Bill be not reported.

MR. CHAIRMAN: You heard the motion?

MR. LYON: A straight negative vote is required. The motion is that the Bill be reported.

MR. GREEN: All right. Mr. Speaker, I'd like to speak on the motion. Mr. Speaker, I'd like to once again make it clear that this Party does not support this legislation and I know that the members have heard enough from me on the subject, but I find that all my words are not wasted. I was very gratified, Mr. Chairman, and I mean this sincerely, to hear the

(MR. GREEN cont'd.) . . . . Member for St. Boniface finally acknowledge that the differences between our positions may not be based on the words "voluntary" and "compulsory", that they may be based on other considerations. We believe that the features of the Bill that are compulsory are compulsory all across the board, and the features of the Bill that are voluntary are voluntary all across the board.

The reason that I'm getting up to speak at this time is to deal with a particular incident which I learned of today, Mr. Chairman, which I think that would even more demonstrate to the honourable members of this House the unsatisfactory nature of a so-called needy plan. Mr. Chairman, I'm informed that today - and I have it on fairly reliable information - that the MMS is sending to each of its subscribers an income declaration statement, and this is the answer to the question that was asked by the Honourable Member for Brokenhead and which puzzled so much the Honourable Member for Gladstone. They're sending to each one of you - and I assume that most of us in this House are members of the MMS - an income declaration statement, and on that income declaration statement the MMS is asking you to declare your income so that they would know what class medical care you will get, whether you will be one of those people who will be deemed unfortunate so that you will not be over-billed or whether you are one who is deemed one of the fortunate who can be over-billed. I don't know really whether the words fortunate and unfortunate shouldn't be reversed, but nevertheless the medical profession is now engaging in the type of mean means test - as my Honourable Leader so aptly refers to it - and is doing it for all of the subscribers to MMS. I know that a lot of the people who received this declaration of income form are going to do what I have, Mr. Chairman, always avoided doing; they're going to start thinking about whether or not the doctors shouldn't be telling them what their income is rather than vice versa, and this is going to create more animosity between the public and the medical profession than any legislation that has ever been recommended by a New Democratic Party Government, a CCF government or any of the social democratic parties that are supposed to be one ones who will stir up this kind of difficulty.

Now, Mr. Chairman, this is directly analogous to the kind of legislation that is being posed by this government and we in this Party have stated our rejection of it. We repeat our rejection of it, and we hope that what has sunk through to some people will some day sink through to a majority of the members of this House.

MR. CHAIRMAN: Bill be reported?

MR. MOLGAT: Mr. Speaker, I simply can not understand the position of this government. On second reading of this Bill I set out the position of my group in a very clear manner. Last year when the first Bill was before us we proposed certain amendments. One of them was the question of extra billing. The government at that point agreed with us that there should be no extra billing if there's a government plan involved. We stated quite clearly that if there is no government plan or if there is no government money involved, then quite obviously this House has no jurisdiction over the matter. If it's a purely private plan between medical practitioners on the one side and the people of Manitoba as individuals on the other side, this House has no jurisdiction. But if there's going to be a plan in which public funds are involved, if the government is going to proceed with a partial plan in lieu of the full plan - and I repeat that I think that they should proceed with the full plan - I'm absolutely convinced that this government has put the people of Manitoba in an absolutely intolerable, impossible position by actions of this government than by no other action at all except the failure of this government to act on behalf of the people of this province.

But in light of that failure, and the failure of the First Minister in particular, if this government is going to put the people of Manitoba in that position, then surely it is their responsibility to see to it that the principle that they agreed to last year that there be no extra billing included in this present Bill. It's inconceivable, Mr. Chairman, that the government would proceed to put in a Bill supposedly to protect lower income people and at the same time say to the doctors, but it's quite all right for you to extra bill them, presumably if their income is above \$2,000 as is now the case under the voluntary plan. I ask my honourable friends across the way if they think that a family with a \$2,000 taxable income can afford to pay premiums and afford as well to pay extra billing.

Mr. Chairman, it just doesn't make sense. This government has totally capitulated to the medical profession. I repeat what I said the other day. I have high regard for the medical profession, but I have no regard for this government that won't stand up for the people of Manitoba.

Mr. Chairman, I was prepared to support this Bill on second reading on the basis that

(MR. MOLGAT cont'd.)... this government would have a little bit of backbone. It obviously has none, none whatever. They couldn't care less what happens to the people of this province. It's going to sit back and let them take their pills as they come. Mr. Chairman, I'm not prepared to accept that. On that basis, I'm not prepared to support this Bill at this stage. --(Interjection)--A gutless government.

MR. CHAIRMAN: Order, please. The Member for St. Boniface.

MR. DESJARDINS: Mr. Chairman, I think that we must make it quite clear to this government - who no doubt will try to misrepresent the action of the people on this side on this Bill - we felt that this was the most important piece of legislation and the most important thing discussed in this Assembly. Now we are going to vote against this Bill as the best form of protest that we can have. This is the only thing. We've fought it all this way, we had a resolution - and the government should remember that - we had a resolution asking we go in the plan now. We also, on second reading, voted in favour of the principle of this. We made it quite clear that our action now in opposing this is because this government has been a callous government, an arrogant government, and a government who has forgotten what they stand for; a government who has capitulated to a privileged class, who is capitulating to a privileged class; a government who hasn't got the gumption to stand up and work for the people that they represent.

They are talking about going into a contract now, but what it is -- but only one side represented. This is not good enough for us, Mr. Chairman. We still accept other plans but we are not going to just forget the people completely. We voted for the principle of Bill 102. This government by its action today -- and the First Minister hasn't even said a word on this, the most important piece of legislation, or the most important - I should say non-legislation - but the subject confronting the people of Manitoba is something very very important.

If this government waits any longer, unless it intends to go into a plan by July 1st and we were told that this will not be done, we will not go into a plan for at least a year, and if this government doesn't do a thing and if this contract that we have the people covered by MMS is terminated on July 1st, and if this spineless government doesn't do something, doesn't negotiate with the doctors, we will only have one recourse, to ask the doctors - the medical profession which we do not blame at all - to please come in voluntarily and negotiate with somebody, even if it has to be with the members of the opposition, but start thinking of the people of Manitoba because this is what we are here for. We have talked about the black day in Ottawa and pipeline division and so on, but this is worse than ever. --(Interjection)-- All right, don't yell like a bunch of sheep. Get up one at a time, and you can in Committee, and tell me it is not a black day; tell me that you are proud of yourselves; tell me, so then the rest of your constituents can see you. Don't hide in the back and yell like a bunch of sheep, starting with the Minister of Health and the First Minister.

If you are proud of yourself, if you figure you are doing the right thing when you capitulate to a certain class who do not want your capitulation, they want fair and honest negotiation. They are surprised, they are surprised because you said let's sit and wait, and watch and wait. Well I don't think they even watched because they don't know what's going on; they sat and they waited.

Mr. Chairman, I said earlier while debating this subject that this government hasn't got the guts to govern, and I say today that they should go to the people immediately because surely, surely they are not responsible --(Interjection)-- yes, on this issue, they are not responsible and they do not deserve, they do not deserve the faith or the confidence of the people of Manitoba, and, Sir, it is on this note that we will vote against this Bill.

MR. PAULLEY: Mr. Chairman, I believe it was earlier today one of my colleagues, I believe it was the Member for Seven Oaks, wished that he had had a tape recorder last evening, or early this morning, to play back what was said for the edification of the people. I wish I had one that I had used a few days ago pertaining to Bill No. 102 when representatives of the Liberal Party chastized myself and members of my Party because we were in opposition to Bill 102. I want to compliment the Leader of the Liberal Party, I want to compliment the Member for St. Boniface, because this evening, in my opinion, they have grown in stature. From being in complete opposition to the stand of the New Democratic Party in respect of medicare and Bill No. 102, they have now come to join us in the position that we have taken ever since the Honourable the Minister of Health introduced the Bill.

It seems to me that from the remarks of my good friend and constituent the Member for St. Boniface, that the words of wisdom emanating from my Party penetrated the ozone and came



(MR. PAULLEY cont'd.)... to roost, and I'm happy, very happy, to receive the support on behalf of my Party of the honourable member and I trust and hope all of his colleagues in the rejection of the proposition of the government as contained in Bill 102, which would supplant the Bill as agreed upon in the federal house originally, with that of a voluntary scheme.

