

THE LEGISLATIVE ASSEMBLY OF MANITOBA  
2:30 o'clock, Monday, May 10, 1971

Opening Prayer by Mr. Speaker.

MR. SPEAKER: Presenting Petitions; Reading and Receiving Petitions; Presenting Reports by Standing and Special Committees.

REPORTS BY STANDING AND SPECIAL COMMITTEES

MR. SPEAKER: On the proposed motion of the Honourable Member for St. Boniface. The Honourable Member for Rhineland. (Stands)

On the proposed motion of the Honourable Member for Radisson. The Honourable Member for The Pas.

MR. RON McBRYDE (The Pas): Thank you, Mr. Speaker. I'd like to make a few comments on the receiving of the report of the Committee on Agriculture. First of all, Mr. Speaker, I would like to apologize to honourable members for my inability to attend many of the committee hearings on agriculture. I hope that the members will understand that I was involved in a gross receipts income stabilization plan, or at least a net income stabilization program of my own; that is, I was trying to make -- I was trying to make my income meet my expenditures at that time. I might mention also the fact that this effort to stabilize income was not entirely successful.

One of the problems, I guess, of being absent from a committee like the Agriculture Committee, especially when you're the Chairman, is that sometimes no-one misses you; so my absence allowed the Honourable Member for Radisson to become the effective Chairman of the Committee and I'm sure that all the members that sat on that committee will agree that he did a very excellent job in that capacity as Chairman.

Those meetings of the Agriculture Committee that I was able to attend were very interesting and informative. People really respond when they're given the opportunity to have some say in the policies that are going to affect them. We experienced this on the Northern Task Force and we experienced this on the Agriculture Committee. It was a good way, in my opinion, to get a better understanding between rural and city and northern members about the problems faced by the rural segment of our economy. We knew that farmers were having a real difficult time and these committee hearings in the rural area gave us an opportunity to see how they saw these problems, how they felt about these problems, and to hear some of their ideas and suggestions as to what steps government could take to attempt to deal with the problems in the rural economy.

Before these meetings, Mr. Speaker, what I could see in terms of the farm problem was related to my own constituency. In my own constituency we have the northernmost farmers in the Province of Manitoba at the Pasquia Land Settlement project near The Pas. These farmers have nearly the same problems as all over the Province of Manitoba and, at this time, nearly all the farmers in The Pas area have to take outside work in order to supplement their income enough to continue with their farming. The farmers of that settlement were unable to get to any of the committee meetings although they had hoped to get to the meetings in Swan River. The other problems they are facing are problems mentioned at other committee hearings - that is, the problems of taxation especially in regard to education taxation, and problems of drainage. The latter has been a real problem in the Pasquia Land Settlement this year, with the flooding in the last month or three weeks. I was pleased to see the significant increase that the Department of Agriculture has in its budget this year, but I wish similar increases would take place in the Water Control Branch because this concerns many farmers in all parts of Manitoba.

Similar problems are faced by farmers in the Interlake area of my constituency, with drainage again being one of the major concerns of the farmers in that area. In this area also, I might point out the success being experienced by the Indian farmers and ranchers on the reserves in the Interlake, and there was recently some publicity in the paper in regards to this matter.

Another aspect of the farm problem, and a larger problem that we're able to see in The Pas area, is the fact that the Modern Dairies Ltd. has a plant in The Pas area. The other view of the agricultural problem that we're able to get from that point of view is the number of farmers who have come to The Pas for training or for employment in The Pas area. We have been fortunate to have a number of people come into The Pas from Roblin, from Dauphin, from

(MR. McBRYDE cont'd) . . . . Swan River. We have been fortunate, perhaps they haven't, because most of those have been farmers who have decided to leave farming and take up some other pursuit.

So, Mr. Speaker, we can see the relationship between the problems in the rural economy and other sectors of Manitoba. We can see that farm problems relate to all the citizens in Manitoba, not just to the farm community. On this point I would like to congratulate the Farmers Union for the demonstration they held near the Legislative Building and their approach of trying to inform urban people, especially, of the situation farmers face in trying to increase the understanding between the various peoples in Manitoba.

The Member for Morris, in his comments on the receiving of the committee report, mentioned the relationship between agra-business and the farmer, and the Farmers Union brief that they presented on that day makes reference, Mr. Speaker, to the same problem and I quote, Mr. Speaker, from the brief of the Farmers Union: "The Members of the National Farmers Union are very concerned about the rapid advance of international corporate control in the food industry of Manitoba, especially in how these corporations are able to influence government policy to facilitate the increasing takeover of control of the family farms through feed contracts, market supply contracts, extension of credit, that makes the farmer captive of and subservient to whoever controls the mortgage of the farm.

Hopefully, Mr. Speaker, the recommendations of the Agriculture Committee may have some small effect on these problems. The problem of the manufacturer and dealer relationship for farm machinery and how the manufacturers seem to have control over the dealer, and how this affects the purchasers of farm equipment, is one problem that the committee looked at. Also, we may be able to take a few steps toward preventing corporate takeover of some sectors of farming through a stronger and producer-controlled marketing commission for hogs.

I hope the committee continues its consultations with the farmers in the Province of Manitoba and the information exchange that has been going on between us and the farmers as a result of these committee hearings, and I hope that the government will be able to take further action on the recommendations of this committee. Thank you, Mr. Speaker.

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

MR. HARRY E. GRAHAM (Birtle-Russell): Mr. Speaker, I beg to move, seconded by the Honourable Member for Fort Rouge, that debate be adjourned.

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

#### INTRODUCTION OF GUESTS

MR. SPEAKER: Before we move on, I should like to draw the attention of honourable members to the gallery where there are 36 students, Grade 12 standing, of the St. Patrick High School from Thunder Bay, Ontario. These students are under the direction of Sister Wilma.

We also have 41 students, Grade 11 standing, of the Neepawa Collegiate. These students are under the direction of Mr. Stankovic and Mr. Habing. This school is located in the constituency of the Honourable Member for Gladstone.

On behalf of all honourable members of the Legislative Assembly, I welcome you here today.

#### REPORTS BY STANDING AND SPECIAL COMMITTEES (CONT'D)

MR. SPEAKER: On the proposed motion of the Honourable Member for The Pas. The Honourable Member for Birtle-Russell.

MR. GRAHAM: Thank you, Mr. Speaker. Mr. Speaker, in first speaking to this report of the Committee on Municipal Affairs, the 12 points listed in the report, to me in some ways some of them are at odds with one another, the points in the report itself, but in other respects the things that concern me the most are the fact that I feel that the Municipal Committee failed to come to grips with probably the most pressing problem that faces us in Manitoba today.

This committee was set up to study some very significant and specific points and, Mr. Speaker, in my humble opinion they did not really come to grips with some of the most significant points of today. I was not a member of the committee, and, Mr. Speaker, I don't know if it would have made much difference had I been a member or not, because it seems that the consensus of opinion that was arrived at is one that I, as an individual, cannot accept as a report

(MR. GRAHAM cont'd) . . . . which is in the interest of the people of Manitoba.

The first problem that this committee - or one of the top priorities - was the Municipal Assessment Act and, Mr. Speaker, if we followed the recommendations of the committee who was set up to study the Municipal Assessment Act, then one can only arrive at the conclusion that the inequities that presently exist in the Municipal Assessment Act will continue to be perpetrated upon the people of Manitoba if the report of this committee is followed.

They dealt with the principle of the Municipal Tax Deferral Act as well, Mr. Speaker, and Mr. Speaker, it is my humble opinion that if assessment practices are properly carried out in this province there is no need for any Municipal Tax Deferral Act. If the assessment practices are carried out in the proper manner and if the assessment is done on the basis for which the land is used, then the need for a Municipal Tax Deferral Act is no longer prevalent.

Mr. Speaker, when legislators bring in such action as the Municipal Tax Deferral Act, in essence what they are saying is: "We admit that there are inequities existing in the present municipal assessment field," but rather than change those practices, they try and put forward a patchwork quilt in an effort to alleviate some of the inequities that exist. I think some of the basic fundamental principles of assessment were never even discussed by this committee or else they could never have arrived at the conclusions that they did.

Mr. Speaker, I believe it is necessary that when we have a government such as we have today that firmly believe in the ability-to-pay principle, they have stated this on many occasions, and yet in the field of assessment they completely ignore those principles. We find that land used for agricultural purposes, which in some cases may be very close to areas that are potential development areas, are being assessed as potential development areas and not for the purpose of agricultural use, and Mr. Speaker, I humbly submit that that principle is wrong. I would suggest to you, Sir, that when land is being used for agricultural purposes, that is the only basis on which it can be assessed, and I find nothing in this report which substantiates such a philosophy.

We find that the committee is recommending that the Municipal Tax Deferral Act be implemented in principle but with some possible changes in detail. Mr. Speaker, last year I was one that asked the Minister to withdraw the Municipal Tax Deferral Act and to re-examine the whole question of municipal assessment, and I am very disappointed that this Municipal Affairs Committee has not made proposals to the Minister in that respect.

There is one point in the report, Mr. Speaker, that I do agree with, and this is the point where leaseholders, or leaseholders of leases on Indian land, be exempt in all cases where it relates to a farming operation. Here again, Mr. Speaker, it shows the need for a complete revision of the Municipal Assessment Act, not only the Act but the enforcement of that Act, the regulations governing that Act, and the interpretation of those regulations by the administrative body of government. I've said it before, Mr. Speaker, and I'll say it again now, that 57 members of this Legislature can sit down and in their collective wisdom suggest a line of action which they feel is in the best interest of all people concerned, but by the time that Act is transferred to the Minister in charge, down through his chain of command, and the regulations that are drawn up to govern the implementation of the Act and the interpretation of those regulations in turn by those responsible, that the original intent of the Act can be changed in direction and in some cases it might even be reversed. Mr. Speaker, it is for these reasons that at this time I want to bring to the members of this House what I consider to be some of the important things that should be happening in the municipal field, especially in the assessment practices, which I do not see forthcoming from the report of this committee.

