

THE LEGISLATIVE ASSEMBLY OF MANITOBA
2:30 o'clock, Wednesday, August 12, 1970

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 Member for Lakeside.

ORAL QUESTION PERIOD

MR. HARRY ENNS (Lakeside): Mr. Speaker, I have a question for the First Minister, and if perhaps with some indulgence, Mr. Speaker, I would like to indicate to you that I intended to raise this matter as a subject matter for adjournment of the House because of its urgent and public importance. I do want to assure you, Mr. Speaker, I have decided not to follow that course but simply to ask the question of the First Minister, and the question is direct and of some importance to me.

I would ask the First Minister, very sincerely and very honestly, whether or not he would not consider to immediately institute some form of enquiry - I leave it to his choosing - with respect to the matters relative to the highway situation in Dauphin. Employees are being dismissed or demoted, and while I do not wish to talk about this subject that has been discussed before in this Chamber, the fact of the matter is . . .

MR. SPEAKER: Order. Order please. I believe this is questions before Orders of the Day, and if the honourable member has put his question, that is the extent to which he may proceed.

MR. ENNS: Yes, Mr. Speaker, I don't wish to indulge on the House. I was simply trying to indicate that I'm not trying to talk about that matter, but I am trying to ask the Minister to consider this request and consider it seriously in view of the fact that other persons, other than those . . .

MR. SPEAKER: Order. Order please. I believe the honourable member is proceeding to debate this question.

HON. ED SCHREYER (Premier) (Rossmere): Mr. Speaker, I'm not clear now whether it would be in order for me to reply to a question that appears to have been ruled out of order, but perhaps it would expedite matters if I were to be allowed to reply and indicate to the Honourable Member for Lakeside that of course I'm prepared to consider that; in fact, I have been doing so. There are certain matters now that are really under the administration of justice, and any enquiry of a broader kind might impinge on that - I'm not clear - but I am asking for opinions from the Law Officers of the Crown and in the meantime, of course, the machinery is open through the Civil Service Association for taking up of grievances.

MR. SPEAKER: The Honourable Member for Ste. Rose.

MR. GILDAS MOLGAT (Ste. Rose): Mr. Speaker, in view of the fact that the question has been brought up, might I ask then of the government whether there have been further suspensions or dismissals, because I have had complaints in my own area, being in the vicinity of Dauphin. Are there further suspensions or dismissals?

MR. SCHREYER: I believe, Mr. Speaker, that there has been one suspension and perhaps one demotion but I'm not clear on the latter, but that would be about the extent of it, Mr. Speaker.

MR. SPEAKER: The Honourable Member for Lakeside.

MR. ENNS: Mr. Speaker, a supplementary question, directed to the First Minister. Would he not agree or -- the question to the First Minister is that does he consider every suspension or every demotion within that particular branch now . . .

MR. SPEAKER: Order. Order please. I believe the honourable member is well aware that questions asking for an expression of opinion are out of order. Orders of the Day.

MR. JAMES H. BILTON (Swan River): Mr. Speaker, in that Swan River is in the same area, that is the Dauphin area, are there any suspensions anticipated in the Swan River district?

MR. SPEAKER: Order please. The honourable member is aware that questions anticipating future action are also out of order.

MR. SCHREYER: Mr. Speaker, I might be able to be of some help to the Member for Swan River and indicate to him that, to my knowledge, that has not been the case within his particular area. I might also advise the Member for Lakeside that I well recall a similar circumstance of problem back in 1958 at which time there was a transfer of personnel from the

(MR. SCHREYER cont'd.) Highways Department to Hydro, I believe, and while it was not a suspension, it was a transfer and there were many similar circumstances involved which I'd be happy to explain to my honourable friend in the proper way.

MR. SPEAKER: The Honourable House Leader of the Liberal Party.

MR. GORDON E. JOHNSTON (Leader of the Liberal Party) (Portage la Prairie): Mr. Speaker, my question is for the Minister of Labour. It's to do with the printing of Hansard. Has the printing of Hansard ceased altogether? It's three weeks now since we've had -- or we're three weeks behind.

HON. RUSSELL PAULLEY (Minister of Labour) (Transcona): Mr. Speaker, the Minister of Labour is not responsible for the printing of Hansard. The Minister of Government Services has some connection with it, and, Mr. Speaker, as I announced to the House some time ago, that because of the desire of the members of the House to have the transcripts of the hearing on the Committee of Public Utilities as quickly as possible, that in the interim we couldn't handle both due to staff problems, and we have endeavoured to give to the members, as soon as possible, the transcripts of the Public Utilities. We are hopeful that the transcripts of the Hansard will start just as quickly as possible again. There is a personnel problem - I don't mean that I have problems with the personnel, but it's a question of holidays and availability of those who are expert in transposing from tape to the written word.

MR. BILTON: Mr. Speaker, on the same subject, I wonder if the Minister of Public Services would assure the House that should the House rise this afternoon or tomorrow, that he'll see to it that we get the outstanding copies of Hansard.

MR. PAULLEY: I assure all honourable members that in the very fortunate circumstances of the adjournment of the House, then I will undertake to make sure that the complete copies of Hansard are sent to each individual member of the Assembly and to those other subscribers and to the libraries, in the normal way.

MR. SPEAKER: The Honourable House Leader of the Liberal Party.

MR. G. JOHNSTON: I have a supplementary question for the Minister. If there is a danger that we may not receive all the Hansards for some weeks or months yet, if you'd give priority to the dates in which the speeches of the Member for Crescentwood and the Minister of Mines' recent speeches were made.

MR. PAULLEY: . . . my honourable friend that I'll give precedence to the speeches of all honourable members in the House.

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

MR. HARRY E. GRAHAM (Birtle-Russell): Thank you, Mr. Speaker. My question is for the Minister of Finance in his capacity as the representative for Hydro in the Cabinet. In view of the fact that there have been long delays on the announcement of Hydro policy . . .

MR. SPEAKER: Has the honourable member a question?

MR. GRAHAM: Yes, Mr. Speaker. Will the 14 percent increase in Hydro rates, as recommended by the Utility Board, be sufficient to maintain a healthy financial balance in this public utility?

HON. SAUL CHERNIACK Q.C. (Minister of Finance) (St. John's): Mr. Speaker, I think it was indicated by the Chairman that the healthy situation of Hydro will continue and that rate increases have not been dealt with by the Board as yet.

MR. SPEAKER: The Honourable Member for River Heights.

MR. SIDNEY SPIVAK Q.C. (River Heights): A supplementary question to the Minister of Finance. I take it that the government's position is that the order of the Public Utility Board

. . . MR. SPEAKER: Has the honourable member a question?

MR. SPIVAK: Yes. I take it that the government's position - Mr. Speaker, has the government changed its position that the order of the Public Utility Board with respect to the rate increase of Hydro is not mandatory?

MR. CHERNIACK: Mr. Speaker, there is no change in the government's position. Now, what the honourable member takes, that he takes.

MR. SPEAKER: Orders of the Day. The Honourable House Leader.

ORDERS OF THE DAY

HON. SIDNEY GREEN Q.C. (Minister of Mines and Natural Resources) (Inkster): Mr. Speaker, I move, seconded by the Honourable Minister for Cultural Affairs, that Mr. Speaker

(MR. GREEN cont'd.) do now leave the Chair and the House resolve itself into a Committee of the Whole to consider the following bill, No. 56, the Automobile Insurance Act.

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

COMMITTEE OF THE WHOLE HOUSE

MR. CHAIRMAN: Since we are on the question of the acceptability of the motion by the Leader of the Official Opposition, I would like to hear any final comments from either side of the Chamber as to whether this motion is or is not in order. The Leader of the Official Opposition.

MR. WALTER WEIR (Leader of the Official Opposition) (Minnedosa): Mr. Chairman, I haven't heard any question but what the motion was in order so far.

MR. CHAIRMAN: Moved by the Leader of the Official Opposition that the proposed new clause (r) of subsection (1) of Section 29 of Bill 56 be amended by striking out all the words following "r" and substituting therefor: "appointing a committee to be called the Advisory Committee . . ." Are you ready for the question? The Honourable Member for St. Boniface.

MR. LAURENT L. DESJARDINS (St. Boniface): I'd like to say just a few words on this. I don't think that the sub-amendment is that bad. I certainly could live with this but I can't see where it would improve the proposed amendment. I think that we are forcing things now by declaring exactly who we want in this, who we want on that board; I think as long as everybody has a word to say in this, then it might be better to do it as first proposed. There is a possibility, of course, that some of the people will not wish to be part of the board for some reason or other, and I certainly don't want this to turn into anything political. I hope that if we're going to have this committee, it doesn't matter which kind of committee, we're going to start with some people who are vitally interested and that look at both sides of the coin.

I might say that there is something, though, that I don't like. Is it permissible at this time to just in general, restricting it to the committee, to discuss both the amendment and the sub-amendment? Because I think we must have a comparison. And if it is, Mr. Chairman, there is something in the amendment, and I would like to have this verified at this time because I might change my mind on the sub-amendment. There's a question of "respecting after consultation with all interested persons." I know, I think I know what is meant by this; I think that the government is bending over backward to see that they will discuss this with everybody, everybody that matters, everybody that is interested, but this is quite a word to put in there, "all" interested persons. I think this is impossible. It might be that somebody decides, after the committee has been set up that, well, so and so is very interested, or I'm interested. Now, I know the intent of the government and I wonder if we can have another, if the sub-amendment doesn't go through, and I'm ready to vote against the sub-amendment because I can't see that it improves it at all, but I would hope that the government will see fit to satisfy me with this question of "all" because I don't think that makes sense.

MR. CHAIRMAN: The Leader of the Official Opposition.

MR. WEIR: Mr. Chairman, I can't see how the Member for St. Boniface talks about it being political. There was evidence at the Public Utilities -- (Interjection) -- Well, you did; you said there was some of these people might not want to serve and that he saw no reason for making the matter political . . .

MR. DESJARDINS: I didn't want it to turn into anything . . .

MR. WEIR: Well, that's right, and Mr. Chairman, there is no indication of this matter being turned political in this. There was every indication at Public Utilities Committee that there was a concern on behalf of the industry, concern on behalf of the agents. I have every reason to believe that they would be prepared to participate in a committee of this kind. As a matter of fact, the amendment looks forward to not allowing them to make a specific representation . . .

MR. DESJARDINS: You've got a different amendment on that.

MR. WEIR: Well, Mr. Chairman, the amendment that I'm talking about is the one that I think is before the Committee, which is the appointing of a committee to be called "The Advisory Committee" comprised of a judge of the Court of Queen's Bench of Manitoba and one of two persons nominated by the Insurance Association of Manitoba, and two persons appointed from such persons as the Lieutenant Governor in Council considers satisfactory.

(MR. WEIR cont'd.)

Now it was done this way and this isn't the only piece of legislation that we would have on our books. There are many boards related to education and others where nominations come forward from a group of people from which the Lieutenant Governor in Council selects one. They weren't even allowed to nominate their own specific representative but to provide a couple of alternatives that the government could choose with in both of these areas, and a complete open slot for the other two groups of people, recognizing, Mr. Chairman, that there might even be a prejudice on behalf of those that were associated with the industry. It's quite possible there could be a prejudice with the other two, but if there is somebody impartial, it should be a judge of one of our courts, and the Premier the other day, in talking on this matter within the House, indicated that he doubted if there was anybody in Manitoba that wasn't prejudiced in one way or the other and there has been an attempt here to seek out as chairman of the board somebody, the people who should be the least prejudiced of all if in fact you can consider a judge of the Court of Queen's Bench prejudiced, so that the effort is here and I can hear rumblings coming from the Minister of Mines and Natural Resources, the House Leader, which isn't unusual, but, Mr. Chairman, there has been an attempt here to provide an opportunity of both sides being well represented and evenly represented in any way, shape or form that's desired, and certainly the assurance of the most impartial chairman that could possibly be obtained, and that is really what the intent of the amendment is at this stage.

Now if we get to the point of 64 - should this pass and you get to the point of 64 - then the suggestions that we've got would be open to all kinds of other amendments. If somebody felt that the terms of reference as we're suggesting here were not satisfactory, the other suggestions at that stage would be possible, but, Mr. Chairman, I've tried to be fair in distributing what our thoughts were. They are of no value if the amendment here doesn't pass and I acknowledged this at the time I moved the amendment, so that any suggestion that there has been anything except an effort to try and ensure the fairness of a committee, and some reasonable terms of reference as we see them, and there may be others who have some different views than we have as to what are the proper terms of reference, but there is a legitimate attempt to have the committee consider (a) the composition of the committee itself; and (b) the terms of reference.

MR. CHAIRMAN: The Honourable First Minister.

MR. SCHREYER: Mr. Chairman, the Honourable the Leader of the Opposition has made some reference to the statement which I did make, that it was difficult to find any person without some bias or inclination on the question of public auto insurance, and I went further to suggest that such bias or inclination increased with one's knowledgeability of a matter. And I went on to say, and I gave some example in committee, that in the case of a person from the bench, Mr. Justice Emmett Hall, that in the course of his commission studies on the question of a compulsory, universal medical care plan, medical insurance plan, that after the conclusion of the studies, the transmitting of the report, that Mr. Justice Emmett Hall displayed a very definite inclination as to what ought to be done, and went so far as to, not stump the country, but to speak at a number of places across Canada in support of universal compulsory medical care insurance. And my only point is that this, the allegations, you know, that certain persons are biased or have a definite inclination, I merely say again and restate that this is certainly true, that most people do have a definite inclination or bias, but I have already said this morning that it is going to be that this advisory committee will have representation from the different interested groups and I don't know how one can display any greater effort towards having a dispassionate, objective analysis made.

MR. CHAIRMAN: The Leader of the Official Opposition.

MR. WEIR: Mr. Chairman, may I ask the First Minister a question? Does he indicate by that that there would be some imbalance in the amendment that has been suggested?

MR. SCHREYER: Mr. Chairman, I don't, I really don't think that the suggested sub-amendment would do anything more with respect to this question that what has been proposed by my colleague this morning and which I spoke to.

MR. CHAIRMAN: The Honourable Member for Churchill.

MR. GORDON W. BEARD (Churchill): Well, I can live with some type of committee but I see two or three things that first come to my mind. One is the complaint that governments are using their judges too often for committees and that they do not have time to do that job which they are appointed for, and I have heard that over and over again and I suppose that we

(MR. BEARD cont'd.) see it in the paper all the time. There are not enough judges to look after the work that is before them in the courts, and I would wonder whether it is wise.