So I'm not going to say anything further at this particular stage, Mr. Chairman, except to say to my honourable friend the Leader of the Liberal Party, the Member for Ste. Rose, welcome to the fold. Insofar as this Bill is concerned, I trust and hope, as Leader of your Party in this House, that you have the full support of all of your colleagues and you will join with my colleague the Member for Inkster in the motion that — or at least in opposition to the motion that this particular Bill be reported.

HON. CHARLES H. WITNEY (Minister of Health)(Flin Flon): ...I talked to some dental students and at that time I said to them that democracy was a delightful process, and a delightful process is one that's new and one that's effervescent, one that's got some imagination and one that doesn't bore you to death with the same old thing over and over again. I think we have heard of this medicare debate in this Legislature, if we have had it once, we have had it twice, we have had it three times, we have had it four times, and then we have the Honourable the Leader of the Opposition saying that he's got this government on a principle he doesn't believe in, because this is the very man that stood up in this House and said that he believed in a voluntary plan and now he's calling us to join a compulsory plan. I don't understand the inconsistency of the Honourable the Leader of the Opposition, because his position is simply inconsistent and it must be known to the public. And again, this is the Leader of the Liberal Party of Manitoba; this is the man who is saying that he's got this government; this is the group of people who are talking ...

MR. MOLGAT: Mr. Chairman, what I said was a gutless government. I didn't say I got this government; I said it was a gutless government and I believe it.

MR. LYON: I wonder if my honourable friend would mind substituting perhaps a more tasteful word, you know having regard to the ...

MR. MOLGAT: Mr. Chairman, I can't think of a more expressive or correct term for this government than that one.

MR. WITNEY: This, Mr. Chairman, is the Party over here that are good at adjectives. We have had gutless; we had had spineless; we have had all of those exotic adjectives, but I suggest that we haven't had much else from them, and I want to point out to the people of the province the ineffectiveness of them in formulating the policy of Canada when their government - Liberal - are at the present time at least the Government of Canada.

Now let's take the Leader of the Official Opposition. Apparently he believes in a voluntary plan. Where did they listen to him in the national Liberal caucuses, or whatever they do down there in formulating policies? His voice is completely ignored, completely forgotten. Here we had the Honourable the Member for St. Boniface telling us that the Prime Minister of this day - not for very long - but the Prime Minister of this day, the Prime Minister of this day would consider, would consider bringing the provinces together to discuss Medicare. I read by the paper tonight that he hasn't considered it very much, because apparently he said in the paper tonight, he said in the paper tonight - at any rate if the paper is correct - that irrespective of what the thoughts of the Honourable the Liberal Party members are, and the Leader of the Liberal Party in Manitoba, that he is going to go ahead and he's going to put in the plan by July 1, 1968 if - if - if he is the government.

MR. DESJARDINS: Laugh now, George, you won't laugh very long.

MR. WITNEY: Now, Mr. Speaker, coming down to these men who have talked in these exotic terms of spineless and gutless - now I think they're in the dictionary I believe - I suppose they could think of some more. I won't lower myself to get to that level of debate. This Bill 68 was hammered out over a period of at least a couple of years with the medical profession and there were principles that are still contained in this legislation, principles which we came to mutual agreement and understanding with the doctors, and there's going to be no medical plan in the Province of Manitoba without the co-operation and the understanding of the doctors.

MR. DESJARDINS: You haven't seen a doctor for a year for God's sake.

MR. WITNEY: This Bill is simply being amended to provide for whatever type of plan originates from Ottawa, and remember that up until about October we appeared to have a compulsory medicare plan in Canada, and I'm not interested in what the Minister of National Health

(MR. WITNEY cont'd.)... and Welfare said, it was a compulsory plan. And so all the Premiers, all provinces expressed their concern about the cost of this plan. We got a new leader and he was concerned about the cost of this plan too, and the interest of the people of this province, not only now but for the years to come. And remember I was the man that stood here and listened to all the criticism on the cost of hospital premiums on the compulsory hospitalization plan ten years later, and we have a resolution on the Order Paper from the Honourable Member for St. Boniface now saying we'd better take a look at it again. But they want to tie us in, they want to tie us in right now with another one, and right at the time, right at the time that this matter of cost was being considered.

MR. CHAIRMAN: Will you come to order? The Minister had the courtesy to sit quietly and listen to the members opposite while they spoke; probably you could afford him the same. Will you proceed?

MR. WITNEY: I got to the point, Mr. Chairman, where we got a new leader concerned about the people of this province, concerned about the cost as were all other Premiers. In the various meetings that they had, they expressed their concern about cost. And I remember, I remember when down in Ottawa they were talking in terms of \$28.00 per capita, and then it went to \$34.00 per capita, and the latest estimate out of Ottawa is \$45.00 per capita, less than about nine months since they first had that figure of \$34.00 - less than that - and they even got to the point, as I pointed out to you before - and now I'm rehashing old straw - where there was a division, a distinct division expressed on national television between Cabinet Ministers of the Federal Liberal government, men who were competing for the leadership, and two of them expressed the opinion that they wanted to get together with the provinces because they were concerned about the cost and two of them said that they were not.

So we have a Bill - we have a Bill. The Premier said that we would not enter a plan for another year, but we have a Bill that will allow us to go in for a compulsory or a voluntary plan. That's what we are doing here. Maybe we are waiting for a year, and maybe in the time since that decision was made there have been changes, but nevertheless, as I pointed out to you then, when we're dealing with a social measure of this kind that we can't simply think of our own political skins here today; we have to think of our political skins in the future. I say to you people over there that you are as inconsistent as all get-out, because right in your performance in this Legislature you're talking about joining a plan on July 1, 1968, which is a compulsory plan when you don't believe in compulsory plans. You're complaining about the cost of hospitalization and you're calling for a federal conference of premiers and Prime Minister on a social measure and wanting to bring in another one whose costs are being debated and challenged all across this country. You call us gutless and you call us spineless because we have the courage - we have the courage to wait and to debate and to try as we put in the amendment to that resolution to find out what are those costs going to be, because ten years later we won't be here.

MR. DESJARDINS: That's right.

MR. WITNEY: None of us - ten years later - but the generation that we're putting those costs on, they'll be here and they won't be able to break away from them. We can have all the conferences we like in Ottawa between the premiers and the Prime Minister about hospitalization, but if you think you can change it overnight, a major social measure, you're mistaken. And it is the same with Medicare. I don't deny that perhaps at the moment there are people who feel that the government is wrong in the attitude they are taking, but at least we're not just thinking of today; we're not just thinking of our own political future or our political skins today. We're concerned about what this measure will cost and we want to know.

Just in conclusion, the other thing that I would like to know is just what is the interpretation going to be in Ottawa of the present Act, even if it's phased, because that interpretation is far from the interpretation we were given. I can't see how they can have a plan join that's got varying subsidization of various premium levels and still adhere to the terms of that federal Medical Care Act of universality, and those are the things that we have to find out, and if it takes a year, if it takes a year, in the interests of those people who are going to be paying for this social measure, not only now but in the years to come, it will be worth it.

MR. DESJARDINS: Another adjective for his collection - a "nervy" government; a nervy government. They're talking about the Liberals in Ottawa, and when the Act came in, when this Act came in, their members made an amendment, proposed an amendment, that they shouldn't wait till '68 but proceed in '67. There's the Conservatives! That's Dinsdale,

(MR. DESJARDINS cont'd.) . . . . Churchill, Sherman, those great defenders of Conservatism in Ottawa. They voted for that and they voted unanimously for the Act - not the Bill; it's an Act. Now they've got one guy that can say "I never voted for this" - Thompson, who joined them because Thompson, another mate of this Johnson, another Social Credit, voted against it. But all my friends, all the friends of my friends voted in favour of it, so what have I said? What have we said on this side? We've said we are not elected to represent Manitoba in Ottawa; that's why we had Churchill and those people. I, for one, am not interested - besides there's enough people in St. Boniface right now - I'm not interested. I'm not interested. If the laws come from Ottawa, it's a fait accompli; I must accept it. My Leader, my desk mate, and many of us attended a conference in Ottawa when the Liberals started talking about this - I think it was '61 -

MR. GREEN: 1919.

MR. DESJARDINS: I wasn't born then. I think it was '61 - we talked about a voluntary plan then. I have never in this House tried to defend the action of Ottawa. Liberal, Conservative, anybody. I said that I believe in a voluntary plan. I said that I believe in a voluntary plan. —(Interjection)— Oh, it may even be 4:00 o'clock before you find out but you'll find out. All right.