There are some very disturbing things in the item No. 3, where the proposed amendment of Bill No. 7, the Municipal Assessment Act dealing with agricultural business, removing corporate non-family farms from the provisions exempting farm buildings, be approved in principle. I would wonder, Mr. Speaker, why a committee would recommend something which to me violates the Human Rights Bill, where they're in essence saying that the principles of assessment should apply to all people except for one particular group here. They don't say that it has to involve a farmer of 2,000 acres or four acres; they're saying that the application of certain practices should not apply to everybody uniformly, there's one particular group that should be penalized. And, Mr. Speaker, I would suggest that if government wants to do such a thing as penalize one particular group, then they should spell it out in clear terms but do not do it through the back door by way of assessment.

Here we are intending to revise the Assessment Act so that it will uniformly apply right

(MR. GRAHAM cont'd) . . . . across the province, and equity and equality be carried out in the assessment practices, and here the committee itself is recommending that such is not the case, that there should be special provisions made for one particular group; and I would suggest, Mr. Speaker, that if you want to penalize one particular group there are other ways of doing it rather than through The Assessment Act. This clause No. 3 seems to be in direct contravention of clause No. 7 which says that, with respect to the Municipal Assessment Act, all family farmers with buildings on land five acres or more receive building exemptions in the same manner as those farmers with 40 acres or more receiving exemptions. Here we're finding a move towards even the smaller classification and yet clause No. 3 seems to be in direct contravention of that. I would sincerely hope, Mr. Speaker, that when the legislation is brought forward in this session, that the Minister will be able to justify actions that he takes if he follows some of the recommendations in this report.

It's also interesting to note that the committee did not deal with one specific, or did not reach a conclusion on one subject that was brought forward to them, and this was the litter problem. I'm not talking about agriculture and the hog enterprise -- this is the problem that was specifically handed to the committee for recommendation and their recommendation is that it be returned to the committee for further study. This to me, Mr. Speaker, is either evidence that the committee did not do sufficient work or they were unwilling to deal with some of the problems that were handed to them. -- (Interjection) -- Thank you very much for those kind compliments.

Mr. Speaker, I'm sure there are many others who would have comments to make on the report of this Municipal Affairs Committee, and I would welcome with interest some of the views of other members of this Legislature.

MR. SPEAKER: The Honourable Minister of Municipal Affairs.

HON. HOWARD R. PAWLEY (Minister of Municipal Affairs)(Selkirk): Mr. Speaker, I've listened with keen interest to the remarks by the Honourable Member for Birtle-Russell. I know that one of his special interests is in the field of assessment and I have heard him from time to time make comments in this House in regard to that matter. I could not help but wonder; as I listened to his remarks, why the honourable member himself was not a member of the committee, at least had not attended the actual committee meetings in order to hear the representations and the various discussions that took place in the committee. If I recall accurately, most of the items that he dealt with here - with some exceptions admittedly, but certainly insofar as assessment was concerned, certainly insofar as the removal of corporate non-family farms, their exemption - was an issue that appeared to be resolved on a fairly non-partisan basis within the committee itself. I hope I'm doing justice to the honourable members opposite but, if I recall correctly, for instance on item No. 3 that the honourable member now casts such gross reflection upon the behaviour of the committee, this was in general a committee decision, a non-partisan decision, and in fact at this time I would commend the members opposite on that committee for in general having participated with the government members on the committee in passing what I think will be, and recommending what I think will be fruitful legislation in the interests of family farm enterprise in Manitoba.

Insofar as the question of the Litter Beverage Container Refund Act, this is a matter that I share with him that some definitive action must be taken at an early date. The matter was referred back again to committee. Since this has happened we've had the benefit of bills which have been presented to the Legislatures in Saskatchewan and in Ontario, and we're presently attempting to evaluate those bills as to ascertain what effect, what influence the passage of such bills as those in the neighbouring provinces might have in Manitoba in dealing with that issue.

The one area in which there was a split vote between the government members and the opposition members, I believe, if I recall correctly, was on the matter of Bill 148, the Municipal Tax Deferral Act. I think the honourable member can rest assured that his colleagues did in general oppose this bill, and I am looking forward to the opportunity of discussing this bill at greater length in the House itself.

So, in conclusion, I would simply point out that in general this was a committee which impressed me as a committee which worked together in a constructive fashion, all members of that committee. All members worked industriously and hard; they listened patiently and with intensity to the various representations made to the committee. Certainly the work is not completed. Assessment is a very complex matter - it's not simplistic. I would be the last one to suggest that any member or any party in this House has found all the solutions to the very

(MR. PAWLEY cont'd) . . . . . complex strands involved in the entire assessment problem throughout the province. We did listen to the experts; we listened to the rural people and the urban people. I hope that at least we commenced to take a few steps towards improving practices in respect to the law pertaining to assessment, but at the same time I think we did cast aside some of the incorrect assumptions that have been made over the past few years in regard to the implementation of different assessment practices in the province. Thank you, Mr. Speaker.

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

MR. EDWARD MCGILL (Brandon West): Mr. Speaker, I beg to move, seconded by the Honourable Member for Charleswood, that the debate be adjourned.

MR. SPEAKER presented the motion.

MR. SPEAKER: The Honourable Member for Winnipeg Centre.

MR. J. R. (Bud) BOYCE (Winnipeg Centre): Mr. Speaker, before you put the question, may I point out a printing error to yourself. In the Report of the Committee it lists me as a member of the committee and there was a substitution, the Member for The Pas, for myself.

MR. SPEAKER: Thank you.

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

MR. SPEAKER: Notices of Motion; Introduction of Bills.

#### INTRODUCTION OF BILLS

MR. PAWLEY introduced Bill No. 37, An Act to amend The Municipal Act.

MR. CHERNIACK introduced Bill No. 36, The City of Greater Winnipeg Act.

(Recommended by His Honour the Lieutenant-Governor.)

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

#### ORAL QUESTION PERIOD

MR. SIDNEY SPIVAK, Q. C. (Leader of the Opposition)(River Heights): Mr. Speaker, before the Orders of the Day, my question is for the Minister of Health and Social Development. I wonder whether he can indicate whether the Women's Liberation Group did have a meeting with him for Saturday and arrangements were made for a room for them to meet with him in the Legislative Building?

HON. RENE E. TOUPIN (Minister of Health and Social Development)(Springfield): Mr. Speaker, I received a letter from the Women's Liberation Movement and a brief, and I informed the Women's Liberation Movement that I could not meet them on Saturday because I was out of town, and that I would send someone in my stead - and I did so.

MR. SPIVAK: A supplementary question. Were arrangements made for them to meet in one of the rooms in the Legislative Buildings?

MR. TOUPIN: No such arrangements were made by myself.

MR. SPIVAK: A question to the Minister of Transportation -- oh I'm sorry, I would place it as a supplementary question to the First Minister. Can the First Minister confirm that arrangements were or were not made by one of his Ministers or by one of the departments for them to meet in the Legislative Buildings on Saturday?

HON. EDWARD SCHREYER (Premier)(Rossmere): Well, Mr. Speaker, I wouldn't be aware of it personally but I assume that such arrangements were made, and if any course of action was taken contrary to that, it must have been either the result of a misunderstanding or contrary to policy of this government, which is that those who contend on either side of an issue have equal access to facilities.

MR. SPIVAK: Mr. Speaker, my question is to the Minister of Transportation, being: Did he instruct on Saturday the guards to close the building so Women's Liberation groups, so that they could not meet inside the building?

HON. JOSEPH P. BOROWSKI (Minister of Public Works and Highways)(Thompson): Mr. Speaker, the Leader of the Opposition seems to be determined to make a case for the abortionists. There was a request made from, I think, the group themselves to myself and that I turned down, indicating that we would not allow the building to be desecrated by women bringing in -- (Interjection) -- Do you want me to answer the question? -- desecrating it by bringing in coffins and buckets of blood and what have you. A day later one of the MLAs phoned and said

(MR. BOROWSKI cont'd) . . . . that he was in fact having a meeting with them and they were going to present a petition to him directly, and I said well, if that's the case then there's no problem. If they're coming to meet with somebody from the Legislature, whether it's the Opposition or the Government, then certainly they're entitled to receive him. Arrangements were made to meet in Room 254 but unfortunately the party that was supposed to have changed my instructions didn't, and the result was the building was locked.

MR. SPEAKER: The Honourable Leader of the Opposition has had three supplementaries on this particular question.

MR. SPIVAK: Mr. Speaker, my questions are really not the same. We are now talking about the closing of the building, not any arrangements, and I would like to, if I could, Mr. Speaker, have the Minister confirm instructions were first -- because I misunderstood or I may not be clear on what he said -- instructions were given that it was to be closed and then instructions were given that it was to be opened? Is that what he's suggesting? Or the instructions were that it was to be closed?