I had thought that perhaps in the Wootton Report there was great criticism of the Judge on the final advice that he brought forward, and it was called political, I believe, in one sense or another and yet it was his opinion, so how do you lift a person out of a supposed non political field? I think that most of the people, or all the people that are appointed to this would be biased in one form or another, but probably, hopefully be open-minded enough, and I think that they will all be biased; they all will be. But I can think of a lot of biased people that are considerate enough to sit down and listen and come up with an opinion that is good and is truthful.

Now, there are one or two things that bother me on this and I'm not up to pick it apart but I will, but I don't want to leave the impression it's because the Honourable Leader of the Opposition has brought it in, but in my mind, or as I understand it, the Insurance Agents Association of Manitoba do not in fact represent all people that are registered insurance agents. If I'm wrong on that, then I will stop here, but if it was changed to where the registered insurance agents of Manitoba were allowed to suggest names, then we are broadening it out to a point where we are including everybody that has an interest in this type of thing.

As far as the Insurance Bureau of Canada, I'm just not sure how far that goes and really what it is, but I would say that I think Manitobans are quite capable of carrying on their own business within the Province of Manitoba, and if this means that somebody could be nominated outside of Manitoba to come in, in the insurance industry, then I don't think this is right. I would rather see somebody from Manitoba selected on this committee. So we have different opinions. I just hope that whatever happens between opposition and government, that the committee itself, hopefully, will be open-minded enough to accept the facts and to be able to give that time that's necessary to bring in a decision. And it's only three or four months they've got to, I suppose, bring that decision forward but it should be done as soon as possible. The agents say that time is very essential to them and I think it's important that we get people that are closest to the scene of what is going on, and people that will be fair, not only with the agents, with the industry, but with the compensation, the communities that will be affected, and be still capable of going through and digesting all that material that has been laid before us in Utilities Committee and also before government through their initial investigation. That's an awful lot of work, and I would hope that we can retain a great deal of the people, or get the people from Manitoba rather than having to go outside of the province.

MR. SCHREYER: Well, Mr. Chairman, lest it not be clear yet, it should be clear that I have indicated that an effort will be made to consult with all those who are connected with the subject matter of the bill before us, and in the end it will be, all this will be subject to public scrutiny and to the scrutiny of members of this Assembly, and if it can be shown at the time of the next session, or at any time, that there has been no genuine effort to consult and to provide for different points of view on this Advisory Committee, then the course of action is clear and I would be subject to censure and so would this government, so that there can be no doubt about the onus to provide for the different points of view and also to make a genuine effort to consult, and in fact to consult.

MR. CHAIRMAN: The Leader of the Official Opposition.

MR. WEIR: Mr. Chairman, I have no complaint to make about the remarks for the most part that were made by the Member for Churchill, except possibly insofar as it concerns the matter of the judiciary and I'm sure that they wouldn't be anxious to have more work, but that's not really surprising. I don't suppose that Mr. Justice Hunt was particularly interested in taking over the job that he has in sorting out the affairs of the hospitals, but he has managed to do it along with his other work, and something of this importance, if it was felt necessary, I'm sure that members of the bench would accept the responsibility that was theirs and do it if it was the judgment of this Assembly.

In terms of the other things, Mr. Chairman, in terms of the representatives nominated by the Insurance Bureau of Canada, that's worded that way for one reason, is that they do have an association and they do have contact with people and I would have thought that they would have had Manitobans that would have fit the bill, and I'd have no objection - as a matter of fact, with leave, I'd be prepared to correct my motion if it were, to say one of two Manitoba persons nominated by the Insurance Bureau of Canada, but to find somebody that is in a position to nominate, so that the government is able to consider official nominations from a given source; that's really the only reason for using the Insurance Bureau of Canada, and the other matter of

(MR. WEIR cont'd.) the Insurance Agents Association of Manitoba, I think it's a home truth that all insurance agents don't belong to it. I think that they are probably the voice of the most of them but, again, I would be happy to correct it and to say two persons nominated by the registered Insurance Agents of Manitoba, and it would be their responsibility then to organize in such a manner that they could make recommendations to the Lieutenant Governor in Council. It was really only a means of finding a vehicle for providing names of people who were capable of representing the interests that are involved in the case. So, Mr. Chairman, with leave, I'd be happy to make those corrections to my amendment.

MR. CHAIRMAN: The Honourable First Minister.

MR. SCHREYER: Mr. Chairman, if it's necessary to make it even more clear than I attempted to make it this morning and just a few moments ago, I am in a position to provide further clarification with respect to the amendment that we have moved, but in the meantime we have a sub-amendment motion by the Leader of the Opposition and I suggest that the question be put.

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

MR. DESJARDINS: It would be out of order, unfair, to ask an indication of the government if it would be ready to amend this question that after consultation with all interested persons. I think, and maybe while I'm on my feet I could ask this clarification, I think that exactly the people that have been mentioned by the Leader of the Official Opposition in his motion, I think it is certainly the intent to at least discuss and consult with these people.

MR. SCHREYER: Mr. Chairman, I have just said that we are prepared to provide further clarification by way of amendment but, it's impossible, as I indicated a few moments ago, it's impossible for me to do so now because there already is a sub-amendment before us and until that matter is dealt with I cannot provide . . .

MR. CHAIRMAN: Is the First Minister referring to the original motion (r) proposed by the Minister of Municipal Affairs? He's not talking about an amendment to the sub-amendment.

MR. SCHREYER: No, Mr. Chairman, clearly that's not possible, so until that sub-amendment is dealt with I cannot provide further — I cannot move any further motion.

MR. CHAIRMAN: The Member for Rhineland.

MR. JACOB M. FROESE (Rhineland): Mr. Chairman, I wish to indicate that I certainly have no reason not to support the amendment before us. Certainly it looks to me as though you should have an independent chairman and the constitution of the committee, I think, should be working quite properly. There is something else that bothers me and I wanted to bring it to the attention of the committee at this time. We are dealing with Section 29 (1) with regulations, and — the Minister of Education says section (r), but the whole Section 29 (1) deals with regulations, and while it was customary in years gone by that every session we would have the Committee on Regulations meet and bring in a report, and following that a concurrence motion was put forward to have these . . .

MR. CHAIRMAN: I don't feel that these remarks are useful at this time. I think that we are dealing with a specific section of the bill and I would prefer that the honourable member raise that at another time.

MR. FROESE: No. I think it's very relevant because we are dealing with regulations here and we're dealing with regulations that will be put forward by the Lieutenant Governor in Council.

MR. SCHREYER: Mr. Chairman, on a point of . . . I really think that the Honourable Member for Rhineland should appreciate the fact that the manner with which regulations are dealt with in review, such as by the Standing Committee on Statutory Orders and Regulations, that while there may be room for improvement in the way this is dealt with by that committee, that is a matter of procedure of a standing committee that has no direct reference to the clause that is before us.

MR. FROESE: What I want to point out is that the rules clearly state that all regulations, under The Regulations Act, stand permanently referred to the Standing Committee on Statutory Regulations and Orders and shall be examined . . .

MR. CHAIRMAN: I would say to the honourable member that what he says is so, but I don't feel it is in order to discuss the operations of that committee or its procedure at this time. We are dealing with a highly specific portion of Bill 56; we're not dealing with the actions of another committee or its meetings. I think we should hold that argument aside and deal with the question at hand.

MR. FROESE: . . . regulations, Mr. Chairman.

MR. CHAIRMAN: On the proposed motion of the Honourable Leader of the Official Opposition. (Mr. Chairman put the question and after a voice vote declared the motion lost)

MR. WEIR: A standing count, Mr. Chairman.

MR. CHAIRMAN: Ayes and Nays. Call in the members.

On the proposed motion of the Honourable Leader of the Official Opposition . . .

MR. WEIR: Mr. Chairman, before you put the question, may I enquire -- I'm assuming that the question we're putting is - and I think that I have leave of the House for the corrections that I had indicated - that the motion would read "one of two Manitoba persons nominated by the Insurance Bureau of Canada and one of two persons nominated by the registered Insurance Agents of Manitoba."

MR. CHAIRMAN: Does the member have leave? (Agreed)

A COUNTED VOTE was taken, the result being: Yeas 27, Nays 28.

MR. CHAIRMAN: I declare the motion lost. The Honourable First Minister.

MR. SCHREYER: While we have not accepted the sub-amendment that was offered by the Honourable the Leader of the Opposition, nevertheless there are at least one or two points which he made in his discourse which have some validity to them: the question of clarifying as to who could be representative of the interested groups such as the Insurance Agents and the Insurance Bureau, or rather the industry side of it. But even if one accepts the argument that there should be such representation and effort made to consult, to agree who should be on this committee, it is difficult to be able to specify exactly those two organizations for the reason that they are not representative of all of the agents. In the case of the Insurance Agents Association, as was pointed out by the Member for Churchill, they are representative of approximately 325 members and there are at least another 300 who are equally bona fide agents, and in addition to that there are another 400 or so who are agents but much less dependent on auto insurance and who write up policies of much smaller premium value. And therefore the wording has to be such that while it can be someone from the Association or some other bona fide agent, and equally with respect to the question of representation of the industry it could be someone from the Bureau, equally it could be someone representative of those companies in existence who are not members of the Insurance Bureau. Accordingly, in order to deal with that problem, I wish to move, seconded by the Honourable the Minister of Finance, that paragraph (r) of subsection (1) of Section 29 of Bill 56 be further amended by deleting the words "with all interested persons" in the first line thereof and substituting the following: "with such persons as the Minister may deem advisable, including representatives of the automobile insurance industry, the automobile insurance agents and the public".

MR. CHAIRMAN presented the motion.

MR. CHAIRMAN: The Honourable Member for Ste. Rose.

MR. MOLGAT: Mr. Chairman, might I ask a question of the First Minister who moved this? The amendment, as I read it, the Minister will make the complete decision. The sub-amendment which was defeated indicated that the insurance industry and the agents would have the opportunity of making a recommendation with the choice still with the government, but a recommendation would come forth. Is it the intention that this would be done or is it the intention under this that simply the Minister will make the decision?

MR. SCHREYER: Mr. Chairman, this sub-amendment motion which I have just moved is consistent with the amendment that was moved by the Minister of Municipal Affairs this morning and it is to be related to the main - not the main motion but the amendment, the main amendment, in which all the wording is the same except that reference is to all interested persons, and here in the sub-amendment I give greater specification to specifically include the industry, the insurance industry, the insurance agents and the public.

MR. MOLGAT: I realize that, Mr. Chairman. My question is: will the automobile insurance industry be asked to recommend people, maybe two, maybe three, maybe four, and then the government will choose from those, or will the Minister simply decide whom he wants from the insurance industry and whom he wants from the insurance agents? Will there be a recommendation from these bodies or will it be purely the Minister's decision?

MR. SCHREYER: Well, Mr. Chairman, certainly in the process of consultation, which will take place, it would be desired if the industry and the agents, both the Insurance Agents Association and whatever other organization there may be representing them, would make recommendations and put forward certain names, but in the end, just as it is with all

(MR. SCHREYER cont'd.) appointments to boards, commissions and the like, it is done by Lieutenant Governor in Council. And here again, I have checked with federal practice and it is consistent with that.

MR. MOLGAT: Mr. Chairman, it's not done that way with all, because we passed at this session of the Legislature a bill regarding the use of the French language in schools, where certain bodies have been asked to put forward names from which the Minister then must choose, and this House has agreed to that, and I think it was a wise decision because in that way we have the involvement of the people whom we want involved. But the Minister, then, must make his choice from those people recommended by the various bodies involved.

Now, if that is going to be the case here, where the automobile insurance industry will make a recommendation - and I'm not particularly stuck on two names; if it's four names and the government chooses out of four, fine - and if the agents, again, will have the right to recommend and if it's four, okay, but that the Minister must choose from those four, or two, or whatever it is. If that's the proposal, then I think it's an improvement; if it's simply that the Minister will choose by himself, then really I don't think that the amendment is any improvement.

MR. SCHREYER: Well, Mr. Chairman, may I remind my honourable friend the Member for Ste. Rose that I have said that there will be bona fide representation from these groups and my honourable friend should be able to determine that. Surely he should be able to determine whether or not those who were named were bona fide in terms of being agents or from the industry or whatever.

MR. CHAIRMAN: The Honourable Member for Sturgeon Creek.

MR. FRANK JOHNSTON (Sturgeon Creek): Mr. Chairman, I think that the Honourable Member from Ste. Rose has a very valid point here. Certainly the Agents Association, in the briefs that were presented to the Public Utilities Committee regarding the automobile insurance plan, and the brief presented on behalf of the agents in Manitoba, but in the brief presented by the Committee that is for Automobile Insurance in Manitoba, stated that they have six or seven agents in their association that believe in monopoly compulsory automobile insurance. He made this very clear. Now, I think it has to be clear in this amendment, I'm not suggesting that those six be left out but I think it has to be clear in this amendment that it won't be from those six that there will be representation from the Automobile Insurance Agents Association legitimately.

MR. SCHREYER: Mr. Chairman, I want to point out to honourable members opposite again, that to have the Insurance Bureau, as such, given the entire discretion as to who shall be put forward as a prospective person to sit on this committee is something that can hardly be justified in itself, because there are some insurance companies that are not members of the Bureau, and equally that is true of the Insurance Agents. Of the 1,100, 600 are largely dependent on auto insurance, bona fide interested in that sense, but of that 600, even of that 600, approximately only 325 are members of the Agents Association, but as I indicated a number of times now, these groups shall be consulted and they will be asked to put forward names, but so will the other group as well; and in the end, honourable members are free to decide for themselves whether or not the persons nominated were bona fide and whether they were selected because of predetermined views on the matter. That decision and judgment is open for honourable members to make, at any time.

MR. CHAIRMAN: The Member for St. Boniface.

MR. DESJARDINS: Mr. Chairman, I am quite concerned, and I find myself in agreement with at least the intent of both the Members from Ste. Rose and Sturgeon Creek. I certainly agree with that, that we want, if what they mean is to make sure that this committee is not "loaded" with people, no matter where they come from, be they agents, and so on, who favour exactly what the government want, and if I thought for a minute that this is what the government is trying to do with this committee, well then I don't think that I'd have to consider it very long to vote against this. But -- (Interjection) -- Who said that? Did you have something to say? No, I guess he didn't. Fine. I misunderstood. -- (Interjection) -- Have you something to say? If you have, stand up.