Now we have Bill 68. We have Bill 68. We went into Committee, Mr. Minister of Education, and I made a motion, the same motion as we have tonight but for another reason, that Bill 68 be not reported because I felt that there was no rush to report it. I felt that we were paid enough that we could come back and put together a decent plan, a decent Bill, and I said to you then, get all the provinces; put pressure on Ottawa. You remember that? Do you remember that? You remember that's when I said, don't give us this Bill 68 now; get together; go to Ottawa; we'll help you. But you were in a rush. Then the Minister of Education, that nervy gentleman across, got up and said, "What's the matter?" He said that to the Honourable Member for Morris, to the Member from Brandon, beside the members on this side: Why are you against this? It's terrific! We have to have it. We are not going to leave \$20 million. (In those days it was \$17 million.) That's not going to stay in Ottawa. We're going to get our share. We're going to get our share. That's what he said. This compulsory plan, he said, will be good for rural Manitoba. This is what he said and he chastized everybody for being so reluctant in accepting Bill 68.

I was reluctant. I admitted it. I admitted it. Call it blackmail; call it whatever you want; as far as I was concerned we were forced to go into it, and I'm saying the same thing now as I said before. My honourable friend from Lakeside explained how the hospitalization plan came in. We made it quite clear. This same Minister said when I suggested wait, "Don't be in any hurry," when my Leader asked him how much is that going to cost. And the former Premier was sorry that we didn't start on this plan a year before. I think he was going to go it alone again. I think he was going to go it alone. Where is he now? He's running around somewhere alone, I don't know where. But he's not here where he should be. He's not here where he should be. —(Interjection)— What's that, Red? And then the Minister has the nerve to get up and say, "We're thinking of the people" - what is it? Our political skin. What about the people of Manitoba? He says, "Oh we've got a Bill? Where is it in the . . . this bill?" We've got a Bill. " You've got a piece of paper. You've got a piece of paper. You've got nothing.

What are you waving that? Is that your flag? Is that your flag? Are you so proud of it? You are going to end up waving it for a long time. You're going to wave it for a long time, but what have you done for the people of Manitoba? What have you done in this field for the people of Manitoba? You said pass 68; rush Bill 68. Rush! Right now! We had a motion. You never mentioned this once this session. Why did you vote against my motion? Why? When I said there is a plan, you say, well, the interpretation was different. Nothing has changed. Nothing has changed. These fees are bringing it -- you say it's a test case. That's what I said last year. I wanted competition last year. I believed in a voluntary plan last year but I'm starting to have my doubts. I'm starting to have my doubts.

I think it could have been worked. I will repeat with you if you would have said we had a terrific deal here in Manitoba that nobody suffered because of lack of medical care unless they wanted to, or very few. I know, I say again that I felt that we should have had some money and say, here, take care of those that need it; improve it a bit because you can improve things. But I'm not in Ottawa. I'm not responsible for that. I'm responsible for my job here to look after

(MR. DESJARDINS cont'd.)... the people of Manitoba and get the best possible deal, the deal that I can vote on, the legislation that I can be instrumental in bringing in.

Now there was a big gamble. There was nothing changed except that you got a new Premier, a new Premier that said, "I can make tough decisions. I can make tough decisions and we're going to hold the line," and he had no idea what this Medicare was. He had no idea because he's costing the people of Manitoba an awful lot more money. And what did he say? What did he say? He said to the doctors: all right; hurry up; make a plan with MMS; hurry up; you're going to get one year. You're going to get one year, he said. He was sincere. He wanted status quo. Did they give him status quo? No, because they expected to negotiate.

The Minister of Health got up and he said the same thing. We brought these same amendments last year. What did he say? "You don't need a schedule of fees. We're setting up a board but we cannot have any negotiations if you don't pass Bill 68, because you're going to create this MMSIC." We passed Bill 68. We created MMSIC. We've got a chairman that we're paying \$21,000; we've got five or six other members that are getting \$3,000 plus costs. You can't even use him as a negotiator; you have to go somewhere else to negotiate, but you don't even negotiate fees. You've got nothing and you say, you've got the gall to get up and say you're looking after the people of Manitoba. You don't want them to pay anything. You don't want them to pay anything? The increase since I sat up in this House last session debating Bill 68! We won't talk about medical or about hospitalization fees or premium increases. You know what the fee increase would be in Medicare? 85 percent or so, since last year for some - 85 percent in premiums. And we have nothing to say, and if we don't bring a plan before July 1st the people of Manitoba have nothing.

The Premier and the Minister of Health got up in this House and said no, nothing for a year. What's going to happen to these people that you were so concerned about last year? What's going to happen? My honourable leader here said that there'll be people right now, there'll be people over \$2,000 income. Well, he was giving you the benefit of the doubt because you can start right now - and I'm not debating with this; this is a private plan - but right now the doctors can and encourage, the MMS, you'd say encourage their members to extra bill anybody with any income. They refused to pass a resolution exempting the people with an income of up to \$1,000.00. I'm not saying that they will, but they are suggesting that they should be billed. Why? Because they want to be in the best position that they can to negotiate the bargain. And I don't blame them a darn bit, but if they're going to take the attitude, if they're going to be a trade union, who's going to represent the other side?

I want fair wages for the doctors. I don't care, I think that maybe they should be the highest paid profession or people in Manitoba - I'll go for that. I respect every single doctor and I know he hasn't got a dollar bill sign when he's looking at a patient. I've had experience of somebody very close to me and I've got nothing but good to say about the doctor, but when he's negotiating he's like you and I and the lawyers and anybody else; they're looking at money. (Why lawyers? Be careful, John.) All right. There are some good ones, some bad ones, some indifferent ones. This is fine, but this is a different thing. You haven't done a thing to protect the status quo except talk about it, and if there's no plan now - and there won't be if you do what you say you will - on July 1st the 1962 schedule of fees that they were getting last year at this time, they were getting 80 percent of that; now if nothing is done, come July 1st that contract is terminated; you will have the 1967 schedule of fees, and to give you an example of the comparison, approximately 74 percent of the '67 schedule will be equivalent to 100 percent of the '62 schedule. And they will get, not 80 percent of the 1962, but the full 1967 schedule; 75 percent will be the equivalent of what we are getting now, less -- of course there was 12 percent increase since then, earlier this year. But what we are getting now, plus the extra billing that my friends talk about, this will be only 75 percent and you will start paying another 25 percent on anything. On anything. You have no catastrophic protection at all. Somebody in the \$5,000 bracket or so can be sick, and you know when you are sick or when a loved one is sick you will lose anything, you'll do everything, because this is the way parents are; you might lose these people anyway and then you lose your home and so on. And you say that you're worried about the people of Manitoba?

Now what did we say? What did we say? We said that we preferred a voluntary plan but we said you've got to have something now; then keep on; do everything you can to change this plan. We suggested that the Leaders might change this, might improve it. There's nothing wrong in trying to improve it and we said we would help you, but it is the law of the land; it is

(MR. DESJARDINS cont'd.)... the law now; and I defy anybody to say that this will not come into effect on July 1st. But forget this plan that you've forgotten anyway, and tell us what you have now, for the time being, because you're talking about 10 years from now. But what about the people who will have to pay, the people who will have to pay this year? The man that's going to have a job, that's sick, all of a sudden that might have to pay a few thousand dollars; he has no protection. Can you tell me that there are insurance companies that are ready to insure us? And they don't know because there's no directive, no leadership from this government; they don't know where they stand.