MR. BOROWSKI: There was a request from the group itself directly to my office to have some demonstrations or something inside the building without any purpose of meeting with anybody, either from the Opposition or the Government, in which case I said "no" and issued instructions to the department that they were not to allow them into a room. If they want to come into the building that's one thing, but not to give them any room. The next day a request came in from either a Minister or MLA to say that they were meeting with them, and at that time I said "Fine. Give them Room 254 and they can meet with them and the Opposition if they so choose." Unfortunately that second one never reached the proper party and, when they arrived, the doors were locked.

MR. SPIVAK: A supplementary question. I wonder whether the Minister will confirm whether he put it in the form of a memorandum in writing or did he confirm it verbally with the guards?

MR. SPEAKER: I must caution the Honourable Leader of the Opposition he has asked the same question in a roundabout way four times now. The Honourable Leader of the Opposition.

MR. SPIVAK: Mr. Speaker, my question is to the First Minister. I wonder how he can reconcile the statement by the Honourable Minister of Transportation and his own statement just a few minutes earlier?

MR. SCHREYER: Well, Mr. Speaker, I don't know that it's incumbent upon me to reconcile any statement on a moment's notice. I think that the matter does deserve some further analysis and that can only be done in due course.

MR. SPEAKER: The Honourable Leader of the Opposition.

MR. SPIVAK: Mr. Speaker, my question is to the First Minister and it deals with the CNR job reduction at Dauphin. I wonder whether he can indicate whether the government intends to change its position in this matter.

MR. SCHREYER: I don't believe that there is any necessity of the government changing its position. The Railway Commissioner, the Honourable Minister of Labour, has been regularly in communication with persons in the employ of the CNR at Dauphin and also with officials of the CNR at the Regional Headquarters Office, and I understand that the Minister is very much aware of the intentions and plans of Canadian National Railways and has made appropriate submissions to them.

MR. SPIVAK: A supplementary question. If the government's position is maintained, is it not likely then that the reduction will continue?

MR. SCHREYER: If I may reply to that, I would simply remind my honourable friend that, on occasions in the past, certain reductions have taken place on the part of a federal Crown agency regardless of the position taken by provincial administrations, and I certainly dismiss out of hand the implied suggestion in the Honourable Member's question that if somehow the Provincial Government would change its position it would guarantee that a federal agency such as the CNR would discontinue job reductions or make any changes whatsoever.

MR. SPIVAK: A supplementary question. I wonder whether the First Minister would consider the creation of an all-party committee to work on this matter, to see that the reduction does not continue.

MR. SCHREYER: Well, Mr. Speaker, if I had some assurance that it would be more effective than the efforts in the past to impress federal agencies to do or not do something, then it probably would receive favourable consideration. I am not satisfied at the history of past

(MR. SCHREYER cont'd) . . . . . years it indicates anything of the kind.

MR. SPEAKER: The Honourable Member for Assiniboia.

MR. STEVE PATRICK (Assiniboia): Mr. Speaker, my question is to the Honourable Minister of Labour. In view of some negotiations taking place in Flin Flon, can he give us any information or report as to the strike?

HON. RUSSELL PAULLEY (Minister of Labour)(Transcona): Mr. Speaker, I regret that I cannot give any information to my honourable friend or the House, other than that negotiations are continuing.

MR. SPEAKER: The Honourable First Minister.

MR. SCHREYER: Mr. Speaker, before Orders of the Day I would like to table three copies of the Report on Expansion of Generating Capacity, Manitoba Hydro, in Manitoba. Honourable members will recall they received copies of this report in December last. These three copies are for the record.

MR. SPEAKER: The Honourable Member for Roblin.

MR. J. WALLY MCKENZIE (Roblin): Mr. Speaker, I have a question for the First Minister. I wonder would the First Minister explain the position of his government with regards to the problems that are being encountered at the Dauphin airport at this time?

MR. SCHREYER: I am aware in a general way of the problem with respect to the financing of the cost of operation of the airport at Dauphin, but in specific terms I would have to take that as notice.

MR. SPEAKER: The Honourable Member for Rhineland.

MR. JACOB M. FROESE (Rhineland): Mr. Speaker, I would like to address a question to the Honourable the Minister of Agriculture. Will the government be making representation to the Federal Government re Bill C-176 and, if so, what position are they taking?

HON. SAMUEL USKIW (Minister of Agriculture)(Lac du Bonnet): Mr. Speaker, the honourable member perhaps has forgotten but we have made two such submissions in the last six months or thereabouts, and our position is quite clear.

MR. SPEAKER: The Honourable Member for Riel.

MR. DONALD W. CRAIK (Riel): Mr. Speaker, I wanted to direct a question to the Minister of Industry and Commerce. Could he indicate whether reports are correct or not that the Chairman of the Manitoba Export Corporation has resigned?

HON. LEONARD S. EVANS (Minister of Industry and Commerce)(Brandon East): Well, Mr. Chairman, I haven't seen any written or published reports on that particular suggestion. I have had a meeting with the Chairman of the Manitoba Export Corporation only a few days ago and I prefer to say nothing further.

MR. SPEAKER: The Honourable Member for Lakeside.

MR. HARRY J. ENNS (Lakeside): Mr. Speaker, I direct a question to the Honourable the Minister of Transportation. Could he indicate to the House whether or not the government has come to a final decision with respect to disposition of the facilities at MacDonald Air Base?

MR. BOROWSKI: Mr. Speaker, a decision will be made in the next couple of days.

MR. SPEAKER: The Honourable Member for Fort Garry.

MR. L. R. (Bud) SHERMAN (Fort Garry): Mr. Speaker, I would like to direct a question to the Minister of Industry and Commerce, whom I tried to get before he moved up to the front row, Sir, and I ask him whether he can advise the House of the nature of the forthcoming visit to Manitoba of a Japanese industrial mission, and whether or not any specific industrial projects are involved in the discussions.

MR. EVANS: Well, Mr. Chairman, the mission to which the honourable member is referring is a high level mission of Japanese businessmen and financiers which is touring various major cities of Canada, and I am pleased to note that they are going to spend more time in Winnipeg than in any other major centre. We hope to be able to talk about some very specific projects. However, this will involve very specific businesses, businessmen in the Province of Manitoba. Beyond that, I can't give you any further information.

MR. SHERMAN: Could the Minister give the House the dates and time period of that visit?

MR. EVANS: Mr. Chairman, there will be news releases giving adequate detail on this in the very near future.

MR. SPEAKER: The Honourable Member for Swan River.

MR. JAMES H. BILTON (Swan River): Mr. Speaker, I have a question to the

(MR. BILTON cont'd) . . . . Honourable the Minister of Labour, under the heading of Commissioner of Railways. Has the Minister any information on my question of some ten days ago in reference to the possible rail abandonment between Dauphin, Swan River and Hudson Bay Junction?

MR. PAULLEY: I am very pleased to announce to my honourable friend that in the usual efficient way in which this department operates, I found out that there are no plans for abandoning the line that services the community of Swan River.

MR. BILTON: A supplementary question, Mr. Speaker. I appreciate the kind opinion of the honourable gentleman. I wonder if he would keep that in mind as time goes along. It's very important.

MR. SPEAKER: The Honourable First Minister.

MR. SCHREYER: Mr. Speaker, on two occasions the Honourable the Member for Churchill has asked a question relative to the anticipated population level for Gillam townsite, I believe, and also the Kettle Rapids construction campsite itself. The information I have just received is that the anticipated level of population at the campsite this August, as an example, will be in the order of 650 to 750, and also that at the townsite the anticipated peak population for Gillam would be in the order of 2,000. I should add for the information of my honourable friend that a decision will have to be reached some time later this year as to whether or not to proceed with the Long Spruce site development. In the event that that Long Spruce site is proceeded with, then it will have the effect of increasing the population next year at the work camp to something in the order of 1,100 people, and of course would increase the population of Gillam town as well by some 400 or 500 people, increasing each year in the course of the next four or five years. That decision will be made some time presumably in the next 12-month period.

MR. SPEAKER: The Honourable Member for Brandon West.

MR. MCGILL: Mr. Speaker, my question is for the Honourable the Minister of Finance and relates to the recent revaluation of several European currencies and the West German mark in particular. Can the Minister indicate whether members of his department have advised of any possible repercussions in the Manitoba economy as a result of these changes?

HON. SAUL CHERNIACK, Q. C. (Minister of Finance)(St. Johns): Well, Mr. Speaker, I'm not aware that we should be dealing with this in the terms of repercussions to the Manitoba economy. The House will recall that back in 1968, the same year in which Canada, Ontario and other provinces had borrowed Deutsche marks, Manitoba sold a hundred million Deutsche marks issue. The mark at that time, I'm informed, was approximately 26.86 cents in Canadian currency - that is some \$25 million in total - and subsequent to that, the Deutsche mark was revalued upward about eight percent. In 1970, the Canadian dollar also rose about eight percent so that, with the rise in the value of the Canadian dollar, the Deutsche mark and our dollar came back to near equality; that is, the relationship came back to being about the same; so that the events of the last few days, in the face of the weakening U. S. dollar position, the Deutsche mark has again increased in value and the Canadian dollar has not yet moved in concert with it. Whether it does or not, of course, is a matter of conjecture. I'm told that this morning there is tremendous fluctuation. Speculators are now involved in the fluctuating Deutsche mark and, of course, anybody who knows what's going to happen could make a fortune if he really knew.

It would be of interest to note that the money was borrowed by the previous government with an interest coupon of 6 7/8 percent as against 7 3/4 to 8 percent interest, which was then the prevailing rate in Canada, had it been available. You will recall that was a tight money situation and the Manitoba Government at that time had a great deal of borrowing to do, and the availability of funds in Germany and the interest rate were apparently attractive to the former government, and would have been to this government too under similar circumstances. This money comes due in 1972 and it will be for us to decide whether to renew the loan and thus extend the amortization period for the present premium; if the Canadian dollar rises again and money can be found in Canada, we will consider paying off the issue, of course, providing, of course, that the interest rate in the Canadian market makes such a move desirable.