I'm trying to say, Mr. Chairman, that I agree that definitely it should not be "loaded", but on the other hand, and I'll be quite honest here and talk about the concern that I have, if this committee is to bog down for any reason, and I'm certainly not making any accusations, but if this committee is to bog down, and I know that some people, and I don't blame them at

(MR. DESJARDINS cont'd.) all, some of the agents, some of the insurance people will not want to go on this committee or at least they've made this statement, and if this committee turns out to being another Public Utilities Committee, we're wasting our time.

Now, I can only speak for myself but I'll be very careful and I want to see the names of the people that'll be going on this committee, and definitely, as far as I am concerned, I am not interested in having this a loaded committee, but after -- if we have any doubt, we don't believe in anybody, after what was said this morning, so therefore I go with the intent of both the members and I think that definitely these people should be, the association should be consulted with, but it has been said also that this is something that -- I don't know, I've heard it said, that all the insurance agents, for instance, are not part of the association; they have to be represented also. I hope that the government will bend over backwards, in fact, to see that people who do not agree with them will have a chance to go, some of them, not loaded on that side either, and my only concern is I don't want this to become a joke, just something to please one or two members or to please 57 members.

MR. CHAIRMAN: The Honourable Member for Sturgeon Creek.

MR. F. JOHNSTON: Mr. Chairman, when I was speaking before, the Honourable First Minister nodded in agreement and what the Honourable Member from St. Boniface is saying is absolutely true. I'm not saying that this should be loaded from either side but should be representation of both sides.

The point that I would make, and I'm going to refer to a previous premier of this province who spoke before a Law Amendments Committee and he spoke on the Expropriation Act, and one of the things that Mr. D. L. Campbell said was, "Put it in the bill. Don't make any chance of mistakes. Put it in the bill and the direction from this House will be carried out." And I think that that is a valid point and I don't think it should be overlooked at this time.

MR. SCHREYER: Mr. Chairman, I don't know how often it needs to be said, but that there will be consultation with these groups that are specified in this amendment, and the reason that the reference is generic - that is to say to the insurance industry and the insurance agents rather than to two particular associations - is because the associations are not representative of the entire respective groups in both cases. In the case of the Bureau, that is not the case and in the case of the Agents Association. They are representative of only approximately 25 to 30 percent of all of the agents and therefore, putting it in the generic terms as it is here, is what we feel we must stand by.

MR. F. JOHNSTON: Mr. Chairman, again, when I say put it in the bill, I'm not opposed to going to the Association for the people who want - or whatever the name - I'm just not going to be sure of - the People's Committee for Automobile Insurance - if they were asked to appoint two names and one were picked, fine. If the Automobile Insurance Association were asked to pick two names, and one were picked, fine; and of the automobile insurance agents who are not members, two names, fine; pick them. But, at the present time, the way the amendment reads, that it will be the choice of the Minister and I don't think -- as much as I can disagree with the Honourable Minister of Municipal Affairs, I don't think, and I'm not saying that he won't do what is right, but put it in the bill! And I agree with the Member for St. Boniface, you don't want to get two sides going head on head, but this is a situation for the Province of Manitoba that the Honourable First Minister has said that he wants to hear all representation, and if he can be proved wrong, fine, and I don't expect these meetings will be as rosy as everybody will expect they'll be and I would hope they're not, to get everything brought out, but let's say: Put it in the Bill.

MR. SCHREYER: Mr. Chairman, I can assure the Honourable Member from Sturgeon Creek right now that there will be persons named who probably will not look, you know, very benignly at this bill at all, but they'll be on this committee. Now I am following the practice, which I'm advised is the standard practice, almost the universal practice of legislation of this kind before Parliament or the Legislature, where we have really gone further than is usually the case because we have specified in generic words, the industry, the agents; they will be consulted; they will be represented; therefore what's the problem?

MR. CHAIRMAN: The Member for River Heights.

MR. SPIVAK: Mr. Chairman, before we get lost in this specific sub-amendment in front of us, I think we should possibly deal with first principles.

MR. CHAIRMAN: No, I'm afraid I'm not going to entertain that.

MR. SPIVAK: Mr. Chairman, first principles in connection with this amendment, first

(MR. SPIVAK cont'd.) principles in connection with this amendment, because, Mr. Chairman, the intent of the Premier, as I understood it, was to set up two advisory boards, or two committees, one which would deal with the question of compensation and one which would deal, if I'm correct, with the nature of the regulations required to administer -- (Interjection) -- Well, Mr. Chairman, then maybe I'm as confused as I fear the Member for Crescentwood is as to what the intent of the government is. -- (Interjection) --

Well, let's understand the function. There are two functions in this amendment. They are dealing, one with compensation and one with the nature of the regulations to be enforced, which will in fact deal with ratings, etc. That's what we're talking about. Two separate functions. -- (Interjection) -- Well, although one was passed, there was specific reference to the fact that until we got into the second amendment we weren't going to be in a position to be able to deal with the first one. Oh yes, Mr. Chairman.

MR. SCHREYER: I don't know what argument the honourable member is trying to put forward but the rule is clear, that once a clause or a sub-clause has been dealt with and we proceed on to the next, then we deal with the one that is before us, and the one having to do with the Transitional Assistance Board, that it shall be established, that has already been dealt with. There is reference to the Transitional Assistance Board in the amendment before us now but not in the sense as to whether it shall be established because that has already been dealt with.

MR. SPIVAK: Yes, Mr. Chairman, but we have specifically in (ii) to advise the Minister and the Transitional Assistance Board on the feasibility of the sale or resale of agent's licences and the practice in other jurisdictions where publicly issued licences are involved in the sales of private property.

MR. CHAIRMAN: The First Minister. . . . point of order?

MR. SCHREYER: Well, I believe I do, Mr. Chairman, and that is it is clear, in fact, in the very reference that the Member for River Heights is going to make, it is clear that this Advisory Committee, which is what is before us now, shall be advising the Transitional Assistance Board, but it is not before us as to what the Transitional Board shall consist of and whether it should be established, because that has already been dealt with.

MR. CHAIRMAN: The First Minister is correct on that point.

MR. SPIVAK: It may have been dealt with but the First Minister was allowed a great latitude in being able to make his presentation.

MR. SCHREYER: Mr. Chairman, on a point of privilege, the suggestion is that I was allowed more latitude than others, and if I recall, Sir, you called me to order at least as many times as the Honourable Member for River Heights.

MR. CHAIRMAN: I would say that if any member wishes to question the impartiality of the Chair he should do so, or if he feels that another member is being given latitude that he feels is beyond the normal scope, I think he should raise his objection at that time. I don't think he should simply make a flat comment. If the Member for River Heights feels that I have shown great latitude with the First Minister, I think he should raise his objection at the time this latitude is being demonstrated. I remind him again that I called the First Minister, reminded him two or three times before noon hour, that he was in danger of debating the first principles of this bill, and I in that way treated him like any other member.

MR. SPIVAK: Mr. Chairman, the First Minister in his presentation this morning made use of the words "objective analysis" and "others with an objective view" and now we have a determination or an indication by him that the chairman will make the appointment of those who are going to have the objective analysis and the objective view, and at this particular time, having dealt as we have in the last three months with the issue, with all that's been presented, should we -- and it's in the interest of the government as much as in the interest of the Opposition -- should we allow ourselves the freedom to allow the Minister to make the decision of who is going to have the objectivity and determine the objective over-view that the First Minister suggests?

Now, Mr. Chairman, I'd like to refer to another example that could have occurred and I wonder if in that situation the First Minister would have acted accordingly or would not have taken the recommendation of the Member for Ste. Rose. Let's assume that we were not dealing with the auto insurance industry, but let's assume we were dealing with a matter in which labour was involved, and which the Federation of Labour, representing 45,000 people in this province, were involved, and I wonder if the First Minister would have been prepared to accept

(MR. SPIVAK cont'd.) in a matter of decision in which the Federation's interests would be affected, whether a general proposition that the Minister - and let's assume that we were the government -- (Interjection) -- Yes, that's right - The Minister would have the discretion of appointing a labour representative, would in fact be acceptable, and if in fact the labour representative to be appointed was not within the executive of the Federation of Labour, was not active in the Federation of Labour, would that have been acceptable to them? I doubt it. And I doubt if it would have been acceptable to the First Minister in that situation.

Now, Mr. Chairman, that's a hypothetical situation, but either this is a real attempt to try and achieve the objectives that have been set for it, or this is a confused attempt to, at this point, try and see if there's some way in which to manoeuvre the situation, and I must say, Mr. Chairman, I share, I think, with the Member for Crescentwood - and I say this directly - I share a bit of confusion of what is the real intention here, because if the intention was to get the objective analysis, an objective over-view, then the suggestion of the Member of Ste. Rose is the correct one: Let there be alternative suggestions made by the various interested groups, let the Minister then make that decision -- (Interjection) -- Well, if the Member for Crescentwood doesn't share it, I'd like to know what he does share with us, if anything.

MR. CY GONICK (Crescentwood): With you, very little.

MR. SPIVAK: My suspicion is that he should be on this side and not on that side. I have a suspicion the First Minister would welcome that as well.

A MEMBER: Someone should be over there.

MR. SCHREYER: Did I hear the honourable member correctly, that someone should be on that side?

MR. SPIVAK: Yes, I have a suspicion that the Member for Crescentwood shares the same concern that we do, that what is being proposed here is not clear, is rather confused, and may very well be capable of being used as the government and the Cabinet see fit after, if in fact, the bill is passed, because really there's no clarity, there's nothing clear in what has been proposed.

Now, Mr. Chairman, it would seem to me that the recommendation of the Member for Ste. Rose is a legitimate one. The interested groups can indicate the names of people, one of whom or two of whom can be selected by the Minister or by the government. There's nothing wrong with that. But, Mr. Chairman, we've already had a Pawley Committee and that Pawley Committee, according to the Minister of Agriculture, was a biased committee. Now, as a member of the Cabinet, it was publicly expressed that the committee so formed was a biased committee, and you can argue that there's nothing wrong with a biased committee and you can argue that the insurance agents who made their protests are biased, but if we really are going to have an objective view, surely the government doesn't want to put itself in the position of now having to select those people whom they will have to determine, with consultation but with no legal obligation, to appoint. Now there's a big difference, and I think that the Member for Sturgeon Creek's reference to the former premier of this province is correct: If you're going to do it, put it in the bill.

It would seem to me, Mr. Chairman, having arrived at this specific position and having spent the day in sitting about and thinking about this, and dealing with it as the First Minister and the members on the other side obviously have, that what we should have been presented with was either the names of the individuals or the specifics, so that at least we are in a position to deal with it, because in a very real sense - and the Member for St. Boniface may not like this - this is the same blank cheque that was offered before, and that's . . . what we're being asked for.

Now, it's a blank cheque, and should it be? Or should there not be some limitation or some parameters within which this should be dealt?

MR. CHAIRMAN: The Honourable First Minister.

MR. SCHREYER: Mr. Chairman, I said earlier, and apparently some members do not wish to take my word for it, and I said that it was standard, almost universal practice, to have appointments to boards, commissions, committees, etc., made by the Lieutenant Governor in Council or the Governor General in Council, depending on which level of government one is talking about, and that the practice is to consult with the interested groups before these are made. If the Member for River Heights wouldn't leave his seat, I will give him two specific examples from legislation that the previous government, of which he was a member for at least part of the time, enacted on the statute books. And my first reference is to the Workmen's

(MR. SCHREYER cont'd.) Compensation Act wherein it states, Statutes of Manitoba, Chapter W. 200, and I refer now to the particular section, Section 40 (1): "There is hereby constituted a commission for the administration of this part, to be called The Workmen's Compensation Board, which consists of a chairman and two commissioners to be appointed by the Lieutenant Governor in Council, and is hereby constituted and created a body corporate and politic."

Now, I know, Mr. Chairman, that the practice has been, through successive governments, for the two commissioners, for consultation to take place with the manufacturers group, the employer group, and the employee or Federation of Labour group, but the appointment is made subsequently, then, by the Lieutenant Governor in Council. There it is, Section 40 sub-section (1), Statutes of Manitoba, Chapter W. 200, The Workmen's Compensation Board.

Yesterday I had to make reference to statutes on the books with respect to other points of contention raised by members of the Opposition, and in each case my contention was sustained.

I have a second reference, Mr. Chairman, and that is with respect to the Department of Labour Act the establishment -- Labour Department Act, Chapter I. 20 of the Statutes of Manitoba, and that has to do with the establishment of the Labour Relations Board which is a quasi-judicial body, and it states: "The members of the Board, other than the Chairman, shall be so selected that one-half of them shall be representative of the views of the employers and one-half of them shall be representative of the views of the employees. There shall be consultation therefor" -- in the end, the statute says they shall be so selected and that is then carried out by the Lieutenant Governor in Council. And what we are proposing here in the amendment and sub-amendment is exactly to the same effect, it is following exactly the same procedure, and therefore I cannot understand why anyone who could not only have lived but actually enacted this legislation, and seen fit to leave it that way, should now try to argue that it is somehow not acceptable procedure.

MR. CHAIRMAN: The Honourable Member for Sturgeon Creek.

MR. F. JOHNSTON: Mr. Chairman, the First Minister used the statement that "accept his word". I am prepared, Mr. Chairman, I am prepared to accept the First Minister's word, and when I say that I say this: I would like some reservations to it and I'm going to try to give an explanation.

Regarding what happened in the past, the First Minister and I had a desk-pounding situation where we talked about what happened in the past, and now let's talk about the present just for a minute. We're talking about the insurance agents of Manitoba; we're talking about men who are going to lose, some of them 80 percent, 50 percent or 60 percent of their business; we're in a situation that has never happened before in the Province of Manitoba. When we talk about setting up the commission, the Pawley Commission or the Pawley Committee -- and I can say briefly, Mr. Chairman, that I asked every person in the Public Utilities Committee that came forward that had any knowledge, they were asked to present their brief, and I agree with the Minister that you don't ask everybody that presented a brief of the 2,300 or 3,000 or whatever it was to come forward, but when they came forward they were questioned on their brief. The Insurance Bureau of Canada came forward; they were there for seven hours, as the Minister said, and they were told that you are here to answer questions on your brief, and when they turned around and decided that they'd like to ask the government some questions, based on a letter from the First Minister that they would be allowed to ask questions, they started in to ask questions -- and I don't think I'm wrong in this and I could be corrected -- when they started in to ask questions, Mr. Blackburn left the room, the recordings were turned off, and the Minister . . .