Then, the Minister said we have principle and he's insulted or he pretends to be insulted. Why? Because we said this year what we said last year: in a plan, no direct billing. You voted for it. You voted for it right in this House, for my amendment of last year. You voted for it and little Duff voted for it; all of you voted for it; and we're bringing in the same motion now, the same principle, and you say, "We can't; we worked on Bill 68 for two years and we have principles we have to respect." And you talk about the MMA. Have you talked about the people? You've talked about your political skin and the MMA, but you haven't said a word about the people of Manitoba. And we ask for a schedule of fees. Why? Because you said last year you'd negotiate one and you haven't even started. Now you're going to turn around, because we are trying to be sincere, because we're trying to tell you exactly the way we feel; not trying to protect Ottawa. Not a darn bit and you know it. Not a darn bit! Not trying to say that we're not for a voluntary plan. You brought Bill 102. What did I say? Right after you --(Interjection)-- No, it's not passed yet, Red. Take your time. What did I say? I said we will go for Bill 102; we still have our resolution; that we want the plan that we have now; we've got to take it. We've tried everything with you. We said we'll go 102 because it's better than nothing at all. We said that then, so what are you trying already in this House, saying now "you voted against it." We voted on second reading. Now we've brought some amendments in as protest - we know it's going to go through; we know you're going to use your steam-roller - in protest to show you that we cannot capitulate, that there should not be in democracy in this society any privileged classes. We are saying, no we're not going to let you have a plan. How can you have a plan, a public plan, when you don't even know what it's going to cost, when you refuse to put the schedule of fees? How are you going to have a plan when you're going to have direct billing? What are you going to do when you have direct billing? The people that you're trying to help will suffer because they will come as second class when there's room for them. It's only natural. It's only natural that the first ones served will be those can pay a little more. That's the history of mankind. This is how you have tips and so on. It's a big tip I know, Walter, it's a big tip, but this is what we're having.

Then the Minister of Health gets up and says he doesn't understand the Liberals, and we should wait, and he shouldn't be rushed. In 1966, I told you: don't be pressured by Ottawa - the Liberals were there then - join when you're ready, when you can get the best possible deal; and I'll quote Hansard if you want. I told you that. I didn't hide behind anybody. So now, this year you're very happy because what do you say? They were debating in Ottawa, and that is not true; that is not true; nothing has changed except you've got a little bigger guy there in the centre, that's all. That's all. Nothing else has changed, not a darn thing, except, yes, watch and wait. Watch and wait - and wave the bill; we've got a bill. Now we've got two bills - 68, 102. It's twice as good; we've got two bills. Well, what about the people of Manitoba? Do you think that they can watch and wait forever? This is why we're going to support this motion as the strongest form of protest for you not doing a thing. We even said, all right; if you want to wait, if you want to wait a year, we don't think you're right but go to the doctors and say who are the people trying to bring in this voluntary plan, to do away with this big bad compulsory plan. But the Conservatives - that's us - and you the doctors, and you are the two people that will force compulsion in this plan. You are, because you have no status quo, because you only acted for one side. You said to the doctors - and I'll prove this if I'm ever challenged - you said, "We will wait for a year so hurry up, make a deal." What did you say to the public? Oh yes, you said, "We want the status quo; have you got the status quo? Have you got catastrophic - you have a status quo? Well, my goodness. The status quo means 85 percent increase in premiums. It's going to cost you" --(Interjection)-- no, not you. It's going to cost you at the poll, yes. It's going to cost the people of Manitoba \$20 million and that'll go in the pockets of the doctors, nowhere else. You will not add one bit of improvement to the medical care of the people of Manitoba. In fact, it's going to be worse.

(MR. DESJARDINS cont'd.)...

You have old age pensioners. How can they pay these premiums? You have low class, low income groups. How will they pay for this, especially with all the taxes this government has piled up on top. How are they going to pay for this? If you want to wait, don't you think - if you want to wait with Bill 68 we might have gone along with you, and we said that - could you at least have said to the partners, the people that say a compulsory plan is not good for the people, couldn't you go - your government and the MMA - and say, well let's work together. Hold on fellows. Don't go up now. Let's have a reasonable increase; we're all for that. Did you have to say, "Here, hurry up; feather your nest; get ready to negotiate," and even then you don't want to negotiate with them. If you wait until July 1st is over, because you've got nothing else to negotiate, it's over, because they're going to start negotiating the '67 schedule 100 percent, indirect billing - that will be the boss; and this, Mr. Chairman, is why we are voicing our opinion at this time. This is why we have been concerned. This is why we are taking a little more time although everybody wants to go home tonight, and this is why we are going to protest by voting in favour of this resolution.

MR. GREEN: Mr. Chairman, I just wanted to get it clear. I know what my honourable friend is saying but the motion is that the bill be reported, so that if you wish to protest I assume you have to vote against it. I tried to put a motion that the bill be not reported; the Attorney-General said that the correct procedure was that the motion is the bill be reported, and you negative the vote. I take it that that is what is before us. I'd prefer, if you accept my motion that the bill be not reported. I did make that motion and the Attorney-General said it's a matter of -- I move that the bill be not reported. My motion was that the bill be not reported.

MR. CAMPBELL: Mr. Chairman, on a point of order, if my honourable friend wishes to move that the bill be not reported, I take it there is no objection to that, is there?

MR. GREEN: That was my motion, Mr. Chairman.

MR. CHAIRMAN: I don't think that it really makes much difference which way it works.

MR. GREEN: Okay. I prefer to have it on the basis of my motion that the bill be not reported.

MR. CHAIRMAN presented the motion and after a voice vote declared the motion lost.

MR. GREEN: Ayes and Nays, Mr. Chairman.

MR. CHAIRMAN: Call in the members. Order please. The motion before the committee: that Bill No. 102 be not reported.

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

Yeas, 21; Nays, 28.

MR. CHAIRMAN: I declare the motion lost. Bill be reported? (Agreed).

MR. FROESE: Mr. Chairman, before we have the positive side that the bill be reported, I would ....

MR. LYON: Mr. Chairman, on the point of order, this is precisely the problem you get into if you start moving motions. We have had the vote on the question of the bill being reported, and now the chairman merely says, "Bill be reported," "Aye" - and that's it.

MR. FROESE: No, Mr. Chairman, this is ...

MR. LYON: We've dealt with it. We had a choice and we .....

MR. CHAIRMAN: (Bill 104 was read page by page and passed.) I believe it is the wish of the Committee that this Bill 105 be proceeded with section by section. (Agreed)? Bill No. 105. Section 1--passed; Section 2--passed; Section 3....

MR. JAMES COWAN Q.C. (Winnipeg Centre): With regard to Section 3, I haven't an amendment - it was amended in committee; but I would like to read the statement from the Mayor of Winnipeg that I received this morning. He says, "We would be quite satisfied to have the bill provide that the proposed work in new Sections 444A and 444B may be proceeded with only on a petition signed by 100 percent of the frontage owners to be assessed, and also that the cost of any subsequent work needed to repair the proposed structures or to provide for replacement or renewal should be done as a local improvement initiated by and charged to the adjoining property owners in the same way as is done in the case of the original work." That goes along, Mr. Chairman, with the amendment that was moved in committee.

MR. CHAIRMAN: Section 3--passed; Section 4--passed; Section 5....

MR. COWAN: Mr. Chairman, I have an amendment that the proposed new subsection (1) of Section 593B of the Winnipeg Charter (1956) as set out in Section 5 of Bill 105, be amended

(MR. COWAN cont'd) . . . by striking out the words "not to exceed, in the aggregate, the amount of one million dollars" in the fifty and sixth lines thereof, and substituting therefor the words: "the aggregate principle of which does not exceed the amount that would have been raised by a levy of 2 mills on each dollar of the equalized assessed value of the property in the city as that equalized assessed value was shown for the year 1963 by the provincial municipal assessor." This was the amendment that was moved in the Law Amendments Committee and was put over to this committee so the Department of Municipal Affairs and Urban Development could look at it, and they are satisfied with it.

MR. FROESE: Mr. Chairman, I wonder if the honourable member could tell us for how many years this can be levied.

MR. COWAN: This is the amount that can be borrowed for a centennial project. It increases the amount that can be borrowed to the extent of 2 mills on each dollar of the equalized assessment as it was in 1963. Formerly, they only had the power to borrow the equivalent of 8 mills and that was for both centennial projects, for the Canadian centennial and the Manitoba centennial.

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

MR. CHAIRMAN: Section 5—passed; Section 6--

MR. COWAN: Mr. Chairman, I have an amendment to Section 6. I move that Section 6 of Bill 105 be struck out and the following section substituted therefor: "6. This Act, with the exception of Section 2, comes into force on the day it receives the Royal Assent, and Section 2 comes into force on the first day of January, 1969." Section 2 is the section that deals with the increase in the penalty on tax arrears from one half of one percent per month to three quarters of one percent per month.

MR. MOLGAT: Mr. Chairman, are these new amendments or were they proposed in the Law Amendments Committee?

MR. COWAN: They were proposed in the Law Amendments Committee and they were left over.

MR. MOLGAT: And passed? They were passed by Law Amendments?

MR. COWAN: No. No; they were left over until this Committee of the Whole.