I have looked into previous histories of loans and how they have been dealt with. Of course, it's been pointed out to me that there is a \$20 million U. S. loan falling due this summer which was borrowed in 1951 at an interest rate of about 3 1/2 percent. The money was



(MR. CHERNIACK cont'd) . . . . then brought back at something over a six percent premium because of the U. S. dollar being higher, and we'll be paying it back in the next few months with Canadian dollars; and if you want to look at it in terms of the relationship between the dollars borrowed then and the dollars repaid now, there is an actual saving that could be calculated of about 1.2 million dollars on currency fluctuation. Then, of course, is the fact that at the time it was borrowed the interest rate in Canada then was higher, so that one is always involved in speculative conjecture as to what might have been. One of the points we must always bear in mind is that with the erosion of the purchasing power of dollars, you're always, it seems to me, paying back dollars that are worth less than they were at the time they were borrowed.

I would say, then, that I don't think that there is any serious implication at all in relation to Manitoba's economy - I think those are the words used by the honourable member. We do know that in 1972 we will have to deal with the due dates of some \$25 million in Deutsche marks.

MR. MCGILL: Mr. Speaker, I thank the Minister of Finance for his comments in that respect, and a supplementary question to the Minister of Industry and Commerce. Could he comment on the effect on the import-export trade with West Germany with the floating of the German mark?

MR. EVANS: Well, Mr. Chairman, really, I think such a question is not too appropriate for the question period because it would require a considerable amount of time of dissertation - dissertation time. It would remind me of the time that I spent lecturing at Brandon University where we'd spend at least two hours on such a subject. I simply state that obviously, if the Canadian currency in relation to any other currency becomes over-valued or valued upwards, then obviously it's going to be more difficult for us to sell our products to that country, and the converse is true. If the Canadian currency becomes devalued in relation to any other currency, obviously it's going to be easier for us to export to that particular country. I think it's a relatively simple rule, but for me to give a detailed answer to the honourable member would take far too much time.

MR. SPEAKER: The Honourable Member for Arthur.

MR. J. DOUGLAS WATT (Arthur): Mr. Speaker, I would like to address a question to the Minister of Agriculture. I wonder if the Minister could tell us if he has signed the forms and mailed to Ottawa, to the Leader of the Conservative Party and to his local member, protesting Bill C-176.

MR. USKIW: Mr. Speaker, the honourable member ought to know that submissions made from one government to another are not in that form.

MR. WATT: Has the Minister seen the forms?

MR. USKIW: Well, I'm not sure that I have. I presume it's the forms that were on the back page of The Cooperator, as one example.

MR. WATT: A second supplementary question. Does the Minister feel that it's insignificant because it's on a back page of The Cooperator?

MR. SPEAKER: The Honourable Member for Lakeside.

MR. ENNS: A further supplementary question, Mr. Speaker, to the Honourable the Minister of Agriculture. In view of his reply to the Honourable Member for Arthur, did the Minister now indicate that he is now no longer conferring with the national office of the Farmers Union in Ottawa when he's dealing with Ottawa? It seemed to me that in the last session that was the case.

MR. SPEAKER: The Honourable Minister of Finance.

MR. CHERNIACK: Mr. Speaker, I wonder if I may expand slightly on a question asked on two occasions by the Honourable Member for Rhineland dealing with the requirements of paying a tax on diesel fuel when used in farm trucks. I should indicate to him that the answers I gave him on the last occasion were pretty well the correct picture although I was assuming that my answers were correct. I have since checked them out a little more carefully and I am able to confirm that all farmers are required to pay the 20 cent tax on diesel fuel when used in farm trucks.

With regard to the collecting the tax for past purposes, it of course is applicable and goes back as far as tax was not paid. The way you can enforce it is usually by spot checks, and when it is found that the law has not been carried out, then it is a requirement of the tax division to collect back taxes. I might say that it is difficult to understand how people would not know that they were required to make payment. I have here and will send to the Honourable

(MR. CHERNIACK cont'd) . . . . Member for Rhineland a notice which I'm told is posted at all bulk plants where purple gas and diesel fuel are purchased, and I understand that back in 1967 there was extensive advertising. I assume that the Honourable Member for Rhineland hasn't had occasion to use diesel fuel for a farm truck and therefore he may not have known, but clearly on this advertisement there is no permission for the use of purple diesel fuel. I'll send it to the honourable member as soon as the page is available.

MR. SPEAKER: The Honourable Member for Morris.

MR. WARNER H. JORGENSON (Morris): I should like to ask the Minister a supplementary question based on the statement he has just made. Is it the intention of the government to introduce legislation at this session correcting that situation?

MR. CHERNIACK: Mr. Speaker, the word "correcting" would imply that the previous government was in error when it imposed it, and I would not be the one to say that. If the Honourable Member for Morris wishes to put it in that light, then that's up to him, but questions of policy, I would think the honourable member would well know, would be a matter for the government to decide as to what announcement to make and when.

MR. SPEAKER: The Honourable Member for Rhineland.

MR. FROESE: Mr. Speaker, I would like to direct my question to the First Minister. I asked him the other day whether we would be able to receive financial statements from Churchill Forest Industries; in view that the firm has gone into receivership and the province being the largest creditor, whether this would not be the case. Would he have any answer now?

MR. SPEAKER: That question was already answered. The matter is sub judice.

MR. FROESE: Mr. Speaker, I don't think it was answered.

MR. SPEAKER: Order, please. I believe it was. The Honourable Leader of the Opposition.

MR. SPIVAK: Mr. Speaker, my question is for the Minister of Municipal Affairs. It was a question, a series of questions, actually, taken as notice for him, in his absence, by the First Minister, and I wonder if he's in a position to answer it. One question dealt with the question of the reinsuring by the Public Auto Insurance Corporation: would in fact reinsuring be conducted by the Public Auto Insurance Corporation, and would that be with a private auto insurance corporation?

MR. PAWLEY: Mr. Speaker, in connection with that question, in regard to reinsuring there has been no decision yet arrived at as to the policy in connection with reinsuring.

MR. SPIVAK: If in fact the Public Auto Insurance Corporation decides to reinsure, or the government instructs it to reinsure, will the rate schedule that has been introduced be increased?

MR. PAWLEY: Mr. Speaker, that of course is a hypothetical type of question, but the fee structure or the rate structure that was presented in this House is the fee structure under which we plan to operate over the next year.

MR. SPIVAK: Well, the supplementary question I'll frame another way. Did the fee schedule or rate schedule introduced in the House, did they consider the cost of potential reinsuring by the Public Auto Insurance Corporation?

MR. PAWLEY: . . . factors including that of reinsuring.

MR. SPEAKER: The Honourable Member for Assiniboia.

MR. PATRICK: Mr. Speaker, I have a question for the Honourable Minister of Municipal Affairs. I took my question as notice the other day in respect to the \$70,000 rental fee, if it was accurate on the square foot -- space that Autopac is renting.

MR. PAWLEY: I haven't been here since the honourable member asked the question, but I did have opportunity to obtain information that the rental fee is \$5.25, somewhat less than the total figure that he outlined to the House in his question on Wednesday.

MR. SPEAKER: The Honourable Leader of the Opposition.

MR. SPIVAK: Mr. Speaker, another question that was taken as notice and referred to the Minister of Municipal Affairs was the question as to whether the rate schedule that had been introduced, did it contain the commission to be paid to those agents who would be selling the Public Auto Insurance basic coverage?

MR. PAWLEY: Yes, it included that cost factor as well, Mr. Speaker.

MR. SPIVAK: A supplementary question. I wonder whether the First Minister now, or at least the Minister of Municipal Affairs will tell us what that rate commission is to be.

MR. PAWLEY: That'll be an announcement that will be made in due course, I expect

(MR. PAWLEY cont'd) . . . . very shortly, Mr. Speaker.

MR. SPIVAK: A supplementary question. May I ask, is the government in a position now to present information on the Transitional Assistance Board, the guidelines and the manner in which it will still operate?

MR. PAWLEY: Mr. Speaker, the information which the Leader of the Opposition has just requested is also in the process of being formulated and pinned down in detail. Much of it has already been indicated and announced already in the House during the process of last session, but it will be defined in detail within the next very short time.

MR. SPEAKER: The Honourable Leader of the Opposition.

MR. SPIVAK: Mr. Speaker, this is not a supplementary question - I realize I've used up my questions - but did he suggest that in answer to the first supplementary and the second, that that information was now being formulated or was finalized?

MR. SPEAKER: Orders of the Day. Orders for Return. The Honourable Minister of Municipal Affairs.

MR. PAWLEY: I should answer the honourable member's question because I see the point that he's attempting to zero in on. The general sum involved is in the general neighbourhood of that sum which was forecast in the First Minister's speech of August last year, and it is on that basis that the rates were so established.

MR. SPEAKER: Orders of the Day. Orders for Return.

ORDERS OF THE DAY - MOTIONS FOR PAPERS

MR. SPEAKER: On the proposed motion of the Honourable Member for Portage la Prairie. (Stands)

On the proposed motion of the Honourable Member for Souris-Killarney. The Honourable Member for Souris-Killarney.