HON. HOWARD R. PAWLEY (Minister of Municipal Affairs) (Selkirk): Mr. Chairman, on a point of privilege.

MR. CHAIRMAN: The Minister of Municipal Affairs.

MR. PAWLEY: The statements that the Honourable Member for Sturgeon Creek is making at the present time are absolutely incorrect.

MR. CHAIRMAN: I'm sorry, I did not hear the last sentence. Would the Minister repeat that please.

MR. PAWLEY: They are absolutely incorrect.

MR. CHAIRMAN: I would like to suggest to the Honourable Member for Sturgeon Creek that I'm not sure, aside of whether they are true or false or anything else, whether it is essential to this debate that we now have a recollection of the position of the insurance industry

(MR. CHAIRMAN cont'd.) at the hearings and their right to ask questions or not, whether this was permissible under committee rules. I'm not sure this is relevant to what we're discussing.

MR. F. JOHNSTON: Well, Mr. Chairman, I will get back on the subject. I thought I was on the subject regarding boards and commissions, and if I'm wrong, if the Minister wants to stand up and prove me wrong, but I was in the room part of that day . . .

MR. CHAIRMAN: I don't think that's the issue. I just want to know whether this is really at all relevant.

MR. BILTON: On a point of order, my honourable friend from Sturgeon Creek has been accused of lying by the Minister.

MR. CHAIRMAN: Order. I have heard no such charge and I'm not too interested in some of the comments that are made under . . .

MR. BILTON : He said it was untrue.

MR. F. JOHNSTON: I have the floor . . .

MR. CHAIRMAN: I don't think we have to get into that. I did not understand the Minister to say that. I think he said that the Member for Sturgeon Creek was incorrect. -- (Interjections) -- I think that we can just hold the matter there. I would ask the Member for Sturgeon Creek to continue, but I would again ask him not to deal with procedures of a committee or the right of members before the committee to ask questions of the government. I don't believe that's relevant to what we're discussing.

MR. F. JOHNSTON: Well, Mr. Chairman, I don't disagree with you; I would have hoped you'd let me carry on regarding boards and commissions and what have you. And I must -- the Honourable Member from Swan River rising to my defence - I'm not saying that the Honourable Minister is right or wrong; maybe I'm right or wrong and I will drop it there, Sir.

But the point is, and, Mr. Chairman, I would like to refer to hearings and that's what we're here for on third readings, that we've had hearings, I asked many people if they were ever contacted, if they were ever contacted after they had made offers to supply actuaries, the most knowledgeable men in the insurance business, and they made these offers to the Honourable Minister, they were never requested according -- now, according to the statements made in Public Utilities, they were never requested, so here we are, we're setting up . . .

MR. PAWLEY: Mr. Chairman, on a point of privilege, the honourable member was present in Public Utilities Committee when Mr. Harley Vannan acknowledged that when he offered to supply an actuary that in fact that did occur, an actuary came in from Toronto and was present. The Honourable Member for Sturgeon Creek was present and heard that acknowledgment.

MR. CHAIRMAN: This is what I am afraid of and this is what I am attempting to prevent. Just one moment. If the Member for Sturgeon Creek is going to -- I know he is trying to make his points relevant; I know he's attempting to make the point about consultation with the industry; but in so doing that, he is in danger of opening up old questions and getting old answers and making old charges, and so I would ask him to attempt to only allude to these occurrences and to attempt to deal with the question before us, which is the consultation with the industry, the appointment of representatives from the industry by the Minister, the judgment of the Minister and so on. I would ask him to be careful when he does this, because otherwise we will have another discussion of those long hearings.

MR. F. JOHNSTON: Mr. Chairman, I will try to be exceedingly careful and I'm trying to make reference to the boards and commissions, etc., that went on before as compared to these, and I assure you I will try to be careful.

The Minister said that there were actuaries brought in, they brought their own with them. I will not argue that, but the industry offered -- let me put it this way. All the help Mr. Leipsic of Aronovitch and Leipsic, I asked him the same question: were you ever asked for any help? After the report was compiled, after the statistics were brought in, what have you, did they ever come to the industry and did they say, "Here's what we think. Let's sit down and talk about it." The answer I received in the Public Utilities Committees from these people was "no". Now here we have a situation where boards and commissions are being set up and we have an Insurance Agents Association, which does, I have heard the figure as high as 85 and I think it's around 77, but let's take 70 or 75 percent of the automobile business in Manitoba, and I think under those bases their membership may be one third, but the fact that they do this amount of business is the fact that they are the ones most liable to be affected by this legislation

(MR. F. JOHNSTON cont'd.) as far as loss of income, and what have you, is concerned.

I assure you, Mr. Chairman, that the offer, you know, which will be discussed in these boards and commissions, as to whether they can sell the package policy of the government or not, it still leaves it in the basis where these men will lose their equity, they will lose their pension plans of the money they owned in the business, etc., and all this has to be taken into consideration. Now I submit, if there is a body doing at least 75 percent of the automobile business in Manitoba in the form of a Manitoba Agents Association, they should be requested to have somebody on the board, and I don't think that the other 15 or 25 percent should be left out in the cold either, and I'm not opposed to them having somebody, and as I said, I'm not opposed to the people who are for automobile insurance who have six agents on their committee submitting one. I'm not opposed to this, but I submit, Mr. Chairman, I submit that if it is laid out, the government will get the story from all sides, and I submit, Mr. Chairman, that the government or the Pawley Commission, after all the hearings, did not get much information from the industry. They didn't sit down and say, "Here's what we find. Please discuss it with us." And I don't think we should take that chance again. I am not doubting the First Minister's word, I am just asking him to put it in the bill.

MR. CHAIRMAN: The Honourable First Minister.

MR. SCHREYER: Mr. Chairman, the Honourable the Member for Sturgeon Creek began his remarks by saying we always have to go back into history, as though there was something wrong with learning from the lessons of history, but I won't even argue the point. An argument on the basis of the present, he said; let's discuss this on the basis of the present. And I want to again, then, refer to the present Statutes of Manitoba, the present, because I have made reference to two particular statutes, the Workmen's Compensation Board Act and the Department of Labour Act, where in both cases there is specific reference in the bill that there shall be consultation with the different points of view and then the appointment shall be made by the Lieutenant Governor in Council, and that's what we are proposing here. And it's not as though we are trying to in any way avoid having representation from industry and from the agents. In fact, that will happen.

Now the honourable member says, so you want to get all points of view. That is exactly what I said this morning. We want to get all points of view. Unless the two references in the statutes were not adequate for purposes of persuading my honourable friend, I'll refer to one more, and that is the Employment Standards Act, wherein it states under Section 24 subsection (1), "For the purposes of this part the Lieutenant Governor in Council may establish and constitute one or more minimum wage boards," - one or more - "each of which shall be appointed by Order in Council and shall consist of five or more persons as may be determined by the Lieutenant Governor in Council, of whom one member, who shall be named in the order, as chairman of the board, who may be a person holding some other office, position or employment in the public service, shall be a person who is disinterested and impartial as between employers and employees. Two or more persons shall be selected as representatives of the employer point of view. A number of persons equal to that number selected for appointment as provided in clause (b) shall be selected as representatives of the employee point of view."

And, Mr. Chairman, again, that's precisely what we are putting forward in this amendment and the sub-amendment that has been moved. Exactly the same thing. We are following the same practice and it has been a standard, almost universal practice. And the Honourable Member for Sturgeon Creek had one more argument, as I recall. He said that this was an important committee, this Advisory Committee. Well of course it is, but, Mr. Chairman, so is the Workmen's Compensation Board because they are dealing with the benefits that shall be paid to widows and survivors of those deceased in industrial accidents. It is in effect a quasi judicial board and yet it is established in the same way as we are proposing to establish here, and the same thing is true of the Labour Relations Board. It, too, is a quasi judicial board, making important decisions in the field of labour relations, and it too is selected and appointed in exactly the same way after consultation, appointment by the Lieutenant Governor in Council. So for the honourable members opposite to suggest that what we are proposing is unacceptable, is the same as for them to argue that what they have been doing themselves for years and years is unacceptable.

MR. CHAIRMAN: The Honourable Member for Ste. Rose.

MR. MOLGAT: Mr. Chairman, I can see the concern of the government, in setting up this committee, that the committee might become a repetition of Public Utilities Committee or it might bog down and not get its work done, depending on who the members of the committee may be. I recognize that concern on the part of the government. On the other hand, look at the other side of it, and look at the concern that obviously the members on this side of the House have had and I think the people who appeared before us in Law Amendments Committee and by and large most of the people who have looked at the thing in Manitoba regarding the Pawley Committee, because it was felt that the Pawley Committee was not a free committee. And I think that part of the problems go back to that situation, that the recommendations of the committee were considered by many people to be biased to begin with.

Now, if this committee is to do its job, I want to see the very best of people on it. On the other hand, if it is going to be effective, it must have the confidence of the people who are concerned, the members of this House, the industry, the agents, and they must be responsible people. Now, I can see the problem of the government in saying, well, if we simply have to accept one representative, if it's going to be imposed upon us by, say, the Insurance Agents; they may send someone who just doesn't want any conclusion to come out and who will simply hold up any discussions and prevent the thing from proceeding. And this would not be wise, I agree. On the other hand, as I mentioned earlier and I now have the bill, the government took the steps at this very session, and I'm referring to Bill 113, an Act to amend The Public Schools Act, and it sets up two advisory committees, the same as we are doing here, an advisory committee. They set up two advisory committees, one the English Language Advisory Committee and the other the French Language Advisory Committee. In those cases - I won't read the whole of the Act, but it's very clear what the government does - the members of the English Language advisory committee of whom "(a) two shall be appointed from not less than four persons nominated by the Manitoba Association of School Trustees; two shall be appointed from not less than four persons nominated by the Manitoba Teachers Society; one shall be appointed from not less than two persons nominated by the Faculty of Education, University of Manitoba; one shall be appointed from not less than two persons nominated by the Faculty of Education, University of Brandon."

So I think we have a clear-cut precedent at this very session, proposed by this government, of an advisory committee the same as we have here, which is going to be set up on this sort of a basis, and the reasoning for it, I'm sure, is that the government feels that if this bill is to work, if it's to have the support of the people of Manitoba, then it shouldn't be considered by any means as being stacked by the government.

Now this, then, is the position that we are in and I repeat, I recognize that it is government's legitimate concern that it not become a committee to prevent things from happening, that it not be stacked from the outside by people who don't want a conclusion to come out of it; on the other hand, I want the government to look at it realistically, that if the committee doesn't have the support basically of the agents and the industry, if they have the feeling that the government has picked, for its own purposes, certain people, then I think we will be back where we started from, that the statement will be made "well, it was a stacked committee." So where do we go then?

And so, Mr. Chairman, I would like to propose a further amendment or a sub -- there is one amendment now, mine is a further amendment. No. The first one is a motion. Well, but Mr. Chairman, I observed awhile ago that when it was moved, that the First Minister said that in amendment to the motion -- yes, a further amendment; in other words that's Amendment No. 1.

MR. SCHREYER: Mr. Chairman, on a point of order, I can clarify this for the honourable member. We have an amendment to clause (29) that was moved by the Honourable the Minister of Municipal Affairs this morning and which I spoke to, and then I don't know how long ago, half an hour ago, I suppose, I moved a sub-amendment and it reads: "in further amendment thereof," so that there is now before the House a sub-amendment. If that's what the honourable member is wondering about, there is a sub-amendment.

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

MR. DESJARDINS: On the same point of order, Mr. Chairman, I remember that I, speaking on the sub-amendment of the Leader of the Opposition, I'd suggested to the government that they should bring in a further amendment and the First Minister said that he could not at this time until we had finished dealing with the sub-amendment, and it was only after this was done that he moved his sub-amendment.

MR. CHAIRMAN: The Member for River Heights.

MR. SPIVAK: On the point of order, if the First Minister would want to amend his sub-amendment to meet the request of the Member for Ste. Rose, that could be done.

MR. SCHREYER: Mr. Chairman, I suppose, by leave, that could be done but I want to respond to the Honourable Member for Ste. Rose first. He makes reference to a particular bill that was passed wherein the format was such that, unlike the Department of Labour Act or the Employment Standards Act or the Workmen's Compensation Act, or almost all the other Acts that I have already made reference to, that there is.....

MR. CHAIRMAN: I would ask the honourable members not to interject. The Honourable First Minister has the floor.

MR. SCHREYER: Yes. In case there is any doubt about that, let's have it clarified, Sir. The Member for Ste. Rose concluded his remarks and I'm replying now to his arguments and....

MR. BILTON: On the point of order. The Honourable Member for Ste. Rose had the floor and he was on the point of making a sub-amendment.

MR. CHAIRMAN: I believe that the Member for Ste. Rose yielded the floor to the First Minister, either by choice or because he was finished.

MR. SCHREYER: Mr. Chairman in order to expedite matters for you, if the Honourable Member for Ste. Rose wishes to continue his remarks, then of course I do not have the floor properly and will take my seat, but I understood he had concluded.

MR. MOLGAT: Well, I really don't think it makes that much difference, although I was going to move a further amendment, and the question came up as to whether I could or not, but it might be useful for me to read, if the First Minister wants me to do so, what I was going to propose, because it may change what he is going to say, because I'm really trying to present a reasonable proposition which I think can work for both sides and end up by giving us a committee that will be acceptable.

MR. SCHREYER: There is a sub-amendment before us and you cannot entertain yet another motion, because that would not be in order, so I would like to take this opportunity to reply to the Honourable Member.....

MR. CHAIRMAN: Perhaps if I could interrupt the Honourable First Minister, I believe that it would be in order for the Member for Ste. Rose to indicate what he was considering proposing, without proposing it.

MR. SCHREYER: Mr. Chairman, before the honourable member does that, I'd like to respond to his arguments because I don't believe it is in....

MR. CHAIRMAN: I would only allow the First Minister that privilege if the Member for Ste. Rose wishes to conclude.

MR. MOLGAT: Mr. Chairman, I think it would be useful for the House and for the First Minister for me to indicate - and I recognize that, I presume that your ruling is that I cannot move a further amendment.

MR. CHAIRMAN: Well I'm not ruling yet, but I suggest that we might avoid that problem by just referring to it and then we will deal with....