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

MR. CHAIRMAN (The balance of Bill 105 was read and passed. Bills Nos. 106, 109, 110, 111, 112 and 113 were each read page by page and passed.) Bill No. 114. Page 1—passed; Page 2--passed; Page 3 as amended. . . .

MR. LYON: Mr. Chairman, on Page 3, I have a further amendment to propose. I would move that the proposed clause (b) of subsection (5) of Section 12 of The Attorney-General's Act, as set out in Section 1 of Bill 114, be amended by adding thereto immediately after the word "death" in the third line thereof, the words "and for which he is not and is not entitled to be otherwise indemnified under contract or any other program of the government." This would mean that any claims made under this particular section there could not be double indemnity paid, so to speak, could not be double money paid. For instance, the person's hospitalization should not be collectable under this fund when the hospitalization for example is covered under a state plan, and to make amply certain that the costs that are paid are actual out-of-pocket expenses that have been incurred by the victim who is making application.

MR. MOLGAT: Mr. Chairman, does the Minister mean by that that if an individual has insurance of another type, nothing to do with the government, he would not be covered, or does he mean strictly where it says under contract or the program of the government, strictly relating to any government programs. If it is a private contract or private program, does he collect from both?

MR. LYON: No, this is meant to prevent collection from both.

MR. MOLGAT: Regardless of private or government?

MR. LYON: Regardless, private or public.

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

MR. CHAIRMAN: (The remainder of Bill No. 114 was read and passed.) Bill No. 115, by leave. Do you wish me to call this Bill section by section?

MR. CRAIK: Section by section, Mr. Chairman.

MR. CHAIRMAN: Section 1—

MR. CRAIK: Mr. Chairman, I'd like to propose two amendments to this - very short. It's for clarification. Technically speaking, the first paragraph is correct but it is misleading if you are not familiar with certain terms, so the motion, Mr. Chairman, is that the first

(MR. CRAIK cont'd.)... paragraph of the preamble of Bill 115 be struck out and that the following paragraph be substituted therefor: "Whereas a portion of the Seine River located along the boundary between the City of St. Boniface and the City of St. Vital has been relocated," -- and could I continue on the next paragraph? -- that the second paragraph of the preamble of Bill 115 be amended by adding thereto at the end thereof the words "which plan has been tabled in the "Assembly", which I am tabling now.

MR. LYON: When you read the Bill you would notice that it makes reference to a plan, but there is no Land Titles number or any other identification to the plan for anyone who might wish to look at the plan after reading the Bill, and it was just thought advisable to make it more certain that this plan, which can't be registered in the Land Titles until this Act is passed, should at least become one of the sessional documents of the House for future reference of people who might wish to look at the plan. So it is the intention of the Minister to file the plan on the table of the House and thereby make it, I think more clear than it otherwise would be.

MR. PAULLEY: Mr. Chairman, I'm prepared to accept the amendments as proposed by the Member for St. Vital and the Minister of Mines and Natural Resources. I think it follows up the point that I raised earlier in the day that some student of history a few years from now may look at the Bill and see that we passed it on the 24th of May, something that was done about six or eight months ago, so that's fine. I'm quite satisfied, and I appreciate the fact that for posterity that the Bill has been brought into line with what we should be doing at this time.

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

MR. CHAIRMAN: (The remainder of Bill No. 115 was read section by section and passed.) That completes the work of the committee. Committee rise. Call in the Speaker.

Mr. Speaker, the Committee of the Whole has considered and passed Bills 95, 96, 98, 100, 101, 102, 104, 106, 109, 110, 111, 112, and 113 without amendments. The committee has also considered and passed, with amendments, Bills Nos: 105, 114 and 115.

#### IN SESSION

MR. DOUGLAS J. WATT (Arthur): Mr. Speaker, I beg to move, seconded by the Honourable Member for Springfield, that the report of the Committee be received.

MR. SPEAKER presented the motion and after a voice vote declared the motion carried. BILLS NOS. 95 and 96 were each read a third time and passed.

MR. McLEAN presented Bill No. 98, an Act to amend the Highway Traffic Act(2), for third reading.

MR. SPEAKER presented the motion.

MR. PAULLEY: Mr. Speaker, I just want to make one more comment insofar as this particular Bill is concerned, dealing with the Civil Service Superannuation Act.

MR. McLEAN: We're not there yet.

MR. PAULLEY: Pardon? Oh, I'm sorry. --(Interjection)-- Very close, I'm just two numbers out.

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

MR. McLEAN presented Bill No. 100, an Act to amend The Civil Service Superannuation Act, for third reading.

MR. SPEAKER presented the motion.

MR. PAULLEY: Mr. Speaker, I'm sorry I jumped up ahead of time on another Bill. I'm not going to suggest any delay in this Bill, but since I last spoke on the question of the pensions of our Civil Service personnel in Manitoba there was a tabling of an Order for Return requested by the Leader of the Opposition, the Member for Ste. Rose. If I recall correctly, when I was speaking on some of the pensions of members, former members of the Civil Service, I mentioned some in the neighborhood of some fifty or so whose pension was less than \$100 a month. I was in error, a grave error; there are apparently between 300 and 400 former employees of the Civil Service whose pensions are below \$100, which I think is deplorable.

I also, since speaking in the House on that particular occasion, have had a number of phone calls from widows of former members of the Civil Service who now have no pension at all. There are many plans of course that provide for at least 50 percent of the Civil Service pension going to the widow on the demise of her husband, and this is also to me deplorable.

I also raised the question of some of the inadequate pensions of former employees of Crown Corporations such as the old Winnipeg Electric.

The reason I am standing in my place at this particular time is not in opposition precisely



(MR. PAULLEY cont'd.)... to the provisions of the Bill, although I must say that I regret very much that the Honourable the Provincial Secretary has not seen fit in this Bill to agree with the request of the Civil Service for a lowering of the pensionable age, and also for the computing of the pension on a lesser period of time than is the practice now.

My main purpose is to draw to the attention of the government, and in particular the Provincial Secretary, the necessity or desirability, or both, of reviewing all aspects of our Civil Service Superannuation Act for future retirements and also past retirements, and on behalf of those people that cannot be heard in this Assembly, I appeal to the Honourable the Provincial Secretary to conduct a survey between now and the next time we meet in this Legislature, if indeed we meet again, so that we will have a more concise and clear picture of the situation prevailing in respect of our Civil Service personnel who, as I said the other day, rendered invaluable service to our province and to our utilities. And may I say to my honourable friend the Provincial Secretary that even in the interim before we meet again if he in his wisdom - and he has a lot of it, and exhibits it from time to time - sees fit to improve the lot of our previous employees in the civil service, I am sure that it would be welcomed by all members of the House particularly those who rendered, as I say, such invaluable service to the Province of Manitoba and all of its citizens.

MR. McLEAN: Mr. Speaker, on a point of order, if I may —(Interjection)-- I'm not speaking, I'm only dealing with what I think would be a proper point of order, Mr. Speaker, if I'm in order to do so. The Honourable the Leader of the New Democratic Party made reference to an Order for Return, and I think as a point of order it ought to be indicated that of those shown on the Order for Return there were a large number who had a very short term of employment, which of course makes an obvious effect upon the pensions received.

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

BILL 101 was read a third time and passed.

MR. WITNEY presented Bill No. 102, An Act to amend The Manitoba Medical Services Insurance Act, for third reading.

MR. SPEAKER presented the motion.

MR. FROESE: Mr. Speaker, I only had a few words to say and that is this, that I supported the government on this Bill in principle. However, I am sorry that they did not see fit to support the amendments that were offered tonight. I think they would have been an improvement in the Bill, and not only did the amendments amend the present Bill before us but also the former Act that was passed, and I would have liked to have seen the addition of those amendments in the Bill and therefore make it more valuable.

MR. SPEAKER: The Honourable Leader of the New Democratic Party.

MR. PAULLEY: Mr. Speaker, it is not my intention at this time to make any long speech on Bill 102. I think that the subject matter has been covered very very thoroughly in this House since we first started, but I do want to point out before third and final reading is given to Bill 102 that we have had representation in this House, or outside of the House, from three or four groups of concerned people who are in favour of the Bill. I refer to the Manitoba Association of Social Workers; I refer to the Manitoba Federation of Labour; The Winnipeg and District Labour Council; and I refer to many religious groups who have appealed to the government to enact the original scheme calling for Medicare under the federal proposition as of July 1, 1968. I have not heard from any group, as such, that have made representations or sent briefs in opposition to the Bill. Not even the doctors have given this Assembly, or at least the Members of the Assembly, the courtesy of expressing their opposition to the stand that we have taken in the New Democratic group in this Legislature.