MR. EARL McKELLAR (Souris-Killarney): Mr. Speaker, I beg to move, seconded by the Honourable Member for Lakeside, that an Order of the House do issue for a Return showing:

- (1) the list of all Class A, B and C Fairs.
- (2) the amounts of Grants paid to each fair in 1970.

MR. SPEAKER presented the motion. -- (Interjection) --

MR. SPEAKER: I wonder if the honourable member would wait until the government indicates whether they will accept or reject before he asks for a debate. The Honourable House Leader.

HON. SIDNEY GREEN, Q. C. (Minister of Mines, Resources and Environmental Management)(Inkster): Mr. Speaker, the Minister of Agriculture is not here but I think I can say on his behalf that he is willing to accept the Order.

MR. SPEAKER: The Honourable Member for Souris.

MR. McKELLAR: . . . Private Members' Day? (Agreed)

MR. SPEAKER: On the proposed Order for Return. The Honourable Member for Souris-Killarney.

MR. McKELLAR: Mr. Speaker, I beg to move, seconded by the Honourable Member for Rock Lake, that an Order of the House do issue for a Return showing:

- (1) all correspondence between the Manitoba Auto Insurance Corporation and the Insurance Companies writing Automobile Insurance in Manitoba after August 15th, 1970.
- (2) all correspondence between the Manitoba Auto Insurance Corporation and the Manitoba Insurance Agents' Association after August 15th, 1970.

MR. SPEAKER presented the motion.

MR. SPEAKER: The Honourable Minister for Municipal Affairs.

MR. PAWLEY: Mr. Speaker, I could shorten up the time required for this issue by indicating to the honourable member that I'm prepared to accept the Order for Return.

MR. SPEAKER: The Honourable Member for Souris-Killarney.

MR. McKELLAR: . . . Private Members' Day?

MR. SPEAKER: The Honourable House Leader.

MR. GREEN: Mr. Speaker, just so that the procedure is clear, the honourable member doesn't need the indulgence of the House. He is entitled to have this matter stand over to Private Members' Day, which I assume he is asking for.

MR. SPEAKER: Agreed? The Honourable House Leader.

MR. GREEN: Mr. Speaker, just so that the matter is clarified, under our existing rules, even if the Order is accepted it's a debatable motion and can stand over to the Private Members' Day. We will soon be coming to a discussion of the Rules Committee Report where I think that all parties agree that this should change, but that is the existing rule.

MR. SPEAKER: (Agreed) On the proposed Order for Return. The Honourable Member for Fort Rouge.

MRS. INEZ TRUEMAN (Fort Rouge): Mr. Speaker, I move, seconded by the Member from Brandon West, that an Order of the House do issue for a Return showing:

How many special consultants and others are employed under contract by the Government?

In each case:

Name -

Position -

Where they resided at the time of recruitment -

Expenses allowed -.

And by leave, Mr. Speaker, I would like to add Remuneration, which was inadvertently left off.

MR. SPEAKER presented the motion.

MR. SPEAKER: The Honourable Minister of Labour.

MR. PAULLEY: Mr. Speaker, we're prepared to accept the Order of the House proposed by my honourable friend. I would like her if she would kindly indicate what is meant by the words "and others under contract" because we do have many contracts dealing with construction and other matters. If she is referring to consultants by the use "and others" being other than special consultants, I'd be glad to accommodate her, but I would like a clarification on that point, if I can.

MR. SPEAKER: The Honourable Leader of the Opposition.

MR. SPIVAK: Just on the question of the point of order in relation to information on this side, I think when the reference is made to "others," it's made on the basis of those people who in fact have term appointments but who in effect are realistically special consultants who are doing specific special work.

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

#### GOVERNMENT BILLS

MR. SPEAKER: The Honourable House Leader.

MR. GREEN: Mr. Speaker, would you call Bill No. 4, please?

MR. SPEAKER: On the proposed motion of the Honourable Attorney-General. The Honourable Member for Brandon West.

MR. GREEN: Mr. Speaker, just before the honourable member starts, I want to indicate that we are proceeding with Bills 4, 25 and 31, and then the Committee of the Whole House to consider the Report of the Rules Committee.

MR. MCGILL: Mr. Speaker, we have examined this bill and we have no objection, of course, to the intent, and that is to bring the County Courts Act in line with the Court of Queen's Bench, and specifically to amend the County Courts Act so that any proceeding where it's intended to question the validity of an Act of the Parliament of Canada or of the Legislature of Manitoba, or of any legislature, that due notice shall be given to the Attorney-General of Canada or of Manitoba.

Mr. Speaker, what is of interest and perhaps should bear some further explanation by the Minister in closing debate, is the manner in which specifically notice shall be given. It's just not clear to me the way in which this shall occur. The bill reads that notice shall be given prior to the argument. It's not specific as to whether the notice shall be given by the plaintiff, or the defendant in the action, or the judge, and is there any difference perhaps in the date of the argument and the date of the beginning of the action? Perhaps it could be more clearly defined there just how this will take place.

I'm wondering, too, if notice having been given, if six days' notice is required either before the action begins or when it becomes evident during the action that the validity of one or other of these actions to be questioned, I'm wondering if the Attorney-General, having received this notice, if there is likely to be any unnecessary delay in the resumption of the proceedings, and whether or not the Minister has considered another subsection of the Act which might indicate that if the Attorney-General does not appear or is not represented after a

(MR. MCGILL cont'd) . . . . certain period of time has elapsed, whether then the judgment could be proceeded with, so that additional or unnecessary delay would not take place as the result of the passing of this Act.

These are the few points, Mr. Speaker, which occur to us, and again, no question as to the support of the intent of the Act but merely to ask for further detail on the mechanics of the giving of notice.

MR. SPEAKER: The Honourable the Attorney-General.

HON. A. H. MACKLING, Q. C. (Attorney-General)(St. James): Mr. Speaker, just to briefly explain, I think that all I need to indicate is that the court has conduct of matters that are before the court, and they can direct which party it is upon whom responsibility exists for serving of the notice. Obviously, it will be the party who sets up the constitutionality of a particular Act, upon whom the court would cast the obligation of serving the parties indicated in the Act - that is, the person that asserts must notify. However, this is a matter within the discretion of the court. The court is seized of the matter, and then this Act merely gives the court the authority to require notice to be given in accordance with the provisions of this Act. So far as the technique, then it is all within the power of the court, but without having this in the County Court Act, the Court did not have the power to order service on the Attorneys-General and the Attorney-General of the Parliament of Canada. So far as any one of the Attorneys-General not appearing, or the Attorney-General for Canada not appearing, this bill-- it is not necessary to spell out. If they don't appear, the court will hear the case notwithstanding their failure to appear. That, Mr. Speaker, is axiomatic. This merely does provide that, where the constitutionality of some law will be called into question, the Attorneys-General will have notice. If they don't care to attend, the court will proceed.

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

MR. SPEAKER: On the proposed motion of the Honourable the Minister of Consumer and Corporate Affairs. The Honourable Member for Brandon West.

MR. MCGILL: Mr. Speaker, I would ask the indulgence of the House in permitting this matter to stand. (Stand)

MR. SPEAKER: On the proposed motion of the Honourable Minister of Transportation. The Honourable Member for Charleswood. The Honourable Member for Fort Garry.

MR. SHERMAN: Mr. Speaker, I don't know whether the Honourable Member for Charleswood wishes to speak or not, but I would like to ask a question of the Minister or the House Leader or the Deputy Premier at this time, that I asked in the House the other day, having to do with the \$3.00 levy imposed on the current renewals for driver's license applications.

MR. SPEAKER: The Honourable House Leader on a point of order?

MR. GREEN: Mr. Speaker, I just want to be certain of what the honourable member is doing. He's certainly entitled to ask questions if it is in the form of him taking the floor and making a speech, which I have no objection to at all, and I presume that that's what he is doing.

MR. SHERMAN: That was my intention, Mr. Speaker. My only comment on this legislation at this point would be to seek clarification on that point I raised the other day. Now, I recognize that the First Minister answered it in large part, or certainly attempted to answer it on the basis of his understanding of the legislation, but I just wanted confirmation of that, if possible.

My question the other day to the Minister of Transportation and then to the First Minister was a sincerely asked one. I wanted the information because I'd had some calls about the matter myself and the callers had given the impression to me that they were under the impression that the \$3.00 public insurance levy built into the current cost of the driver's license renewal was authorized by this legislation, currently at second reading stage before the House, but still so far a step or two short of having passed second reading. Now the First Minister replied that he thought that phase, that aspect of the charge of the levy for new drivers' licenses, that aspect of the fee, was covered by regulations promulgated in relation to the original public automobile insurance legislation passed last year, but he said that was only his impression and he did not state it as a declamatory fact. So I would like to know whether this is the case or not. I assume that the First Minister's impression is the correct one, but he indicated it was only his impression, and if the Minister of Municipal Affairs or the Government House Leader or the Deputy First Minister can answer the question at this stage, I'd appreciate it.

MR. SPEAKER: The Honourable Member for -- well, there's a matter of procedure. At the moment, this question is in the name of the Honourable Member for Charleswood, who was absent at the moment. Does he wish to continue now? The Honourable Member for Charleswood.

MR. ARTHUR MOUG (Charleswood): Thank you, Mr. Speaker. I have a few brief remarks on this - I didn't have time over the weekend to do any work on the bill. I just want to make reference to the several different driver's licenses mentioned by the Minister, apparently seven - to be seven in all. I'm concerned about the one license and that is that which would refer to the youth group . . . . It seems to me that the insurance that goes along with the cost of the young people's license is going to be somewhat higher than was anticipated. The government of today is always making reference that they're the open type government, and ability-to-pay type of thing is always under consideration. I was wondering, does a sixteen-year-old boy have the ability to pay the \$22.00 that's necessary to go along with the license?