MR. MOLGAT: Well, what I was going to propose was the following wording: That we accept the motion as it is and add simply the following words to it: "and that the representatives of the automobile insurance industry and of the automobile insurance agents will be chosen in each case from a panel of six names, to be submitted by the Insurance Bureau of Canada and the Insurance Agents Association of Manitoba, it being understood that of the six names submitted by each body, all will be residents of Manitoba and at least two will be from those who are in the industry but who are not members of either association."

Now, my reasons for this approach, Mr. Chairman, is that I have gone beyond the four names that are in Bill 113 - I've gone to six, to provide again more choice. I recognize that these two associations may not represent all of the industry in each case, and therefore I suggest that the names outside of the association be suggested, to give us the broadest possible coverage and yet they will be directly involved in the making of recommendations, and surely out of six names submitted, the government ought to be able to select one individual who would be satisfactory to the government, coming as it would from a list submitted, being a resident of Manitoba, choice of within the association or out would give sufficient leeway, I think would ensure that there is participation by the people who are concerned and yet, from the government side, sufficient choice that it wouldn't be a committee that couldn't work.

MR. CHAIRMAN: The Honourable First Minister.

MR. SCHREYER: Mr. Chairman, let me now indicate to the Honourable Member for Ste.

(MR. SCHREYER cont'd.). . . . Rose and to the House, why the arguments he put forward are not acceptable.

In the first place, he makes reference to Bill 113 which has to do with an educational matter, the administration of education, and I want to say in that regard, that there is on the statute books already, under the Department of Education Act, provision for advisory committees on curriculum and the like, wherein it is done by means of appointment from among a panel from which the government chooses; but to my knowledge this is the only case where this is the practice. I have said already, Mr. Chairman, and I think it is worth repeating, that with respect to those other, all other statutes appointing boards and committees and commissions, some of which have a quasi-judicial function, such as the Workmen's Compensation Board, the Labour Relations Board, the Employment Standards Board which sets minimum wages, which goodness knows is important -- (Interjection) -- the Minimum Wage Board -- what did I say? Well, the Minimum Wage Board -- all of these boards, the procedure is clearly outlined in the statutes that after consultation there shall be appointment made by the Lieutenant Governor in Council and in such a way as to give representation to the point of view of those who are employer and those who are employee, and that is precisely what we are putting forward in the amendment and sub-amendment here.

May I say further to my honourable friend the Member for Ste. Rose, that if he would care to check the practice of his federal counterpart, he will find that on important boards such as, for example, the Transitional Assistance Board set up under the Auto Pact that not only is there no effort made to get cross-sectional balance but the entire board is appointed from among those within the internal public service. In other words, every single person on the Transitional Board there is a deputy minister or equivalent public servant and there is no provision for representation from outside.

Mr. Speaker, we are not proposing that; we are proposing that there shall be representation from the different interested groups and I've said that there will be; but, I want to make this clear: previous governments of this province having had the statutory authority to appoint commissions and boards in this way, this government cannot accept the responsibility of saying that it should be denied a right of government that other governments have exercised, and on that basis, Mr. Chairman, the suggestion of the Honourable Member for Ste. Rose is not in keeping with what we are proposing here.

MR. CHAIRMAN: May I just say before we have additional debate that we have heard numerous objections of the Opposition, we have heard repeated statements from the government clarifying its position, it seems to me that the solution may be in a vote. The Honourable Member for Fort Garry.

MR. BUD SHERMAN (Fort Garry): I'll be brief, Mr. Chairman, I have attempted to achieve recognition from you, as I think you'll concede, and in the traffic jam was not able to obtain same. I would like to add just one or two words to the debate on this point, and reassure the First Minister that I don't think anybody on this side is questioning either his word or the sincerity of his word. What we are questioning is the wording, the wording of the sub-amendment proposed by him, or by the Minister of Municipal Affairs.

The Minister has said that there will be consultation; he has said that the opinions of the industry will be sought and will be explored, but the difficulty for us, I say, Mr. Chairman, is that I think we can quite legitimately ask, without insulting or denigrating the Minister of Municipal Affairs in any way, what good is consultation on any subject with a party whose mind is already made up on a question. I say that with kindness and with charity -- the Minister of Municipal Affairs can say the same thing to me and I will accept it. On this question there are a great many of us, if not all of us, unfortunately, in this Chamber whose minds perhaps have been made up and immovable for far too long. Certainly I would think that the Minister of Municipal Affairs would not disagree with the contention that his mind is made up on this particular question and so, through you, Mr. Chairman, to the First Minister, I ask what good is consultation with somebody whose mind is made up?

Surely the great merit of the sub-amendment proposed by my Leader and defeated, is manifest in the new suggestion from the Member for Ste. Rose, and that was that there was no request from this side of the House purely for representation from the Insurance Bureau of Canada or the Insurance Agents Association. You'll recall, Mr. Chairman, that the sub-amendment proposed by my Leader left slots on the Advisory Committee open for others who would not be members of those associations or bodies.

(MR. SHERMAN cont'd.)

As for the dispute over the qualifications of the Insurance Agents Association in terms of their right to speak for an represent the interested parties in the industry on this question, my information is that 80 percent of the automobile insurance business in the province is written by members of the Agents Association. -- (Interjection) -- I beg your pardon? A little high? Well, perhaps that's a little high but as I say that's my information. Even scaling that down by one or two points, Mr. Chairman, it still speaks substantially I think for the qualifications of the Agents Association where this question is concerned.

I don't think that the boards to which the First Minister has referred in buttressing his argument are particularly analogous, particularly parallel to the kind of Advisory Committee we're speaking about in this case or in this instance because in the case of the boards to which he's referred, Sir, they were instituted to act for or act in the best interests or protect the best interests of people already working. Now surely it's no exaggeration to say that this Advisory Committee is going to be charged with responsibility in an emotional tension-fraught area and concerned with problems of people who are likely to be put out of work as a consequence of what's happening; so I don't feel that it's quite an analogous situation. But basically my point is the first one I made, and I won't repeat it at length, Mr. Chairman, that consultation is only as good as the open-mindedness of the two parties consulting, and I'm sure the First Minister would concede that point.

MR. CHAIRMAN: The Honourable First Minister.

MR. SCHREYER: Mr. Chairman, the Honourable Member for Fort Garry has suggested that the two situations or committees are not analogous because in the cases I cited the persons were already working. I don't quite follow that logic, but again let us take the argument on his grounds. I want to point out to him that in the case of the Workmen's Compensation Board it is not a case of persons working, it's a case of persons who are not working because of injury or cases of survivors of persons actually deceased and who require compensation and other forms of benefits.

MR. CHAIRMAN: I don't like to interrupt the First Minister, but I think he's made that point two or three times.

MR. SCHREYER: Well all right, Mr. Chairman, I'll desist from that although I thought that it required further repetition for the benefit of the honourable member.

But then I come round to this point - I'll desist from that Mr. Chairman, I come around to this point, that in every board having a function of economic circumstance, particularly a quasi-judicial function, but others as well having to do with economic factors and circumstance, the wording of all statutes here is clear; the practice has been almost universal, and when what it comes down to is a question of whether or not the House has confidence in the government making the appointments in accordance with the statute.

Mr. Chairman, it is as simple as that, and I as Premier of this province, I want to demonstrate one thing that has happened. We were accused of not taking into account the representations of the Opposition, we made certain changes and the Member for River Heights had the audacity to suggest that because changes were made that this was a sign of something lacking. If we hadn't of made changes there would have been the opposite charge. Because we did agree to certain changes, Mr. Chairman, it now appears as though members opposite insist on writing the law - I mean all of it -- and that Sir, is clearly a sign of members not having confidence in the administration and therefore I don't know what more can be said about this.

MR. CHAIRMAN: motion. The Member for St. Boniface.

MR. DESJARDINS: Mr. Chairman, I don't intend to be too long. I think it is unfortunate that we are losing so much time on this because it is clear after what has been said here that I think that we are all very honestly, earnestly trying to set up a good committee; because I find myself agreeing so much with what my honourable friend from Sturgeon Creek is saying, that's exactly what I want; I agree with most of what has been said by my honourable friend from Ste. Rose and certainly with the First Minister. Now the last speaker, preceding the First Minister, is saying well what is - and he has the right to say that - what is the purpose of discussing anything with somebody if your mind is made up. Well in this case, I think if he doesn't believe in this committee, if he thinks that this committee won't do anything he might as well vote against it, this is it.

Now I think that he also touched on one thing that some people have their minds made up, and certainly I did, and the Member from Ste. Rose also talked about the possibility, the fear

(MR. DESJARDINS cont'd.). . . . that it could be that this committee get bogged down, and that certainly would not be helping things and this would just serve to make things even worse. This is not a committee like the committee referred to on Bill 113. For one thing, Bill 113 is an advisory committee for special purposes that will continue, where this is for a short time. First of all, if we haven't any confidence in what the First Minister is saying, no matter what we do, we can put anything we want in the bill, it won't work, we won't be satisfied, but the public, the people of Manitoba will judge and why don't we wait a few - I imagine that in a couple of weeks this committee will be named - why don't we wait and see what happens then.

Another point that comes to my mind. We are talking - the government is saying well we will discuss this with everybody, they are open - they might want to discuss it with the Leader of the Official Opposition, and I hope they do; and they mention these two industries, the Automobile Insurance Industry, the Automobile Insurance Agents and the public. Now these people will be represented, but I find myself, if we try to box the government too much or if we try to be too restrictive, we will be in trouble, we will get in trouble. For instance, there was one suggestion that the Honourable Member from Ste. Rose made - I know he means well - that I could never accept. He is suggesting that the agents name somebody, the agents name, unless I misunderstood what he said, but the agents name four or five names of people in the association and two others outside the association - is that right? Well I would never want the executive or even the members of an association to name those that are not in the association. I would not want them to speak for me if I don't choose to be in the association. There might be a good reason, I'm not suggesting there is anything in the . . . , but there might be a good reason why I don't want to join the association. I feel why don't we, we all express what we want; it all falls on the responsibility of the government; if they want to play games with this it won't work, the public will know it. So why don't we wait a couple of weeks, let them decide, let's see who -- (Interjection) -- I don't think you can afford two months before you name this committee. I hope not. I certainly hope not, but let's see what the names will be and then we will be able to judge and the general public will be able to judge.

MR. CHAIRMAN: The Honourable Member for Sturgeon Creek.

MR. F. JOHNSTON: Mr. Chairman, I would like to briefly make a little bit of a plea to you and to the Honourable Member from St. Boniface who is saying that we're bogged down and what have you. My plea to the chairman is basically during the many weeks of the debate, and I say debate on Bill 56, I think the chairman would have to agree that this has probably been one of the calmest most constructive debates that has gone on. There is nothing wrong I submit, Mr. Chairman, with the Honourable First Minister trying to make his point, he is being a parliamentarian which he has been, and is; the Honourable Member from Ste. Rose the same way and the Honourable Member from St. Boniface. I haven't been around as long but I'm trying to contribute calmly to try and get my point across. I think the Honourable Minister of Labour who is looking at me, will say this has been a debate where people are trying to get their views across and win or lose, I don't think there is going to be anything against anybody.

There is just one thing, I would like to bring up the precedents that the First Minister brings up about compensation boards, etc. They are set up to help people, and I'm not saying that this board won't be doing the same thing, but they were set up to help people who are employed and people who are not employed or people who can't be employed because of something that happened to them while they were employed - and I hope I haven't said that like a Scotsman but that's basically what it is.

Now here we have a situation, here we have a situation in Manitoba where there are people employed who are about to have their lives and businesses changed, and if you read Section 3, of this amendment of the First Minister's, to consider regulations on transitional assistance or similar programs wherever any such program may have been established, by the government of any province, the government of Canada or by industry and to advise the Minister as to their comparability with their applications to requirements of this Act. There is nothing wrong, nothing wrong with this committee studying what has gone on in other provinces and previous places in Canada or as the Minister has often mentioned the Auto Car Pact, but what I am trying to bring across by having this committee - and the Honourable Member of Ste. Rose has mentioned Manitobans - this committee cannot be one, they can look at all the precedents in the world, let alone Canada and the provinces, but when the precedent comes out, when they advise what has gone on before, I assure you, Mr. Chairman, that they have to take into consideration that these are Manitobans and precedents cannot be what is first and foremost in their minds.

(MR. F. JOHNSTON cont'd.). . . . They have to be people who are involved, who have knowledge of the industry - and as I said, and I don't want to get in trouble by repeating myself - I don't care if they're from the insurance agents that are for automobile insurance, the ones that aren't in the association, or the ones that are, I think there has to be representation from all, that are Manitobans that will not just look at precedent in this case. I have no arguments with the fact that there has been Workmen's Compensation Boards set up and what have you. Nobody, nobody and never in Manitoba have we had a case - if there's going to be a change, let's do it right. Now I'm not going to argue about we're talking about the past, because the past has to be looked at, but we are looking, this is something entirely new for the Province of Manitoba and for heaven's sake, let's make it plain. That's fine, Mr. Chairman.

MR. CHAIRMAN put the question on the proposed motion of the Honourable First Minister and after a voice vote declared the motion carried.

MR. CHAIRMAN: On section (r), which is the main motion -- (Interjection) -- we are on the amendment (r) as amended. The Honourable Member for St. Boniface.

MR. DESJARDINS: Mr. Chairman, I would like to say a few words at this time and I purposely waited until we were dealing with the amendment. In other words, the one that was first proposed by the First Minister because I wanted to make sure to be in order Mr. Chairman. I want to tell you that I don't intend to speak too long, but I think that I should at this time.

On second reading, Mr. Chairman, I took the trouble of sorting out what I thought was in this bill. There was the question of compulsory, to see if improved legislation was needed, compensation for the insurance companies, compensation for the agents and the monopolistic part of the bill and, of course, we've talked about those that were affected, that would lose their jobs and the towns or the people indirectly affected. Now in the compulsory part as far as improving the legislation, I think that we all agree on this that this was a must, so that left the compensation of the insurance companies and I remember at the time that I treated that quite lightly, I felt that most of the insurance companies felt that they were losing money so I wasn't too concerned, and I have changed my mind somewhat on this - it's still not my main concern, but after some of the briefs that I've heard, I would like to know a little more from the insurance companies because they might not be doing that bad a job. But, the important thing as far as I'm concerned was compensation for the agents, where I said that definitely there was no way that I could support anything if there wasn't proper compensation; and also the question of monopoly. This seemed to be what bothers most of the people at least in this House.