So as I say, Mr. Speaker, I think all areas dealing with Bill 102 have been considered. I have said on a number of occasions how I appreciate the position, the untenable position, may I say, that I feel the Honourable the Minister of Health must be in - and I appreciate the Honourable Minister of Health, I think that he is a sincere and devoted man - I think he has been led up the garden path; I think that he has had to acquiesce to pressure he would rather not have had to guide him or to lead him.

So I say, Mr. Speaker - and this will be of course my final word insofar as Bill 102 is concerned - I regret the action the government is taking and too late, I'm sure, for me to change the government's opinion, but I do want in conclusion to indicate, Mr. Speaker, to you, that it is my intention, when you present the motion, to call for a recorded vote upon Bill 102 so that we all know where each and every member of this Assembly stands in respect of Medicare in

(MR. PAULLEY cont'd)... Manitoba.

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

MR. PAULLEY: Yeas and nays please, Mr. Speaker.

MR. SPEAKER: Call in the members. Those in favour of the motion please rise.

MR. LYON: .... the motion so everyone knows where they stand.

MR. SPEAKER: Moved by the Honourable Minister of Health, seconded by the Honourable the Minister of Education, that Bill 102, An Act to amend The Manitoba Medical Services Insurance Act be now read a third time and passed.

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

MR. PAULLEY: I asked for Yeas and Nays, Mr. Speaker.

MR. SPEAKER: I'm coming to that.

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

YEAS: Messrs. Baizley, Beard, Bjornson, Carroll, Cowan, Craik, Einarson, Enns, Evans, Froese, Hamilton, Jeannotte, Johnson, Klym, Lissaman, Lyon, McGregor, McKellar, McKenzie, McLean, Masniuk, Spivak, Stanes, Steen, Watt, Weir, Witney, and Mesdames Forbes and Morrison.

NAYS: Messrs. Barkman, Campbell, Clement, Desjardins, Dow, Doern, Fox, Green, Guttormson, Hanuschak, Harris, Hillhouse, Kawchuk, Molgat, Patrick, Paulley, Petursson, Tanchak, Uskiw, and Vielfaure.

MR. CLERK: Yeas, 29; Nays, 20.

MR. SPEAKER: I declare the motion carried.

BILLS NOS. 104, 105, 106, 109, 110, 111, 112, 113, 114 and 115 (by leave) were each read a third time and passed.

.... Continued on next page.

MR. LYON: Mr. Speaker, I wonder if we could now move to the government resolutions starting on Page 4 of the Order Paper.

HON. GURNEY EVANS (Provincial Treasurer) (Fort Rouge): Mr. Speaker, I beg to move, seconded by the Honourable the Attorney-General, the resolution standing in my name on the Order Paper. (Resolution - See Below.)

Mr. Speaker, His Honour the Lieutenant-Governor recommends the proposed measure to the House.

MR. SPEAKER presented the motion.

MR. MOLGAT: Mr. Speaker, before the vote is taken, I wonder if I might suggest an amendment here. I think I discussed it with the mover of the resolution that my name be struck off this committee and that the name of the Member for St. George Constituency, Mr. Guttormson be substituted therefor.

MR. EVANS: Mr. Speaker, if I'm permitted to speak, I recognize the request was made and I really must apologize that the change was not made, but I'm sure by leave of the House, then I would ask that the resolution be amended by striking out the name "Molgat" and substituting the name "Guttormson".

Whereas the Legislative Assembly at its First Session of the 28th Legislature on Friday, the 21st day of April, 1967, established a Special Committee of the Legislature consisting of 13 members to review the variations in automobile insurance rates, as well as any rate increases which have been effected in recent years, for the purpose of considering and weighing the factors to which these increases have been attributed and thereby assessing the justification for such increases, and without restricting the generality of the foregoing to investigate all aspects of automobile insurance as it deems appropriate for the purpose of safe-guarding the interests of the public and to make recommendations;

And Whereas this Committee reported on Friday, the 15th day of March, 1968, to the Legislative Assembly that the Committee has not completed its work and requested that it be constituted with the same powers as outlined in the resolution passed by the House on April 21st, 1967;

Therefore Be It Resolved that a Special Committee of the House consisting of Honourable Messrs. Craik, Evans and McLean, and Messrs. Bjornson, Cowan, McKellar, McKenzie, Guttormson, Hillhouse, Shoemaker, Green, Paulley and Steen be constituted to review the variations in automobile insurance rates, as well as any rate increases which have been effected in recent years, for the purpose of considering and weighing the factors to which these increases have been attributed and thereby assessing the justification for such increases, and without restricting the generality of the foregoing to investigate all aspects of automobile insurance as it deems appropriate for the purpose of safeguarding the interests of the public and to make recommendations;

And Be It Further Resolved that this Special Committee have power to sit during this Session and in recess after prorogation;

And to report to this House during this Session or at the next Session on the matters referred to it;

And That the said Committee may exercise all the powers of commissioners appointed under Part V of "The Manitoba Evidence Act";

And That the Provincial Treasurer be authorized to pay out of the Consolidated Fund to the members of the said Committee the amount of expenses incurred by the members in attending the sittings of the Committee, or expenses incurred by the members in the performances of duties ordered by the Committee in recess, after prorogation, as approved by the Comptroller-General;

And That the Provincial Treasurer be authorized to pay out of the Consolidated Fund all other expenses of a kind and nature required to assist the Committee in carrying out the provisions of this resolution, and provided the same have received the prior approval of the Treasury Board.

MR. SPEAKER: Are you ready for the question, amended as indicated?

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

MR. PAULLEY: Mr. Speaker, it's on the understanding of course that the whole resolution will be recorded in Hansard of this date. Right?

MR. LYON: Mr. Speaker, I beg to move, seconded by the Honourable the Provincial Treasurer, the resolution standing in my name, and I would ask that it be recorded in Hansard.

(MR. LYON cont'd)

Whereas the Legislative Assembly at its First Session of the 28th Legislature on Thursday, the 2nd day of February, 1967 resolved that the Standing Committee on Statutory Regulations and Orders appointed at that Session do inquire into and report to the House with respect to all matters relating to the procedures to be followed on expropriations of land conducted under Acts of the Legislature and in particular, to study and report to the House as to the desirability of enacting the draft Bill which has been prepared, based on the recommendations of The Law Reform Committee or other legislation;

And Whereas the Legislative Assembly at its First Session of the 28th Legislature on Tuesday, the 2nd day of May, 1967 resolved amongst other matters to consider the White Paper entitled "Citizen's Remedies Code" presented to the House by the Provincial Secretary on Thursday, the 8th day of December, 1966, dealing amongst other matters with "Legislative Commissioner for Administration", "Legal Assistance to Indigents" and "Compensation to Victims of Crime"; and

to examine the proposed draft of a Bill respecting the Protection of Consumers, distributed in the House on April 28th, 1967;

And Whereas the Standing Committee on Statutory Regulations and Orders appointed at the First Session of the 28th Legislature has not finalized its recommendations to the Legislative Assembly with respect to the matters above referred to;

Therefore Be It Resolved:

That the Standing Committee on Statutory Regulations and Orders appointed at this Session have power to sit during the present Session and in recess after prorogation and to report to the House on the following matters referred to it at this Session or the next Session of this Legislature:

- a) Proposed draft respecting the Protection of Consumers
- b) Proposed Draft Expropriation Act
- c) Legislative Commissioner for Administration
- d) Legal Assistance to Indigents
- e) Compensation to Victims of Crime
- f) Regulations under The Regulations Act tabled in the House March 18, 1968

And That the Provincial Treasurer be authorized to pay out of the Consolidated Fund to the members of the said Committee the amount of expenses incurred by the members in the performance of duties ordered by the Committee in recess after prorogation as are approved by the Comptroller-General;

And That the Provincial Treasurer be authorized to pay out of the Consolidated Fund all other expenses of a kind and nature required to assist the Committee in carrying out the provisions of this resolution provided the same have received the prior approval of the Treasury Board.

His Honour the Lieutenant-Governor recommends the proposed measure to the House.

MR. SPEAKER presented the motion.