I question other things. It seems to me that the Attorney-General on the government side of the House takes every opportunity to get up and scream "discrimination" to us here on this side. He won't let us, if we need a man to -- if I need a man, Sir - I'm in the construction business - if I need a man to dig a sewer hole, I've got to advertise for that man under Male and Female Help, so I can get three phone calls from girls wanting to know if they can come out and dig sewers . . . . before the fourth man, the fourth person phones and it's a man. So I would wonder, did the government take under consideration discrimination when they ask the male youth under 25 to pay \$22.00, the female to pay \$7.00? I know that the government, their answer is, and they have said that the youth under 25, his records in the past indicate that they are more reckless; they cause more problems; the payout of insurance costs on the male youth is higher than that on the female; but I wonder if we should be prejudging the youth of today. I'm sure this is something the Minister of Highways would (if he was aware of it - he's probably not) he would be really and truly put out about it. It seems to me that a boy should be able to start out driving at age 16, and let's see what he does before we tell him that his driver's license is going to cost him \$22.00 where his younger sister, that can't hardly drive with any experience whatsoever, only has to pay the \$7.00. This, Sir, is one thing that I have particularly against what they're doing. The boy at 16 is prejudged and, before he turns the ignition key in his dad's car or gets on the highway, he's paying \$15.00 more than the younger sister who has no knowledge of driving whatsoever, because boys are generally more adept in getting behind the steering wheel and doing a better job. I think this should be given more consideration. I think they should start out on a point system at the same dollar level as the female and, when they make their first mistake, punish them then and bring them up on this point system that the government has made clear they're going to use; they're going to run from a 6 to 20 point system and run your driver's license from a very few dollars up to something in the neighbourhood of 300, and I think that if you give the boys this opportunity, that certainly they're going to look for the low price, because their parents, particularly with a 16, 17-year-old, there's no way that they want to be paying high license costs for them. I think if we charge them for what they are, and not for what we think they are and anticipate that they're going to get into trouble, that we can expect better citizens out of them, particularly in that age group, that they don't -- I think they like to have and think that they have something that the other children in their classes and in that age group hasn't got, and I think that we're taking this away from them before they have an opportunity to absorb it as their own right and feel that they have it in the first instance. We're using blanket coverage with youth. I don't think it's something that is fair.

The Minister was quoted in the Free Press on May 7th in regard to some comments he had made outside the House. He mentioned there was going to be seven levels of licenses. The chauffeur's license would no longer cover for driving taxis. I don't know what the board does now, Sir, but I know that 20 years ago you couldn't use a chauffeur's license to drive a taxi with. I don't think you can today. It's a license that you had to write for specially, make application and go before the Board, and certainly not just a chauffeur's or a driver's license that one would have from time to time. Also, if he is going to discriminate between the taxi drivers, I can see that this is necessary, to screen them and pick out particular faults, those with records behind their name, that are not suitable to serve the public, but I also can see if a man is driving a semi-trailer versus -- I'll just have to check to see what the Minister said -- I think the difference on the driver's license between the semi-trailer and somebody

(MR. MOUG, cont'd.) . . . . driving a low-bed truck or a bus, well the buses, I think, in Metro Winnipeg here are driven strictly by chauffeur's licence but if you get into the construction area where a man has several pieces of equipment, one being a three ton truck with a single axle versus a semi-trailer, I can't see how a small operation could possibly get going in the morning and even a large operation, because you'd have to send half the men home because they had the wrong types of licences and leave half the units sitting that you wanted to send out because you didn't have a driver's licence suitable to move those vehicles. I think that it's something that will have to be left a little more open than what this bill is spelling out, or at least the way the Minister described it to the House on Thursday afternoon. I think we're going back when we start distributing driver's licences annually rather than on a two-year basis.

I think that the Minister must realize that if we're going to be passing licences out annually, whether we do it on a month to month basis according to your birthday anniversary, the end of that month, I think it's going to be more costly doing it annually in comparison to every two years as has been the habit in the past. He mentioned that when the end of June comes that everybody has to line up for plates. I think probably this is an error, because this is in Hansard on Page 648, I think he must mean — at least I hope that this is incorporated in the bill because I'm . . . that consideration. I think he means just simply the driver's licence on that and not the licence plates for the automobile. If this is the case, well that of course would be something different than what we're making reference to. Now the other four, Mr. Speaker, types of licences that he refers to, I don't know, I'll endeavour to enquire in the interim and speak on it at Law Amendments. Thank you.

MR. SPEAKER: The Honourable Minister of Municipal Affairs.

MR. PAWLEY: Mr. Speaker, there's just a few points that were raised by the Honourable Member for -- (Interjection) -- On the point of order, Mr. Speaker, it's not my bill.

MR. SPEAKER: Right. The Honourable Minister of Municipal Affairs.

MR. PAWLEY: If the honourable member would like to precede me he can do so. The honourable member has raised some questions which I think are probably concerning a number of Manitobans and that is the question of (1) whether or not younger drivers are being unduly charged by way of the fee expressed within the bill; and (2) why is there this differential between female and male operators in regard to the amount that they pay upon application for the driver's permit.

First, I would like to make one statement to the honourable member before I enter into explanation, that it does to some extent hurt a member just a little bit when such words are used as why is the government now pre-judging. Other words are used to suggest that the government is suddenly taking what is a very harsh or an insensitive attitude towards younger drivers. Let me say to you, Mr. Speaker, that if this plan insofar as savings is concerned has helped any group of motorists in Manitoba in a major way, it has been the younger drivers in this province, those operating motor vehicles between the ages of 16 and 25. In the period of the last week I have had many instances to find younger people between 16 and 25 that have had savings running from \$75.00 to \$100.00 to \$200.00 and more.

So I would like to say to the honourable member that I am just a little surprised that this year at this time there should be such a charge levelled towards this government, because the practice that the honourable member endorsed last year in the House when he spoke against the very principle of public auto insurance, the preservation of the existing private auto insurance system, did in a very emphatic and a very extreme way penalize younger drivers in the province - in a very extreme way - and I could gather for the honourable member policies of younger drivers in Manitoba ranging anywhere from \$200.00 to \$600.00 This is a practice that I would think the honourable member even last year would have, and I would have expected, would have wanted to disassociate himself from now, so when he accuses this government in some little way discriminating because it charges \$14.00 more for younger drivers 16 to 25 than for older drivers, I think he should just pause just a little and reflect upon some of the exorbitancies that are presently paid by younger drivers in the Province of Manitoba. I think upon doing that that he would want, in the fairness and in the reasonableness of his mind, want to compliment this government on the action which it has undertaken in this respect.

(2) The honourable member raised the question of the differential between male and female, and because I of course am biased in this respect I have some personal resentment too that female drivers should pay less than male drivers in the province. On the basis of principle, I think I share some of the same prejudices and same biases possibly as the Honourable

(MR. PAWLEY, cont'd.) . . . . the Minister of Transportation in this respect, but I was forced by the calculation of the statistics, the accident records, the actuary experience, to acknowledge and to admit very much against my wishes, very much against my finer desires, that the female sex, the finer sex in our society should receive in fact some advantage because their accident performance is so much better than those of us that belong to the rougher or the stronger or the more reckless sex as it appears by our driving record.

So -- (Interjection) -- My wife didn't have too much influence on this question. So I had to put aside the prejudices, the prejudices which were pre-existing and make these accommodations because of the hard, cold figures presented to us. The honourable member's objections are valid, they're troubling many motorists at the present time, and I just wanted this opportunity to outline the explanation.

MR. SPEAKER: The Honourable Member for -- a question? The Honourable Member for Charleswood.

MR. MOUG: I just wanted to ask the Minister, Sir, is he referring definitely to me as an individual for my constituency to say condemning the young drivers when we were discussing Bill 56?

MR. SPEAKER: The Honourable Minister of Municipal Affairs.

MR. PAWLEY: The remarks to the honourable member - and I hope I wasn't being unduly harsh with him - I was thinking in terms of the debate of last year which he participated in and spoke in in respect to the automobile insurance question and dealt at some length on the merits of any changes in the auto insurance program in the province.

MR. SPEAKER: The Honourable Member for Souris-Killarney.

MR. MCKELLAR: Mr. Speaker, I beg to move, seconded by the Honourable Member for Morris, that the debate be adjourned.

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

MR. SPEAKER: The Honourable Minister of Labour.

MR. PAULLEY: Mr. Speaker, I beg to move, seconded by the Honourable Minister of Tourism that the House resolve itself into a Committee of the Whole to consider the report of the Special Committee of the Legislature on the rules of the House, together with the report of the independent committee on Members' Indemnities referred, by resolution, Tuesday, May 4th.

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

. . . Continued on next page



COMMITTEE OF THE WHOLE HOUSE

MR. CHAIRMAN: The report of the Special Committee on the Rules of the House may be found in Votes and Proceeding No. 4; that's April 13th, 1971, for those members who might wish to peruse it. The Member for Morris.

MR. JORGENSEN: I'm wondering, on a matter of procedure, just how the House Leader would like to propose to deal with this. May I make a suggestion that perhaps the most orderly way of going about it is to deal with each recommendation and pass them or alter them or whatever the case may be, so that each member dealing with the report has an opportunity of knowing what each recommendation contains. I wonder, if to make sure that all members understand the rules changes that are being proposed, if it would be the intention of the House Leader or the Minister of Labour to give a short explanation of the intent and purpose of each recommendation.