Now a couple of weeks ago after really searching my conscience, if you want, I made what I considered, what I tried, to be an appeal for reason from all the members of the House, and in fact, the people of Manitoba. I felt that we should first of all clear the air. I wanted the First Minister to meet with the industry to clear the air, that was one of the things. Most of all I guess I wanted to change the climate, to see that we changed the climate, that we discussed this question - not in distrust and hate, this attitude of name calling - I wanted a true dialogue between the government, the industry and the public. I also suggested that we should not proceed with the bill at this time; I also stated though a few times that I did not intend to kill the bill, but to consider it further in a better attitude and a better climate. I thought that before we could pass the bill, get into this plan, we should know more about the regulations, especially the important ones, who in effect will set out the principles that we'll have to work. I wanted to know more about compensation and at some time or other I also mentioned a board, I didn't have the name transitional assistance board, but a board that would take care of, an impartial board that would deal with the compensation.

I think that the most important thing certainly that I had in mind was to create this dialogue that I thought we should have here in Manitoba, was the kind of a committee, I think I called it a joint committee at the time or an advisory committee, where we would have the government, the industry and the public speaking together. I did say a few words about the Pawley Commission, I think I recognized the fact that if the government or a party wanted to get some facts this was perfectly all right, but when you were trying to get the confidence of the public and trying to sell a plan, that I thought it would be advisable to have somebody else but a stacked commission - and I must agree that it was a stacked commission. I also felt that we could probably, with a bit of cooperation, do all this without delaying the implementation of what we are seeking here today or what the government is seeking here today.

I appeal to the members of the Opposition, I suggested a gentleman's agreement, I suggested that maybe we should, too, allow the government to delay, that is, not to proceed with the bill at this time that we should limit ourselves, because I could not see - nobody in his

(MR. DESJARDINS cont'd.). . . . right mind, I don't care from what side of the House, wants a repeat of what we have gone through in this bill. If they do they are completely nuts. I certainly don't. It's useless, it's a waste of time and it just creates an atmosphere that we can't work in. I said at the time if this, there was no - I call it an ultimatum, people will call it what they want - I suggested a gentleman's agreement and if I felt that this couldn't be had, well then maybe we would have to take our chances and do it a different way.

I wanted also, I wanted to make sure myself - and I'm talking for myself now, nobody else - I wanted to be convinced that this was not the start of wholesale nationalization and I wanted to give the government a chance to prove that this plan was a good one and if they still went ahead with a monopolistic plan, I had to know why it had to be a monopolistic plan and what the advantage would be before I made up my mind.

Now the Opposition asked a few other things, they wanted to know if there really was going to be a saving to the public and I think this is an important thing. The Member from Riel, I think, talked about a survey, different surveys and I think that I was quite interested yesterday, but I must admit it was over my head, because I didn't know what they were talking about, but somebody does, somebody smarter than I here can discuss these things and come out with who's right and who's wrong without fighting, without name calling. The Opposition wanted to know why give you a blank cheque? Let's talk about the regulations before you tell us to approve something like that. Let us find out what kind of compensation we're going to have. So what is the situation now, today?

I might say that my speech of a couple of weeks ago was very well received - too well received, in fact, because some people, I think, some people that were in despair, I think that they read in there something that they wanted to read and the coward in me today, Mr. Chairman, I think that the coward in me today would have preferred to see both groups stand fast, where I could have said, Well, all right, I tried, let's go to the people; let's have an election. And the coward in me is pretty well disappointed, I guess, that the First Minister, his Cabinet and the government caucus tried in such an honest way to do something, to cooperate, to listen to the constructive criticism of all the members of this House - and I don't think that there's any way that we can deny that.

As I say, it would be very easy for me to say well all right, let's go to the public, because the vocal people, the people that I'll hear from as soon as I sit down, they are from one group that want to hear nothing but monopoly, and they want an election; and the other side felt that this is the time now to go to the public to discredit this government, to mark this government as just a bunch of radical socialists, and they want to have an election at this time. But there is also 85 percent of the population of Manitoba - mind you I'm not doubting the sincerity of those two groups that I talk of, they're just as sincere as I am - but I'm also concerned about that 85 percent of the people of Manitoba who would not know what the hell they're doing if there were an election now, who wouldn't know what the issue is or was because they wouldn't have the facts, because I haven't got the facts. -- (Interjection) -- I'm speaking for myself and when you want to speak you can speak. Yes, I think that these people are not ready for an election, do not want an election and an election would solve nothing. It would be one of the worst, dirtiest campaigns that we've ever seen. Mind you, if it was needed at this time, if it would solve anything, fine.

Now after the genuine efforts of the First Minister and his Cabinet there is no way, there is no way that I cannot support the government, that I could refuse to support the government on the passing of Bill 56. And I say, Mr. Chairman, that there is not one single person in this House that cannot support this bill after what has been said; after - call it concession, call it what you want - I say after the cooperation of the government; even those that are very much against monopoly, they can support this, because what have they got to lose? I'm supporting this, Mr. Chairman....

MR. BILTON: That's not for you to say.

MR. DESJARDINS: Did you want to make a speech now? I'm supporting this, Mr. Chairman, because I say that it is permissive legislation, and this is all it is. Now it appears to be an awful lot more than that, because the government I guess and the members of the Opposition were so adamant in their position, monopoly or no monopoly, but this is not the end, especially if this government is going to set up this committee, and I believe that it'll be an impartial, as impartial as you can - or let's say that I believe they they will be people against the government, against the position of the government. There's got to be. I think that then we might be able to give the people a little more information.

(MR. DESJARDINS cont'd.)

Mind you some of the things that happened were not too pleasant and I imagine maybe even in the government caucus it was difficult; but I don't think that we're here to be nice to each other. I think that we're here to respect each other, respect the intelligence and the honesty and sincerity of all the members of this House; and even if we had our troubles if this is going to make a better plan it was well worth it.

Now what is the set up now? As I say - and I'm not criticizing - but I haven't heard one single member of the Opposition get up and say, all right we'll go ahead with this question of a gentleman's agreement -- I repeat, I'm not criticizing, this is their right, just as much the right that I have in asking for this -- not one; in fact the Leader of the Official Opposition said "no conditional vote", and this is his right; but that made it quite difficult, because I assure you I'm not going to hide, I'm not strong enough and I haven't got enough guts to go through this thing again, especially when I know it would be meaningless.

So what are the changes? Why am I supporting the government when I asked the government, withdraw your bill, because of what I said for one thing, what I must call the lack of cooperation? Because we have the assurance that no plan would go into effect before the end of June 1971; because we have the assurance that before any plan goes into effect every member of this House will have a chance to discuss the regulations, to approve or disapprove, to criticize the regulations; because by then we will know an awful lot more than we know now about the compensation, how the people will be compensated; because now we have a Transitional Assistance Board.

MR. FROESE: On a point of order, Mr. Chairman.

MR. DESJARDINS: A point of order?

MR. CHAIRMAN: Does the Honourable Member for Rhineland have a point of order?

MR. FROESE: How can the House reject the regulations that will be put forward?

MR. DESJARDINS: I fail to see it's a point of order. And I'm glad though that he did not have a point of order and that he asked how this House will reject the regulations, and I'll come to that, I'll come to that. -- (Interjection) -- Well I'll come to that.

Now what I wanted was a, call it an Advisory Committee, call it any kind of committee, but a committee that we are proposing, the government is proposing to set up now in the motion that we have in front of us, where there will be wide terms of reference, where the type of people that we have on it will be the people that can discuss things; people that will have prejudices, yes, but we'll try not to be guided only by their prejudices; where we'll have a position where, with this attitude, with this offer of cooperation from the First Minister and the government, I think that it should clear the air; at least one side is making an effort. I think that where we can, if we wish, establish a different climate where we can have our dialogue, and where those who are not satisfied with the Pawley Commission will have another kick at the cat, I guess, will have a chance to come in and try to disprove what these people have suggested or what they say is a good point.

All these points came out in the Public Utilities Committee, all of them, and this is what the Opposition has been talking about, and I say, Mr. Chairman, that we can remedy this now. But let's say that the Premier, the First Minister of this province, the people on this bench, let's say that all those around here are a bunch of crooks, let's say that they're heartless, let's say they're the worst scum in the world and they're just trying to trap us. What happens when Bill 56 is passed? What happens?

MR. J. WALLY McKENZIE (Roblin):Conservatives.

MR. DESJARDINS: No, I didn't say anything about the Conservatives. I think too much of you Wally for that. Let's say that Bill 56 is passed. The government, the Cabinet is given a free hand, it is true. It's finished, they can do what they want. They can disregard all recommendations of this committee, that's true. They don't have to listen to the Advisory Committee. It could become the biggest joke ever. They'll write in their regulations. They can write the regulations that they want, only what they want, and insist that we -- well insist that they go because they don't have to be passed.

Now, my honourable friend's got me. Why would I allow this? No. I say that I'm voting for permissive legislation and if I'm not satisfied -- (Interjections) -- All right. Fine. This is fine. When you don't want to hear the truth you start to yell a little bit and shout; this is fine. And I can tell you, Mr. Chairman and my friends, that I'm not going to try to torture myself to show you how right I am or not because it doesn't pay - you just hurt yourself for nothing. I'll

(MR. DESJARDINS cont'd.). . . . say what I think is my reason for it and I don't give a damn what the people think any more, for those that want to turn it around and bring in another meaning. I'm not going to keep on with this -- I probably have done it for a little too long.

Now, if at this time - as I say, with help and cooperation of my friends here I tried to explain that I, not them; they can decide how they want to vote themselves, but I will deem that I'm allowing permissive legislation, and I say that if at the time when this comes up I'm not satisfied that this is not just the start of wholesale nationalization, that if I feel that this is what happens with a monopolistic plan, where this monopolistic plan is not going to help, is not any better than the other, well then, and I say to my honourable friends, I still have a chance, and you have a chance, and the people in this House have a chance to get these regulations out, because then there's nothing easier than propose a vote of non-confidence in this government for having been a bunch of crooks and so on. And then there's nothing to prevent us from introducing a bill that will amend this, well, the Bill 56, which will be legislation by then; but at least if we have to go to the people of Manitoba in that time, I hope that it will be in a different situation, in a better atmosphere, where at least some of the people won't be as confused as I'm sure they are now.

There's been all kinds of accusations of deals. I must have made a fortune - I guess I can retire now. I've been bought five or six times by the agents; I've been bought by the insurance companies; the government has given me everything I want. I've made a real fortune, I can assure you of that. Mind you, it changes fast. One day I receive flowers, then a kick in the fanny. That's fine. -- (Interjection) -- Show you what? The flowers? But I think that this is dangerous. I think that you can play this game of confusing people a little too long and sometimes it's going to hit you right back, right back between the eyes, people that are doing it.

I want to repeat again that I'm not doubting the sincerity of those that want an election, but I've tried, I've been lobbied and I don't say this in a bad sense - there's nothing wrong. Those that did it in an honourable way; they tried to show me why they felt this way. I'd receive a phone call that was for and that was the only thing, and you can't let Manitoba down; and two minutes after, another one that said exactly the same thing about the reverse. And this is what I say, the people are practically as confused as I am right now. And I say that, what can change - if we want the election that much, what's the matter with next March? It'll give the people a little better chance, a little better chance to go and see what their people really want. I suppose some will say, well what if there's a vacancy? And let's call a spade a spade in here because this is what I'm told in the hall. "Yeah, but watch out, Larry, the situation might be different. There might be a vacancy." Well, I'm certainly not going to be responsible for that. If there's a vacancy, we need a by-election, and if there's a vacancy it's because somebody has retired, or for some reason or other somebody on the government side, if they lose they've lost the control; and if they win, the things are exactly the way they are now. And on the other side, if it's a member on the other side, well, Mr. Chairman, if they can't hold on, the members that are so sure that they can win an election now, that the people of Manitoba would want to march against this, against Communism at this time, well sure, the least they can expect is to keep that one seat where they can send all their strong people in. So I will not have anybody say this is your responsibility; if something happens it'll be your fault.

But the real issue. What is the real issue after discussing it with some of these people, trying to discuss calmly, and most of the people have tried to be very fair in this, and there's no escaping from it that there's fear in the heart of a lot of people; and mind you, say that I'm wishy-washy, that I didn't know my own mind; if for no other reason than a few of the people are a little better satisfied when this comes through, even if there's no change; or if there are some changes a few minor changes, or maybe that the compensation will be a little better - I think it'll be worth it, everything that I've gone through - I don't know about the rest of the members. But I want to see these figures proved, I want to listen to the agents that tell me in the insurance company, I want to listen to them, I want these figures proved and I want them to be as hard as possible against the government or the Advisory Board and say all right, refute it. And these people that are so sure, they're going to do it in a calm atmosphere, and then we will see, and then it's the time to decide if we should have a monopoly or not. When I said awhile ago that I was lobbied, I learnt something by this lobbying. I learned that - on both sides the people that lobbied wanted an election, and so those that were against wanted an election at all cost, and this is their right. I'm not running them down saying this, but those that were against the government -- and this is what I don't like, and I'm not going to work in that kind of

(MR. DESJARDINS cont'd.) atmosphere -- those that didn't like after I finished saying pretty well what I'm saying now in this speech, of all the possible ways, well all right, you wanted to prove your case, prove it, prove it. You wanted the regulations before, we'll have regulations. You wanted all that. But they said, Oh we're ready, this is all we want, but we have no faith in the First Minister, or in this Cabinet because they double crossed us or so on. Well, I'm not looking back and I'm not worried, we've had this thing going on, and we must, if we want to change the atmosphere, the government and the supporters of the government and the Opposition and their supporters, the agents and so on, must, before we can go any further, bury the hatchet and change the atmosphere is the only way. Change the climate that we have, a climate of hate. If I'm always talking about my famous priorities and national unity and all that, trying to unite people in different ways, can I be part in trying to drive them away now? This is what would happen if we had an election now.

These people, the only thing they can tell me is, all right we have no faith in it. But if I'm voting this as permissive legislation and if they don't recognize and appreciate what I've done today, they are saying the same thing to me - we don't believe in you at all. This is their privilege, of course, but I have a responsibility, my responsibility is to do everything not to let an election be called at this time under these conditions, an election that is not needed, yet. It might be that it's needed in March, and I'll certainly be ready - I hope I have a little rest to come and face my responsibility next March. In the meantime, not as permissive legislation; I know this is going to be all changed, all changed when some of the people are finished with it, and I'm not going through trying to explain exactly what I lay awake at night thinking. I'm just trying my best in as honest a way as possible to explain my reason why; I think it's permissive legislation and I certainly will be ready to accept my, if I'm still here, my responsibility come next March. Thank you, Mr. Chairman.