MR. LYON: Mr. Speaker, perhaps I could say a few brief introductory words with respect to this matter. There will be an amendment proposed by my honourable colleague the Provincial Treasurer which will add another item of business to the work to be carried out by the Standing Committee on Statutory Regulations and Orders; namely, the consideration of proposed draft legislation respecting registration of personal property security. This is legislation that has been under study by the Law Reform Committee for some time. They have now produced a draft Act. It comes generally within the broad ambit of the protection of consumers legislation, and I would hope that the House would give support to this amendment when it is proposed by the Provincial Treasurer, in order that we can have this further item of business considered between sessions by the Statutory Orders Committee.

MR. SPEAKER: Are you ready for the question?

MR. PAULLEY: Mr. Speaker, I have an amendment, too, now. Of course, I bow in favour of my honourable friend if it just means that one of us may have to change our sequence of resolutions, but I think possibly if the Honourable Provincial Treasurer would propose his, then I'll be content after that is proposed and I -- although there's one little complication. I want to speak on the general resolution and I don't want to be put into a box where I just have to speak on the amendment proposed by my honourable friend now.

Well, Mr. Speaker, as is well-known in this House, my colleague the Member for St.

(MR. PAULLEY cont'd) . . . . John's and deputy leader of this group has been one of the most persistent members of this House in an endeavour to have established protection for many sections of the community as a whole. He started out a number of years ago to endeavour to have this government establish a Department of Consumer Affairs, even before the present House was elected, and today we find on the resolutions being proposed as Item No. A, proposed Draft respecting the protection of consumers.

There's an election being fought today, Dominion-wide, and all parties are considering the necessity, the desirability of having provisions for consumer protection contained in legislation. This government in this House, having had the opportunity for the last four or five years or more to enact legislation, has procrastinated and delayed, and once again we find in the resolution proposed by the Honourable the Attorney-General, that the Committee on Statutory Regulations and Orders consider the question of consumer protection. And I want to say that the government should be severely criticized for their failure to act.

Regarding Proposition No. B, a proposed draft to consider the proposed Draft Expropriation Act. This proposed Act, Mr. Speaker, was in our hands over a year ago, and as yet, nothing of a concrete nature has been done to formalize the provisions within the Act and, as a result, many persons in our province are without adequate legislation on the matter of expropriation and have no security of tenure at all. But still there are many areas in which expropriation has taken place and people still do not know where they stand insofar as compensation is concerned. As a matter of fact, I had an Order for Return given to me the other day by the Honourable the Minister of Public Works in reply to some questions of mine insofar as expropriation, and to me it was meaningless, and I'm sure to the owner of the property or the former owner of the property equally lacking of information.

And then Item No. C, Mr. Speaker, is the provision of a legislative commissioner for administration. And by this, we mean the creation generally of a position of an ombudsman for the Province of Manitoba. Here again, procrastination, delay, lack of initiative on the part of the government in the provision of an ombudsman which is so sorely needed in the Province of Manitoba.

Item No. D. Legal Assistance to Indigents. I appreciate the fact that just a few days ago some consideration was given to this matter and nothing of any concrete nature. However, I pointed out in one or two debates in this House, that particularly in the Town of Churchill and in our northern areas that many of the citizens of the Province of Manitoba are called before the bar of justice without adequate legal assistance, and of course, as we know, Churchill - many of the people there - haven't got the financial resources to take care of themselves.

The question of compensation to victims of crime is still one of those areas that this government hasn't taken action or adequate action to make compensation payments to victims of crime.

And then I note that in the proposition that the Honourable the Attorney-General has before us at the present time for consideration, is a question of regulations under The Regulations Act tabled in the House on March 18th of this year. The regulations are a continuing process of this government, or of any government, and I suggest, Mr. Speaker, that there should be directed toward this committee at the time it meets, all regulations which may have been made after March 18th of this year.

Well, Mr. Speaker, I could go on with a severe criticism of the lack of initiative, the lack of action on the part of government. I have no intention of doing so at this hour of the night. But I want to propose an amendment to the resolution of my honourable friend the Attorney-General, and I think he can accept this one. And that amendment would simply mean that instead of the Committee on Statutory Regulations and Orders being restricted to consideration of the regulations tabled in the House of March 18th of this year, that they should have directed to them all regulations subsequent to March 18th that have been passed and are in effect at the time of the sitting of the committee.

So therefore, Mr. Speaker, I beg to move, seconded by the Honourable Member for Ethelbert Plains, that the resolution be amended by adding the following section after Section (f) thereof, Section (g): "any regulations made subsequent thereto and published in the Manitoba Gazette." The effect of that would be, Mr. Speaker, that regulations that are advertised or announced in the Manitoba Gazette subsequent to March 18th and at the time of the meeting of the committee, could be considered by the committee.

MR. SPEAKER: Are you ready for the question?

MR. LYON: Mr. Speaker, I haven't had a chance to look at The Regulations Act. I know of the point that's raised by my honourable friend - I'm speaking now to the amendment - I know of the point that is raised by him and has previously been raised by his colleague the Member from St. John's. We have adopted as a practice, and I can't say that this is the practice that is laid down in The Regulations Act because I don't have it in front of me, although I think there is reference to it in The Regulations Act and that this amendment might possibly - only possibly - be in conflict with that, we've adopted the practice over the years, and it has worked, whereby under the Act, under the Regulations Act, the regulations for the previous year are all tabled in the House as they were this year on March 18th. That brought all the regulations up-to-date to the present time. There have been a few passed since then. The Legislative Counsel assists the committee by doing an exhaustive review of these regulations. Copies are circulated to all of the members of the committee when it meets. Sometimes the committee has met during the session; sometimes it has met just after the session; sometimes it has met a few months after. In any case, the valuable document that we have is this exhaustive review of the regulations done by the Legislative Counsel to assist the members of the committee.

Now that doesn't preclude members of committee from looking at regulations as they appear in the Manitoba Gazette and making any comments of their own or any findings of their own and so telling the committee when the committee meets, but I merely suggest that this procedure has worked. It results from time to time in changes being made - recommended I should say - in statutes of the Legislature, in regulations themselves, and my problem in saying that this amendment would have merit is this: that I'm very hesitant to chuck over this system that is working at the present time without knowing just how we could amend the procedure of the Committee which would almost have to be meeting constantly to catch up all regulations as they appear, because what my honourable friend said that was so accurate is this, that regulations appear on a weekly - every two weeks, and so you have to have an arbitrary cut-off somewhere and it was thought when the committee was first set up - and this is one of the few jurisdictions in Canada that even has such a committee - that this would be perhaps the most businesslike way of handling it.

Now my honourable friend can disagree. He can say, well, the arbitrary cut-off should be a later date; and you can have an argument on that, but I suggest that the present system is working; we can have the committee, as the committee will I'm sure, discuss this matter again when we're in committee, but at the present time I wouldn't be disposed to just jumping into this holus-bolus. I think we have a good plateful of work in front of us insofar as the regulations are concerned at the present time. I think the committee can take a look at this. I don't think there's any great advantage accruing from the amendment, and I unfortunately will not be able to support it.

MR. SPEAKER: The Honourable Member for Rhineland.

MR. FROESE: Mr. Speaker, my remarks will be very brief. I think so much depends on when our committee meets. If it meets during the summertime I think this is quite in order, the cut-off date that we have. However, should we meet later on in the fall, I think then a later cut-off date would be appreciable, and maybe we could have some flexibility somewhere so that this could be accommodated.

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

MR. EVANS: Mr. Speaker, I beg to move, seconded by the Honourable the Minister of Labour, that the proposed resolution be amended

(a) by adding thereto, after the third paragraph of the preamble, the following paragraph:

And Whereas the Law Reform Committee has recommended the enactment of legislation respecting the registration of personal property securities in a central registry system similar to, and based on, the legislation enacted in Ontario in 1967, and work is progressing on the preparation of a draft Bill based on the recommendations of the Law Reform Committee; and

(b) by adding thereto, immediately after clause (f) of the first paragraph of the operative part of the resolution, the following clause:

(g) proposed draft legislation respecting registration of personal property securities.

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

MR. SPEAKER put the question on the main motion as amended, and after a voice vote declared the motion carried.

MR. SPEAKER: The Honourable the Minister of Municipal and Urban Affairs.

MRS. FORBES: Mr. Speaker, I move, seconded by the Honourable the Minister of Mines and Natural Resources, the resolution standing in my name on the Order Paper.