MR. PAULLEY: Mr. Chairman, I appreciate the remarks made by the Honourable Member for Morris and I was going to make a suggestion along that general line. I would also like to suggest to members of the committee that if we can deal with the matters other than that dealing with the report of the Special Committee on Indemnities that that would be, I think, a proper way of handling the full report at this particular time.

I did, Mr. Chairman, give an undertaking during the consideration at the committee stage, that as early as conveniently possible that the Committee of the Whole would consider rule changes with the objective in mind of having the rules changed so that some of them at least could possibly be adopted for the conduct during this session of the legislature.

You will recall, Mr. Chairman, that last year the committee on the rules of the House met. A report was received by the House and there it ended and that was the reason why a suggestion was made that we would consider at this session changes to the rules that could be applicable to the conduct of the balance of the session and then if it was desired to change them or amend them, in the light of experience such could be done. I would also like to suggest for the consideration of the committee, Mr. Chairman, that if there is an inclination to accept some of the proposed rule changes, upon that being done, rather than a reprint at this particular time of the rules as contained in our blue book, that the arrangements be made for mimeographed copies of the changes adopted by the committee and at a stated date they be read in conjunction with the rule book and then eventually that the rule book would be altered to make provision for any changes.

The Honourable Member for Morris has a very valid suggestion and it's quite acceptable, that if we can deal with the report itself, item by item, and I believe the significant changes are contained on page 3 of Votes and Proceedings No. 4, and possibly, Mr. Chairman, we could start out just following the listing of the dates upon which the committee met.

The first item dealt with the representations made by Mr. Gerry Rutherford, Q. C. with respect to the basic principles dealing with regulations. The basic principles are contained in the Journals of 1962, I haven't them with me, but if I recall correctly, if memory serves me rightly, there was contained in the Journal of 1962 recommendations as to regulations and they were never, however, transcribed into the rules for the guidance of members particularly newer members entering into the House. The committee accepted that suggestion and we would recommend, that is the committee would recommend that on the reprinting of our new rule book that the suggestions pertaining to the regulations would be an item within the book. So that is the first, I would suggest, item for agreement or otherwise of the Committee of the Whole.

MR. CHAIRMAN: The Leader of the Opposition has a question?

MR. JORGENSEN: . . . my understanding is we are going to take it one by one, but prior to number one there is a suggestion which isn't numbered which the Minister of Labour has alluded to, and that is to set out the basic principles appearing in our Journals in 1962 as part of our rule book. I think that is the subject under debate right now. Of course, I was on the Rules Committee, so it's obvious that whatever is contained in here, I was a party to agreeing to, so it only goes without saying that I agree that this procedure be adopted.

MR. CHAIRMAN: Well, have we agreement that the Minister's recommendation that the rule changes that are agreed to in committee be promulgated by a mimeograph memo rather than reprinting of the rule book at this time? Is it agreed?

MR. JORGENSEN: Yes, that was a suggestion contained in the report but I think that's dealt with a little bit later. Right at the moment, Mr. Chairman, I think what we are dealing with is a suggestion about the middle of page 3, just following the dates on which the committee

(MR. JORGENSEN cont'd.) . . . . met, where Mr. Rutherford addressed the Committee and made a suggestion as to the incorporation in our rule book of the principles of the House, and it is with that particular point that we are dealing with at the present time before we get onto item No. 1; and if there can be agreement that that be incorporated into our rules then we can pass on to item No. 1

MR. CHAIRMAN: Agreed? Just one moment please. There are two sources of information. One is a copy of a report that was sent around and one is Votes and Proceedings. What the Member from Morris was referring to on page 3 was of Votes and Proceedings.

MR. JORGENSEN: This is the report that has been submitted to the House and naturally the one that we are dealing with.

MR. CHAIRMAN: So my reference will be to Votes and Proceedings No. 4 for April 13, 1971, for future reference. The Member for Rhineland.

MR. FROESE: Mr. Chairman, I wonder if the Minister of Labour could refresh our memory in connection with the basic principles referred to in the Journals of 1962. Are these the ones that were set out by Duff Roblin at that time? Were these the ones that were set out by Duff Roblin at that time who was then the premier? Or just what are they pertaining to? This is what I want to know and then . . .

MR. PAULLEY: Well, Mr. Chairman, the clerk has gone to get the Journals of 1962. They weren't set out by Duff Roblin. There was a committee of the House that met at that particular time and Mr. Rutherford appeared before the committee or either that, there was the Rules and Regulations Committee dealing with the basic principles of what should be contained within regulations to make it clear, if memory serves me correctly, that we could not alter certain aspects of legislation simply by regulation. I'll have those with me in a moment or two, and if my honourable friend wants to study them in greater depth while . . .

MR. FROESE: Mr. Chairman, I think they should be read into the records so that it would be on record just what we are passing.

MR. PAULLEY: They are on the record, may I suggest to my honourable friend, Mr. Chairman, by virtue of being contained within the record, and my honourable friend I'm sure has had an opportunity of studying the report and referring back. However, I understand it's now here.

MR. CHAIRMAN: Perhaps the Member for Rhineland would like to peruse these.

MR. FROESE: Mr. Chairman, all I want to know - I want to know what we are passing. I think we have a perfect right to do that. -- (Interjection) -- Pardon? I didn't get what the honourable member had to say.

MR. CHAIRMAN: Is it your wish that we proceed clause by clause as suggested by the Member for Morris? Is it the committee's wish that I read each clause as we . . . ?

"Your committee reviewed the Rules, Orders and Forms of Proceedings of the House and recommends:

1. That an index of Mr. Speaker's ruling be set as an appendix to our Rules along the same line as the Rulings of Mr. Speaker in Ontario."

MR. CHAIRMAN: The Honourable Minister of Labour.

MR. PAULLEY: I wonder whether it would be in order for me, Mr. Chairman, to indicate what is meant by this. Over the years in Manitoba various Speakers of the assembly have made rulings pertaining to the conduct of the House and it has been difficult at times to ascertain what those rulings were. Only those that happened to be in the House at the particular time a ruling was made may recall it and then they would have to dig back into Hansard to find out what the ruling was -- or back into the Journals I should say rather than Hansard - to find out what the precise ruling was.

In Ontario, we are informed, they have as an appendix to their rules, reference to the various rulings made by Mr. Speaker, and in our case in Manitoba, of course, Mr. Chairman, Mr. Speaker and I suppose, Madam Speaker, because we did have a lady speaker, a very capable one. But the point is, the point is that unless we have something of this nature, we really don't know, except by committing ourselves to memory, and as is well known, that generally speaking a ruling of the Speaker becomes a law of the House until it is changed by, I believe, a substantive motion to change the ruling or the precedence that has been established, and this merely is that the Clerk of the Assembly or somebody be authorized to go back over the rulings, compile them, and have them as an appendix to the rules.

MR. CHAIRMAN: The Member for Emerson.

MR. GABRIEL GIRARD (Emerson): . . . I can agree with the Minister wholeheartedly, but I wonder if we take a specific case now, would this clarify or confuse the ruling, such as the ruling on the submission of a letter without a signature?

MR. PAULLEY: I would imagine if there had been a ruling on that precise topic it would clarify it and save undue and lengthy arguments as to whether it was proper or improper, until the decision of a former - or a Speaker was changed by the Assembly, or by the Speaker himself declaring a new look at the matter and then it would become part of the rules.

MR. CHAIRMAN: The Minister of Consumer and Corporate Affairs.

HON. BEN HANUSCHAK (Minister of Consumer, Corporate & Internal Services) (Burrows): Mr. Chairman, I hope that at some time there will be an opportunity to explain the point raised by the Honourable Member for Emerson because the point that the honourable member raises does not require any further clarification nor was it ever confused.

MR. CHAIRMAN: Just so the committee understands. It is my understanding that once we pass this particular section, if we do, we are agreeing to all that which precedes it in this report. The Member for Rhineland.

MR. FROESE: In your ruling - I do not take it then that there is part of a previous year's report in it and that you are automatically including that as well?

MR. CHAIRMAN: I'm sorry I can't hear the member.

MR. FROESE: In the report thus far there is also mention made of the previous year's committee's work and I take it that this is not automatically endorsed.

MR. PAULLEY: I'm not sure whether my honourable friend, Mr. Chairman, was at all of the meetings of the Rules Committee, but if my understanding is correct, the committee that is now reporting, or the report of the committee under consideration now, considered the previous report and they are embodied in the report we now have before us. So want to assure my honourable friend the Member for Rhineland we are not trying to bring anything in by the back door that wasn't accepted previously.

MR. CHAIRMAN: The Honourable Member for Swan River.

MR. JAMES H. BILTON (Swan River): I believe the Minister of Labour has outlined the situation excellently. The only thing that worries me is that when we are looking for rulings in the past, for future guidance, that we should probably set a period rather than go back for 20 or 30 years. I think maybe we should add in there for ten years and maybe that would be sufficient for the future guidance of the House in that particular connection.

MR. PAULLEY: How about for the period of attendance in the House of the member that's been here the longest period of time? Ten years I think is a good suggestion, Mr. Chairman, if that is agreeable. -- (Interjection) --

MR. CHAIRMAN: Does someone so wish to move that amendment?

MR. BILTON: I so move, Mr. Chairman . . .

MR. PAULLEY: . . . that would be an index for Mr. Speaker's ruling for the last ten years be indexed.