MR. CHAIRMAN: The Honourable Member for River Heights.

MR. SPIVAK: Mr. Chairman, the statement of the Honourable Member for St. Boniface is not a surprise. I think those of us who have watched what has happened in this House over the past few days recognize that ultimately this was going to be his conclusion. However, Mr. Chairman, there's a passage in the Duke of Milan, Act IV, Scene 3, that I would like to quote for the record which I think is apt at this particular time: "Pray you use your freedom in so far as you please; allow me mine to hear you only not to be compelled to take your moral potions." In the context of the Honourable Member of St. Boniface, "Pray you use your freedom in so far as you please; allow us ours, to hear you only and not to be compelled to take your moral potions."

Mr. Chairman, permissive legislation - horsefeathers. Anyone who listened to the Honourable Member for St. Boniface when he was on this side in connection with the Medicare issue, knows that his position on permissive legislation at that time was not permissive at all. Anyone who has read Hansard with respect to the Honourable Member of St. Boniface's position on the introduction of Part II of The Manitoba Development Fund, that socialist undertaking by the Roblin government, recognized that the Honourable Member for St. Boniface's position at that time was not permissive legislation.

Mr. Chairman, I'm quite prepared to stand on my position and to recite it, but I must suggest, Mr. Chairman, that the argument that this is permissive legislation just does not wash. Mr. Chairman, I'm not going to deal at great length because the Honourable Member of St. Boniface does not have to take the moral potions from me, and that's not my purpose; but may I suggest to the Honourable Member for St. Boniface that in a program that he appeared on - a radio program on Sunday - a question was asked of him, and

MR. CHAIRMAN: the member I'm going to allow him

MR. SPIVAK: Well, Mr. Chairman

MR. CHAIRMAN: I'm going to allow him some latitude, but I would also remind him that we're dealing with Section (r) as amended and that he should bear that in mind. The Honourable First Minister.

MR. SCHREYER: Mr. Chairman, I'd like to the Honourable Member for River Heights. Do you recognize the Member for Rossmere, Mr. Chairman?

MR. SPIVAK: Well, Mr. Chairman

MR. SCHREYER: Did you recognize him?

MR. CHAIRMAN: I recognize you, Sir, on a point of order or a point of privilege, otherwise

MR. SCHREYER: That's correct.

MR. SPIVAK: A point of order or a point of privilege.

MR. CHAIRMAN: A point of order. The First Minister.

MR. SPIVAK: May I ask what the point of order is?

MR. SCHREYER: Well, that's what I shall start out to do as soon as you take your seat, because under the rules of the House, as I understand them, the Chair can recognize only one person at a time. My point of order, Sir, is that I'd like to know on what basis the Honourable Member for River Heights is being allowed wider latitude because as I recall this morning I was called to order a number of times because of straying from the subject matter. -- (Interjection) -- Well I was called to order and I don't know if my honourable friend, the Member for River Heights, is aware of that or not.

MR. SPIVAK: Well, Mr. Chairman, on the point of order, may I suggest I will not take any wider latitude than the Honourable Member for St. Boniface.

MR. CHAIRMAN: My problem is very simple, namely, that the Member for Kildonan was in my place during most of the speech of the Member for St. Boniface, and my impression was that the Member for St. Boniface had some latitude. I don't like to allow any latitude but it seems to me that I will have to allow some based on my impression; but I would urge the Member for River Heights to not stray too far from Section (r).

MR. SPIVAK: Mr. Chairman, the Honourable Member for St. Boniface appeared on the program and a question was asked of him: "Is it not a fact that once the bill is passed you have in fact put the agents in the position, and the industry, of the person who has been buried by the undertaker and is now asked to come back to help deal with the relatives on the bill that's to be charged by the undertaker?" Now at that time he gave an answer.

Mr. Chairman, once the bill is passed it's law, and the legislation is law; and the regulations to be declared by the Lieutenant Governor in Council become law. There is a review, there is a capability of a review by this Legislature, but they can very well become law before the Legislature deals with it, and there is nothing that suggests that the government majority cannot at any given time allow those regulations not to be challenged because they have a majority. Mr. Chairman, the problem we have in dealing with this and the issue at hand is whether it is necessary for the government to first have its law passed, not as permissive legislation, but to have it passed, to become law, before the things that they want to do have to be done. Now is it fair to those who are directly concerned and who had to share with their colleagues an anxiety over the past three months, to now feel that there is some possible way that their opportunity for a livelihood will still exist?

Mr. Chairman, and I think it's necessary because one of the members who appeared before the committee and who had a particular emotional appeal is up in the gallery now, and for him and for the others I think we should tell it as it is, which is to say, Mr. Chairman, that once this law is passed it is law, and it's over with, and there's just no point - that you may have to work out some adjustment in terms of what the government may decide, because it'll be the government's decision as to what assistance and compensation should be given, that's true, but insofar as the rationalization, which is the new word that we use, of the industry, the rationalization could be translated now to nationalization, it's finished, it's over; and neither the gentleman upstairs nor any of the others who have been in this gallery, nor the people of Manitoba should think that what has been passed is just permissive, that it may not occur. It's a victory, and it's a victory for the men on the back bench who are shaking their hands with approval, and anybody that suggests it isn't is not telling you as it is; and if there's a criticism to be levelled to the Member of St. Boniface, it's not for the fact that he has gone roundabout in trying to arrive at his decision - he's no different than anybody else - but the criticism has to be levelled, is not to confuse the situation any more by suggesting that by passing this, we have not passed it. When we pass this it is not permissive.....

MR. DESJARDINS: On a point of order, Mr. Chairman....

MR. SPIVAK: Mr. Chairman, it is subject to the approval.....

MR. DESJARDINS: Mr. Chairman, on a point of order. On a point of order. I did not at any time say that this bill would not become law.

MR. CHAIRMAN: That's not a point of order.

MR. DESJARDINS: Well, it certainly is; Mr. Chairman, if somebody says that I quoted here that I'm trying to mislead the public and I'm saying that it will not become law....

MR. CHAIRMAN: I would ask the member....

MR. SPIVAK: Mr. Chairman, Mr. Chairman.

MR. CHAIRMAN: Order. Order. I would ask the Member for St. Boniface to make those comments - I would again repeat that when one member misquotes the other or misinterprets

(MR. CHAIRMAN cont'd.) . . . the other, I suppose all that a member can basically do is interject, but then when the other person has finished, he may then get up and clarify his remarks.

MR. SPIVAK: I think then I'll address the question directly to the Member of St. Boniface by suggesting, what do you mean by permissive legislation. What do you mean by permissive legislation? Now let me just finish the term as I understand it - when this Act is passed it's law subject to whatever the government determines that it can do under the various clauses that have been passed, one of which is to take over the industry. And they don't have to come back here at all, they can just do it. Now, Mr. Chairman, in the sense that they can do it it's permissive, but in that sense everything is permissive, everything that we pass is permissive.

MR. DESJARDINS: Would you be kind enough to allow me now to . . .

MR. SPIVAK: Yes, I will at the end.

MR. DESJARDINS: Oh, at the end. I thought you were actually finished now.

MR. SPIVAK: Mr. Chairman, for the Member for St. Boniface's information, I have no intention of dealing with this at any length, because I think it's very simple; we've heard his position; we're not surprised - I don't think anyone's surprised. That's fine. I'm not going to deal in any discussion in terms of the morality of his position, that's not the issue. He's made up his mind and he's entitled to do it.

But, Mr. Chairman, for the record let it be known that once this Bill is passed it's law; and once this Bill is passed it gives the Cabinet the right to do the things that they want to do; and the things that they want to do, and it's very obvious, is to take over the industry. So any thought that the industry is not going to be taken over is rather ridiculous; and any suggestion in the language of permissiveness, language of permissiveness, would simply suggest, whether the words were expressed or not, that in fact what has happened is a stage but is not a completion. Now, Mr. Chairman, there is a completion as a result of the passing of this Bill.

MR. CHAIRMAN: I would ask the honourable member - I believe he's made his point very clear on the question of permissiveness. I've listened to him for 10 minutes. I would ask him whether he could not now deal with Section (r) as amended and make his comments more specific . . .

MR. SPIVAK: Mr. Chairman, frankly I'm . . .

MR. CHAIRMAN: . . . because that is the section before this committee.

MR. SPIVAK: Yes, Mr. Chairman, I'm almost ready to conclude. Mr. Chairman, I must say - and this is not with respect to you, Sir, but as a result of our - we have listened to the Member for St. Boniface for the last half hour, and for there to be any suggestion . . .

MR. CHAIRMAN: Is the Member for River Heights suggesting that he therefore should have 30 minutes of equal time?

MR. SPIVAK: No, Mr. Chairman, as a matter of fact if I'm correct, I've only spoken for five minutes.

MR. CHAIRMAN: Ten minutes.

MR. SPIVAK: Five or ten minutes.

MR. CHAIRMAN: I have you marked at 4:55.

MR. SPIVAK: I'm sorry, Mr. Chairman, I stand corrected; ten minutes. But, Mr. Chairman, for me or any of the other members not to be allowed to deal with -- (Interjection) -- Well, I'm simply saying - I'll sit down, but I want the Honourable Member from St. Boniface to indicate where he distinguishes between the words "permissive" and legislation that has been given the force of law and entitling the Cabinet and the government to take action? What basically is the difference?

MR. CHAIRMAN: I now recognize the Member for St. Boniface, but I would like to caution him that he should attempt to deal with that specific point, and he, too, should bear in mind that we are really dealing with Section (r) as amended and that we are not dealing with the first principles of the bill.

MR. DESJARDINS: Mr. Chairman, I think that the last spokesman was definitely in order in what he said and I intend to be definitely in order and I'll just answer exactly the question that he's asked me. I said that I consider this to be permissive. I know I said that I would prefer to hold on the Bill. That was impossible. I don't have all the options. So this Bill, when this Bill is passed, of course, of course any two year-old knows that when a bill is passed it becomes law. So let's not play on words. Let's not play on words. Well, proclamation or - all right. But what law? Does it say anywhere in there? Does it say anywhere the day that this is proclaimed, the day that this becomes law -- (Interjection) -- No, no. No. See, there's a fellow

(MR. DESJARDINS cont'd.). . . . that's really mixed up. It's not June 30th at all; it's not June 30th at all. Now the day that this becomes law, before June 30th, this is law, the bill - nobody is obligated to go into any plan at all -- (Interjection) -- Just a minute, just a minute. Nobody is obligated to go into a monopolistic plan. Nobody is obligated to go on any kind of a plan. -- (Interjection) -- Just a minute, if you want, if these gentlemen -- (Interjections) -- if these gentlemen want

MR. SHERMAN: Ask the Minister of Mines. Ask the Minister of Crescentwood.

MR. CHAIRMAN: Order, please. Order.

MR. DESJARDINS: ask him what?

MR. CHAIRMAN: Order.

MR. SHERMAN: Don't be a fool.

MR. DESJARDINS: Would you let me finish.

MR. SHERMAN: Don't be a fool, ask the Minister of Mines and Resources.

MR. DESJARDINS: Would you let me finish.

MR. CHAIRMAN: Order. Order. Would the member

MR. DESJARDINS: Would you let me finish. -- (Interjection) -- You haven't got the guts to say it. -- (Interjections) --

MR. CHAIRMAN: Order in the Chamber, please.

MR. DESJARDINS: It takes a lot of guts for four men to walk out after they've asked you a question, Mr. Chairman.

MR. CHAIRMAN: I would ask all members of this

MR. DESJARDINS: I'll answer, I'll answer.

MR. CHAIRMAN: Order. Order. I would ask all members of this House to cooperate with the Chair. I don't think there's any need for any member to start a shouting match.

MR. BILTON: Shouldn't provoke it either.

MR. CHAIRMAN: Order.

MR. BILTON: He shouldn't provoke it, either.

MR. CHAIRMAN: Order.

MR. DESJARDINS: Why don't you shut up you big phony.

MR. CHAIRMAN: Order. I will wait until we have silence before we proceed.

MR. DESJARDINS: Well, maybe they'll be some more that

MR. CHAIRMAN: You know, this reminds me of when I was a teacher. I would ask the Honourable Member for St. Boniface to continue and I don't think there's any necessity for him to be shouted down.

MR. DESJARDINS: To what?

MR. CHAIRMAN: I don't think there's any need on the part of certain members of this House to shout down the members, so I'd ask you to proceed.

MR. DESJARDINS: That's fine. That's fine.

MR. BILTON: Mr. Speaker, on a point of order. Would you kindly remind the Honourable Member for St. Boniface that he should not say anything that might be argumentative and create a situation.

MR. CHAIRMAN: I would never undertake that.

MR. DESJARDINS: And that, gentlemen, was a Speaker of this House?

MR. CHAIRMAN: The Honourable House Leader.

MR. GREEN: Mr. Chairman, on a point of order. Is the Honourable Member for Swan River saying that the Legislature is no place for argumentative discussion?

MR. CHAIRMAN: I think we all know what was said. I ask the Member for St. Boniface to proceed.

MR. DESJARDINS: Mr. Chairman, there's a party that is known here as the party that's fighting for the freedom of the individual. That party ask you questions and then they run out. Let the record show that. Or some - excuse me, some of the members.

MR. GREEN: We didn't run out.

MR. DESJARDINS: Don't tempt me, please. Don't tempt me.

MR. FROESE: Mr. Chairman, on a point of order. The Member for St. Boniface did not designate the party. I'm representing the Social Credit and I did not run out.

MR. DESJARDINS: Well if the honourable friend would pinch himself he'll realize he didn't run out. His whole party's sitting there, so I don't think I have to name you.

Mr. Chairman, if these people want to give me a chance to give my answer, I'm quite willing. They said that they suspected what I was going to do. They should have; after what

(MR. DESJARDINS cont'd.). . . . the First Minister, and after what the amendment, they should have. It was pretty clear. Well anyway I'm not going to start in a political battle with these friends now, not at this time. But I will say, Mr. Speaker, exactly what I meant, that when this bill is passed -- my honourable friend who wanted the answer is not listening, that's fine. What is the next strategy? Are you going to pull your little book; what's going to happen, somebody's going to come shooting out of this door for falling off there.