Whereas, except for the revisions made for the purposes of the Revised Statutes of Manitoba, 1940 and the Revised Statutes of Manitoba, 1954, The Municipal Act has not been completely revised since 1933;

And Whereas there have been various amendments and changes in The Municipal Act during the last thirty-four years;

And Whereas the officers of The Department of Urban Development and Municipal Affairs together with the Revising Officer have for some time been engaged in preparing a draft revision of The Municipal Act;

And Whereas it is anticipated that the draft revision of The Municipal Act will be completed within the next few months;

And Whereas it is deemed advisable that a Committee of the House consider the draft revision of The Municipal Act before it is introduced as a Bill in the Legislature;

Therefore Be It Resolved:

That the Standing Committee on Municipal Affairs appointed at this Session be authorized to sit after prorogation, to consider the draft revision of The Municipal Act and to report to the House at the next Session of the Legislature with any recommendations in respect thereto;

And That the Provincial Treasurer be authorized to pay out of the Consolidated Fund to the members of the said Committee the amount of expenses incurred by the members in the performance of duties ordered by the Committee in recess after prorogation as are approved by the Comptroller-General;

And That the Provincial Treasurer be authorized to pay out of the Consolidated Fund all other expenses of a kind and nature required to assist the Committee in carrying out the provisions of this resolution provided the same have received the prior approval of The Treasury Board.

Mr. Speaker, His Honour recommends the proposed measure to the House.

Mr. Speaker, the understanding is it will be recorded in Hansard.

MR. SPEAKER presented the motion.

MRS. FORBES: Mr. Speaker, due to the fact that I have proposed that other matters be referred to this committee for consideration, an amendment to this resolution will be proposed by my colleague, the Honourable the Provincial Secretary.

MR. McLEAN: Mr. Speaker, I move, seconded by the Honourable the Minister of Agriculture,

That the preamble to the Resolution be amended by adding thereto, at the end thereof, the following paragraphs:

And Whereas Bill 52, entitled The Local Authorities Election Act, was referred to the Standing Committee on Municipal Affairs;

And Whereas the Standing Committee on Municipal Affairs has not had an opportunity of studying the Bill in detail;

And Whereas it is deemed advisable that a Standing Committee of the House consider the proposed amendments to The Manitoba Housing and Renewal Corporation Act set out in sections 6 and 7 of Bill 49, An Act to amend The Manitoba Housing and Renewal Corporation Act, as that Bill was printed and distributed in the House;

And Whereas it is deemed advisable that a Standing Committee of the House consider the proposed amendments to The Municipal Act set out in Bill 107, An Act to amend The Municipal Act (3), as that Bill was printed and distributed in the House; and by adding thereto, immediately after the first paragraph of the Resolution, the following paragraphs:

And That the said Committee be authorized to sit after prorogation to consider Bill 52, entitled The Local Authorities Election Act, and to report to the House at the next Session of the Legislature with any recommendations in respect thereto;

And That the said Committee consider the proposed amendments to The Manitoba Housing and Renewal Corporation Act set out in sections 6 and 7 of Bill 49, An Act to amend The Manitoba Housing and Renewal Corporation Act, as that Bill was printed and distributed in the House, and consider the proposed amendments to The Municipal Act set out in Bill 107, An Act to amend The Municipal Act (3), as that Bill was printed and distributed in the House, and be authorized to sit after prorogation to consider the said proposed amendments to The Manitoba Housing and Renewal Corporation Act, and The Municipal Act, and to report to the

(MR. McLEAN cont'd) . . . . House at the next Session of the Legislature with any recommendations in respect thereto.

MR. SPEAKER presented the motion.

MR. McLEAN: Mr. Speaker, if I may, just while they're being distributed, say that these, as indicated by the Honourable the Minister of Urban Development and Municipal Affairs, are the matters that were agreed to in committee would be added - that is in Law Amendments Committee - would be added to the purview of this committee in its work.

MR. PAULLEY: Mr. Speaker, . . . motion, I'd like to see what these matters are.

MR. McLEAN: . . . asking that this amendment be recorded as indeed with the original resolution.

MR. SPEAKER: Did the Honourable the Leader of the New Democratic Party have a question?

MR. PAULLEY: No, Mr. Speaker. I just want to read what the amendment is all about before I agree to it, because I think it is a very important matter.

There is one point on a question of procedure, actually, Mr. Speaker, and that deals with Sections 6 and 7 of Bill 49 of the Act and of course Sections 6 and 7 of Bill 49 no longer exist, and while the resolution does say that Bill was printed and distributed in the House, and I appreciate that, but I'm wondering whether or not there shouldn't be reference in this resolution to the fact that those sections in the Act were withdrawn from the Act and referred to this committee, in order that it is amply clear that Sections 6 and 7 of Bill 49, in addition to being printed and distributed in the House, were not proceeded with and were eliminated from the Bill. Now I appreciate, Mr. Speaker, this is a relatively moot point that I am raising, but in my opinion, when in Law Amendments Committee Sections 6 and 7 were removed from the Act, it no longer existed, and the fact that it was printed and distributed in the House, in my opinion leaves open a question as to whether or not they are actually in effect. Now, I may be all wrong. There have been one or two minor occasions when I have been wrong in the House. However, I raise this point because, while we did receive them in the House, they were not proceeded with and when they were withdrawn from Bill 49 in Law Amendments Committee, to all intents and purposes they were killed.

MR. HILLHOUSE: Well, Mr. Speaker, I don't see anything wrong with this. I think there's a clear reference to Bill 49 as that Bill was printed and distributed in the House, and it refers to these two sections. Now each one of us here has a copy of that Bill. We all know the sections to which reference is made, and I think it's quite clear and I don't think it could be made any clearer.

MR. FROESE: Mr. Chairman, if I recollect, when we were in Law Amendments Committee I think there was mention made on this, that this would be referred to this particular committee. Whether it was done to form a motion or not, I am not prepared to say, but if it was done then certainly things are in order.

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

MR. SPEAKER put the question on the main motion as amended, and after a voice vote declared the motion carried.

MR. SPEAKER: The Honourable Minister of Agriculture.

MR. LYON: Mr. Speaker, I wonder if we could ask that this resolution be held because there is a resolution in the private members' group which we will be dealing with tomorrow, which will have some bearing on matters referred to this committee, and if we could hold it over tonight . . .

Mr. Speaker, I would move, seconded by the Honourable the Minister of Welfare, that the resolution standing in my name on Page 8 of the Order Paper, relating to the establishment of a Special Committee on Law Revision, I would ask that this resolution be printed in Hansard.

Whereas section 7 of The Attorney-General's Act provides as follows:

"7. (1) The Attorney-General may, from time to time, notify the assembly of the progress being made in the preparation of any consolidation or revision of the statutes of the province being prepared under section 6; and the assembly may, from time to time, appoint a Special Committee on Law Revision which may sit during recess after prorogation, and the Attorney-General shall be a member of the committee.

(2) If the assembly is dissolved before a Special Committee on Law Revision has completed its work in respect of the consolidation and revision of statutes, any similar committee appointed by the next succeeding assembly shall continue the work of the committee so



(MR. LYON cont'd) . . . . appointed and have like powers and authority.

(3) From time to time during the progress of the preparation of the consolidation and revision, or on the conclusion thereof, or both during the progress, and on the conclusion of the preparation, the Attorney-General may lay before the Special Committee, for its examination and approval, drafts of the statutes so consolidated and revised."

And Whereas it is deemed expedient that the assembly appoint a Special Committee on Law Revision under the provision of the above section which may sit during recess after prorogation, and the Attorney-General shall be a member of the committee.

Therefore Be It Resolved:

That a Special Committee of the Legislature on Law Revision consisting of Hon. Mr. Lyon, Attorney-General, Hon. Mr. McLean, Messrs. Campbell, Cowan, Hillhouse, Paulley, Steen and Watt be appointed to examine and approve drafts of Statutes consolidated or revised.

And Be It Further Resolved:

That the said Special Committee of the Legislature shall have power to sit during the present Session and in recess after prorogation to examine and approve drafts of Statutes consolidated or revised.

And That the Provincial Treasurer be authorized to pay out of Consolidated Fund, to the members of said Committee, the amount of expenses incurred by the members in attending the sittings of the Committee or expenses incurred by the members in the performance of duties ordered by the Committee, in recess after prorogation, as are approved by the Comptroller-General.

His Honour the Lieutenant-Governor recommends this matter to the House.

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

MR. LYON: Mr. Speaker, I believe that concludes the business that members of the House wish to conclude tonight. I beg to move, seconded by the Honourable the Minister of Welfare, 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 o'clock Saturday morning.