MR. SPIVAK: What door?

MR. DESJARDINS: It's just to answer your question. Just to answer your question. Would you want an answer? Do you want an answer?

MR. SPIVAK: I've heard the answer already.

MR. DESJARDINS: All right.

MR. SPIVAK: It's nonsense, absolute nonsense.

MR. DESJARDINS: Sure you have a choice. You can walk out with the rest of your fellows.

MR. SPIVAK: It's nonsense.

MR. DESJARDINS: It's nonsense. They asked me an answer. I haven't even started. . .

MR. SPIVAK: Oh, you're being silly. You're better off if you sat down.

MR. DESJARDINS: All right. If I tell you I'm silly, and I'm a fool and you're God almighty, would you listen to me?

MR. SPIVAK: Oh no, you're the one that's complaining. . . .

MR. DESJARDINS: Will you listen to me?

MR. SPIVAK: You're the one that's complaining, not us.

MR. DESJARDINS: Okay.

MR. CHAIRMAN: . . . cooperate with the Chair, if they cannot. . . . I ask the member to make his point, please.

MR. DESJARDINS: All right. My point is that I said that I would prefer it if this Bill was withdrawn, but it wasn't, and I realize, my exact words aimed at this gentleman after, his question was - All right. And I start by saying let's say it's the worst bunch of fellows that you can trust. Didn't I say this? When that Bill 56 is passed it becomes law. But still the day, the minute that this bill becomes law, it certainly is not - you're not starting a plan, in fact the plan will not start till the end of June 1971. Now am I right so far? -- (Interjection) -- So? Well what do you mean, so? The plan is not there; nobody's going to lose everything that you're talking about. The plan is not going to start till 1971. This is the first thing that I said. All right. This is the first thing that I said. Now, the next thing is that everything that these people wanted, all the questions and so on, they can have it now. And I said that at the time, and I realize that because the bill was - the only difference if this bill was held on for six months, and my friend said try to sell insurance in the meantime; this is what you wanted - to hold the bill for six months. Could you sell insurance in the meantime?

MR. ARTHUR MOUG (Charleswood): Come on Larry, you're a businessman, don't talk ridiculous.

MR. DESJARDINS: You just answer this. You just finished saying. . . .

MR. MOUG: Don't be so stupid. I'm surprised at you.

MR. DESJARDINS: You might be surprised all you want. . . .

MR. MOUG: You're ridiculous.

MR. CHAIRMAN: Order.

MR. DESJARDINS: Didn't you make a statement. . . .

MR. MOUG: You talk about democracy. . . .

MR. DESJARDINS: They don't want to hear a word. Didn't you make a statement. . . .

Well my friend said that, try to sell insurance, and that's important, and I'm saying, I'm saying that they wanted to hold the bill for awhile, and it's exactly the same thing, but they don't want to understand.

MR. CHAIRMAN: Could I ask the honourable member, because really this debate is really not relevant to the clause before us. It's really. . . .

MR. DESJARDINS: Oh, I'm going to answer, Mr. Chairman, I'm going to answer.

MR. CHAIRMAN: I am asking the Honourable Member for St. Boniface to answer it but I would also ask him to be as precise and short as possible.

MR. DESJARDINS: If they let me, I'll be as short and as precise as If they shout down, I'll shout back.

MR. MOUG: You're as short right today, you're as short today as you'll ever be in your life Larry; there's no way to get shorter. You could crawl under that desk there without bumping your head.

MR. DESJARDINS: Get up and speak if you want.

MR. MOUG: I wouldn't waste my time on you.

MR. DESJARDINS: Well, if you wouldn't waste your time, shut up then.

MR. CHAIRMAN: Would the Member for Charleswood please refrain from interrupting at this time.

MR. DESJARDINS: All right, Mr. Chairman. What I'm saying, and I don't care what they think or what they would like me to have said or how they want to treat this Bill, I only vote for myself, and I'm saying that I'm voting, I'm judging this as permissive - permissive - and when it becomes law, that's all it does. The next step is the important step - the regulations and the adoption, implementation of a plan; and I say that before then there's two or three different ways that that can be stopped and there's not one man in this House that can deny that. They know darn well. Now if they want to play politics from now on, if you want to get set for an election, good enough for me. I was a little different guy a few hours ago; I was a hell of a nice guy. Now I can crawl under my desk. I'll come out fighting with any one of you.

MR. CHAIRMAN: On Section (r) as amended. The Honourable Member for Rhineland.

MR. FROESE: Mr. Chairman, I hope I'm not ruled out of order immediately when I start speaking. I think you've taken on or exercised too much power at certain times because I think we're here to debate issues and not to be curtailed discussion. Certainly I cannot agree with the Member for St. Boniface in some of his interpretations. When this bill is passed it is law, and regardless of whether it will be effective next June 30th, I'm sure that the government will be spending thousands of dollars before that in preparation in bringing the plan into effect by that date. So it's not a matter of passing permissive legislation. The moment this is passed they will start preparations, they will make preparations. They have to if they want to make it effective at that date. Sure. And I'm just wondering, the Minister of Mines and Natural Resources has told a story, I think when he mentioned Tolstoi's story of the rich man and the poor man - well I feel that the government is now on the backs of the insurance agents and they'll never get off. They probably wipe his brow, as the Minister said, and try and do everything for him, but they'll not get off his back once this legislation is passed.

MR. GREEN: Mr. Chairman, may I plead with the honourable member to use his own story.

MR. CHAIRMAN: . . . the Member for Rhineland that I think that we've had sufficient debate on that whole question of permissiveness and effectiveness and when a bill becomes law that really is not germane to this section. We've had that debate; it seems to me that the member's remarks would be better if he were to deal with the precise section. Let him make those comments when the bill is being reported or on third reading or some other time. I think this question should be brought to a head. We're not dealing with the clause before us at all.

MR. FROESE: That's the very point that I raise. The moment I get up, I'm out of order. Other members can discuss the very point, there's nothing said; as soon as I get up you rule the thing out of order.

MR. CHAIRMAN: The Honourable House Leader.

MR. GREEN: . . . this side does not take the position that the honourable member is out of order.

MR. SPIVAK: We grant leave.

MR. CHAIRMAN: Well, that's not the question at all. I'm reminding the member that this is a clause by clause study. I think that some latitude was allowed to the Member for St. Boniface and the Member for River Heights. I then tried to curtail the debate; I'm still trying.

MR. FROESE: That's exactly the point. You give consideration to other members but when I get up you're ruling me to order every time, this is not the first time.

MR. CHAIRMAN: Well, perhaps the Member for Rhineland could set a good example, and I could use him as an example against the other members.

MR. FROESE: I certainly have some questions on the motion that is before us but before I want to discuss that I have some other matters that I think should be brought into the debate concerning the whole matter that is under discussion. Certainly if Social Credit should ever be in power this thing would be repealed completely. That is out of order?

MR. GREEN: Mr. Chairman, would the honourable member permit a question?

MR. FROESE: This very - this very amendment as well.

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

MR. CHAIRMAN: The Honourable House Leader.

MR. GREEN: Is the honourable member aware that in the Province of British Columbia

(MR. GREEN cont'd.). . . . with Social Credit in power they have a statute which permits them to do exactly what this government is now doing?

MR. FROESE: I'm speaking on behalf of the Social Credit in Manitoba in this House, and when I say this legislation would be wiped off, I'm sure this would be the action that would be taken, because we believe in free enterprise, we do not believe in government monopoly and government Crown corporations running the affairs of this province; and certainly the matter of regulations which was discussed by the Member for St. Boniface is a matter that cannot be dealt with by this House. We have had - or the government, the Lieutenant Governor in Council has passed regulations over the last two years that have never come before this House. We have a committee that is supposed to sit and. . . .

MR. CHAIRMAN: I have already asked the honourable member, I have formerly suggested to him that that is not in order for him to discuss that question. I suggested that to him several hours ago. I'd ask him not to bring it up again.

MR. FROESE: This is part, this amendment is part. . . .

MR. CHAIRMAN: It is not part of this. . . .

MR. FROESE: . . . of the regulations of the Act.

MR. CHAIRMAN: It is not part of the regulations. It is dealing with the examination of those regulations by a committee that is a separate issue.

MR. FROESE: No, it comes under 29 (1) which is part of the regulations as set out in the Act.

MR. CHAIRMAN: Section 29 (1) may come under the scrutiny of that committee.

MR. FROESE: Regardless, it's under the regulations of this Act, and as I pointed out we have a committee functioning -- or I should not say functioning -- we have a committee set up, but the matters have not been dealt with, the regulations that were passed over the last two years, they've never come before this House in the way of a report by the committee so that they could be acted on, or that motion of concurrence could be brought in. This has not been done. This was the practice for years and years and now we find that the rules state that they're referred to the committee and nothing comes about. I think this is what is going to happen when we find that under the sections that we're dealing with under 29 that regulations will be drawn that will never receive the consideration of the House once this bill is passed.

Then the - well maybe I should not discuss the other point that the Member for St. Boniface raised, so I'll come back to the motion that is before us, and I would certainly like to hear from the Minister responsible for bringing the bill in. Under Section (r)(ii), what is exactly meant when they refer to Sale or Resale of Agents' Licenses. I would like to know what is exactly meant under this particular subsection and I will yield the floor to him to give us an explanation on this matter.

MR. CHAIRMAN: The Minister of Municipal Affairs.

MR. PAWLEY: I assume that the Honourable Member for Rhineland has completed his remarks. Sale and/or Resale of Agents' Licenses makes reference to the question as to whether or not that license which is issued in respect to the handling of the basic insurance by the insurance agents, whether that license can be transferred or sold by the agent in question.

MR. FROESE: Can that be done now, Mr. Chairman.

MR. PAWLEY: No, what happens now of course if an agent wishes to sell, he sells his business as such, but this is a question that will be looked into as to whether or not it is possible to arrange for the transfer of the license by the agent. As you heard in the remarks by the First Minister, the principle behind the proposals in respect to income maintenance was insofar as those agents now affected by this change in legislation. The question that will have to be dealt with is whether or not agents as they retire will be able to transfer their licenses to others that may wish to assume those licenses and carry on where that agent left off.

MR. FROESE: Mr. Chairman, am I then to understand that once the present number of agents pass away that there will be no one else allowed to operate in their place, and that there will be a gradual lessening of private enterprise in this field?

MR. PAWLEY: Mr. Chairman, I haven't indicated anything except try to explain to the Honourable Member from Rhineland what is intended by the clause and what it is intended that the committee should enquire into and make recommendations in respect thereto.

MR. CHAIRMAN: The Honourable Member for Souris-Lansdowne.

MR. EARL McKELLAR (Souris-Killarney): Mr. Chairman, I'd just like to have a word on this clause here because this is very important, this is interpretation. I want to inform the members that the way - licenses are issued to each application on the 31st day of May annually;

(MR. McKELLAR cont'd.). . . . and they're issued because that particular agent has qualified, satisfied I mean, the Superintendent of Insurance. This license has nothing to do with the business of an agent, the business is separate entirely; and here you're saying that this is - well, you can decide whether my business is not worth anything or whether I can resell it to another party, and it's entirely wrong; and I want to tell you why it's wrong. It's wrong for the simple reason that you're interfering with business. You've taken over the business of every insurance agent, the automobile business of every agent. Now you're going to say to him that your fire business is not - you can't sell the fire business, and the hail business, and the life business. -- (Interjections) -- That's right. That's right, because I want to tell you why; because you took out a license one time I'm told through the co-op -- (Interjection) -- Yes. You never sold any applications.

MR. CHAIRMAN: Just for clarification, could the honourable member - could the honourable member indicate to me whether he is speaking about the . . .

MR. McKELLAR: I am, I am, and I want to tell you why.

MR. CHAIRMAN: Well, I just want to make sure I know what he's talking about.

MR. McKELLAR: I want to tell you why.

MR. CHAIRMAN: Are you referring to the actions of the Advisory Board or the government?

MR. McKELLAR: I want to tell you why, because in that . . .

MR. CHAIRMAN: I want to know what you're referring to.

MR. McKELLAR: I'm speaking on (ii), (ii), Advisory Board. I want to tell you why. In this application that presently exists that you take out, it comprises fire, miscellaneous and hail. Fire, miscellaneous and hail. Now how can you distinguish - in the present application that's issued and the license that I hold right now, it permits me to sell fire, miscellaneous and hail; if I want to sell life I got to take out a special license. Now you're going to interfere with the resale of my business, if I decide to sell a year from now, you're going to interfere with the . . .

MR. PAWLEY: I wonder, Mr. Chairman . . .

MR. CHAIRMAN: Order. Order, please.

MR. PAWLEY: . . . just on a point of clarification . . . the honourable member.

MR. CHAIRMAN: The Honourable House Leader.

MR. McKELLAR: I'm interested in this because I'm only one of the small agents . . .

MR. CHAIRMAN: Order, please. The Honourable House Leader.

MR. GREEN: Mr. Chairman, it seems to me that the Honourable Member for Souris-Killarney looks to me like he has a speech in him and he won't be able to make it in one minute, so . . .

MR. PAWLEY: I would . . .

MR. GREEN: Would the Honourable Minister want to take more than a minute or less than a minute.

MR. PAWLEY: No, I would just like to have made a comment because I do feel that the Honourable Member for Souris-Killarney misunderstands this provision. This provision is . . .

MR. CHAIRMAN: May I suggest that we stop at this point; otherwise there'll be . . . further debate . . .

MR. PAWLEY: May I just make one sentence.

MR. CHAIRMAN: One sentence. Okay.

MR. PAWLEY: The reference in the clause is to the license in respect to the sale of the basic insurance policy, the government insurance policy with the license plate. It does not refer to your general insurance license that you have at the present time.

MR. CHAIRMAN: The Honourable House Leader.

MR. GREEN: I'm sure the Honourable Member for Souris-Killarney will want the floor at 8:00 o'clock, and the Chairman I'm sure will remember that. Mr. Chairman, I move that committee rise.

MR. CHAIRMAN: Committee rise. Call in the Speaker. Mr. Speaker, your committee reports progress and begs leave to sit again.

IN SESSION

MR. RUSSELL DOERN (Elmwood): Mr. Speaker, I move, seconded by the Honourable Member from Flin Flon that the report of the committee be received.

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

MR. GREEN: Mr. Speaker, I move, seconded by the Honourable Minister for Cultural Affairs, 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 8:00 o'clock tonight. (Wednesday)