MR. GIRARD: Mr. Chairman, just to clarify then. That means that after the period of ten years we revert back to Beausnesne, is this correct?

MR. PAULLEY: Mr. Chairman, for my friend's information, only if we haven't a ruling here pertaining, it doesn't really matter how long it is do we refer to Beausnesne. If there has been a precedent established in this House by a Speaker's ruling or it's the custom of this House to deal with matters contrary specifically to Beausnesne or May's, the rule of this House applies.

MR. CHAIRMAN: The Minister of Consumer and Corporate Affairs.

MR. HANUSCHAK: Mr. Chairman, before we leave this point, I think we ought to make this point clear, that what we're talking about is merely the compilation of Speaker's rulings and not the rulings by which the House is bound. In other words, there are rulings a couple of hundred years old and we're still bound by them as much today as we may have been 199 years ago, but for the Speaker's ruling handbook we'll merely go back ten years. There were some good Speakers during the last ten years.

MR. CHAIRMAN: No. 1, as amended -- pass? The Member for Rhineland.

MR. FROESE: Mr. Chairman, I have looked at the journals that were brought down to me a few minutes ago in connection with 1962 and where these principles regarding the regulations are laid out. I have perused them before, this is not the first time I've seen them, and I think I'm in general agreement with them. I do feel, however, that these should have

(MR. FROESE cont'd.) . . . . been incorporated in the report so that members would be able to read them and know what we are passing; because I'm sure that there are members in this House that haven't perused them and don't know what we are passing right now.

MR. CHAIRMAN: The Minister of Labour.

MR. PAULLEY: I can't allow that to pass without a comment. This report has been in the hands of the House since the date of its tabling, which I believe was in April, and surely to goodness - April 13th - anyone who was interested in the report have had ample time between April and now to look up what is meant by the reference to the Journal of '62. That applies to my honourable friend and I'm very pleased to know that he has looked it up.

MR. CHAIRMAN: No. 1 passed. No. 2. "That the closing hours of the Standing and Special Committees of the House sitting at night during the session should be the same as the closing hour of the House until the 80 hours in Supply are completed."

MR. PAULLEY: The purpose of this, Mr. Chairman, - if I may be permitted just to make explanations on the recommendation - the purpose of this is to make sure, at least until the end of the Estimates or the 80 hours, that the Committee meetings' rules are the same as in the House.

MR. CHAIRMAN: The Leader of the Opposition.

MR. SPIVAK: Mr. Chairman, on this matter, it's not discussed in this particular No. 2, but it's related to it, and that's to the question of a time limit, a specific time that should be indicated in the rules with respect to the use of the speed-up. We recognize that the speed-up motion comes after the 80 hours and we recognize that by leave we consent - not by leave - once the speed-up motion has been passed we are really at the discretion of the majority in the Legislature, which means the government, and I would think that there should be some limits. We've had problems both when the government was in opposition and we've been in opposition and we've had the same kind of problems in trying to set a period which would be reasonable -- I'm just trying to arrive at some reasonable period at which the session for the day would finish, whether it would be in the next morning or not -- and I would think that this would be the time to try and set some kind of reasonable limit which will indicate that the session can go no longer than a specific period of time unless in fact leave is granted, to allow at least a reasonable way in which to deal with this.

We witnessed last year a fairly fierce debate in which tempers were strained and in which at the end of an evening in trying to agree at the time to conclude was just as difficult as trying to settle the basic issues that were in front of us and pass the various sections of the Act that we had to consider. So I would think that this would be an appropriate time to try and apply some reason to a practice that we've used here which has not in the past resulted necessarily in the best legislation and has the danger of in fact creating the kind of division and the kind of bad legislation that is undesirable. I think we taxed ourselves to the extreme last year in the five or six weeks of speed-up with the maximum of five to six hours sleep that we had, or we're allowed to have as a result of the rules that we worked under before. If we're going to make a change in the rules, let's be reasonable and sensible about it and make a change that would be correct, and I would suggest that there be some consideration given before we pass this No. 2, to an agreement on a time limit which would at least be reasonable and which we could all work capably under.

MR. PAULLEY: Mr. Chairman, I'm sure that the Honourable Leader of the Opposition read speeches that I made over the years in this House when I attempted to plead, cajole or threaten the previous administration of which he was part, to change the hours, to have an end time; and I'm sure that he appreciates that under certain threats, and they had to be threats, we did arrive at the hour of 10:00 p.m. for the normal adjournment period after the exhausting of the 80 hours in estimates, and that was the concession of the government in opposition of the day after the Rules Committee had considered this matter.

I can sympathize with my young friend that sometimes when we're around here till two or three o'clock in the morning and have to be back at 10:00, it's tough on young fellows; it's also tough on older fellows as well. -- (Interjection) -- Yes, we can take it and that's what I'm going to suggest to my honourable friend, that he should start taking it too, and I found that in practice and as a member of the Opposition for so many years that we can make the necessary arrangements without a termination time -- unless my honourable friend is suggesting somewhere around two or three o'clock in the morning, something like that, he hasn't suggested any time. I sympathize with him, but I think as far as the termination time we have at the present

(MR. PAULLEY cont'd.) . . . . time, reason generally speaking, prevails. My honourable friend mentions tempers flaring. Well, gee whiz they even flare from time to time before 10:00 o'clock in the evening, so I guess a time limit doesn't make much difference. My honourable friend mentions crowding in and passing legislation in the dying hours of this session; my heart bleeds for him, but I think that since we have become the government we have been more tolerant and more reasonable insofar as the presentation for consideration of legislation than they ever were before.

So my own inclination, Mr. Chairman, while I appreciate the remarks of my honourable friend and I sympathize with this position, I think if we handle the business of the House with due reason the complaints that they have have been overcome to a considerable degree by the changes that were made.

MR. CHAIRMAN: The Leader of the Opposition.

MR. SPIVAK: Mr. Chairman, if I had the opportunity to look up the various speeches of the Honourable Deputy House Leader and to read back to him I think that they would be probably more revealing than any of the other speeches that we've had an opportunity of reading back to the other Ministers; because if there was anything that has been more consistent it's been his objections to the use by the government of the speed-up in a way that makes it difficult for reasonable debate to occur; and like so many other things we now find the Minister agreeing with that, but then on the other hand not prepared to make any changes when the time for change comes.

Now I realize that the rules have been agreed to by the parties involved and the people who were present, but on the other hand, there was not one matter, from what I understand, that was dealt with at any length, and I think - and I present this as a reasonable and rational arrangement to try and arrive at a situation which will provide good legislation - and the Minister is crying. Well the Minister can cry all he wants. I am going to put it forward and he can reject it. Now I don't know what was reasonable, and I can make a suggestion. I was waiting for some suggestions from the other side because I would hope that we could reach some arrangement in which the government would be prepared to agree; but I see no reason as an example that we have to go beyond midnight any given day. I see no reason why we have to sit here or in committee unless we grant leave because if we're dealing with a specific situation and there's general agreement that the particular matter should be finished and we're prepared to go, or someone is present in front of us and because of circumstances we feel accordingly that we should grant it, then why not grant it? But why should we put ourselves in a position that depending on the discretion - and I say this very honestly, of the government who is concerned with other matters that may be coming into the House - we may have to be penalized - and I say this, penalized, to sit here. Now if anyone thinks that there's been reasonable debate after midnight, I can refer to a number of particular debates and cite them, where I would consider the debates were rather atrocious that took place both on that side and on this side. I can suggest to you that as we go into speed-up and as we deal with some of the controversial matters in this particular session, and they may not appear to be as controversial as some of the other matters that appeared in last session, we're going to get ourselves in the same kind of a situation, we're going to find that we are going to be arguing at a time and debating at a time when we're tired, when we're not coherent - and that applies to everyone - and when we are really making no contribution to, you know, to legislation in this province.

So, Mr. Chairman, I am prepared to move this in terms of an amendment - before I do I would really like to hear from others some reasonable - either a solution to this or some reasonable argument why this shouldn't occur.

MR. CHAIRMAN: The Minister of Mines and Natural Resources.

MR. GREEN: Well, Mr. Chairman, there are several problems that arise here, the most important of which, as far as my understanding is concerned, is that it just can't be done. The honourable members will correct me if I'm wrong in what I am about to say because it will demonstrate that perhaps my understanding of the situation is wrong. There's no such rule as the speed-up rule; there's no such motion as the speed-up motion. These are common phrases that we have applied to activities of the Legislature from time to time, but they have no basis in law; they have no basis in legislative authority; they merely become names for things which are within the rules of Parliament. I wonder if the Honourable the Member for River Heights is still listening.

I take it that what my honourable friend says is that somehow we incorporated into these

(MR. GREEN cont'd.) . . . . rules a rule that what he calls the so-called speed-up will not result in hours going beyond 12:00 o'clock midnight; that this rule would relieve him of the problem which he talked about about incoherent debating and things of that nature. Well Mr. Chairman, as I understand it - and you know, I look to the Member for Morris for advice on this preferable to the Member for River Heights, because I think he knows more about it - is that the resolution that is put with regard to what the Member for River Heights refers to as speed-up, is merely a resolution to not have the House rules followed for a certain period. Therefore if, for instance, we incorporated into the rules a rule that the speed-up motion results in termination at 12:00 o'clock there would be nothing that would prevent the majority of the House, nor in my opinion, is it ever desirable to say that Parliament is prevented by its own rules from doing what Parliament wants to do; so there would be nothing to prevent somebody moving a resolution, putting it on the Order Paper, that said that although the rule says we quit at 12:00 o'clock, we move that that rule be suspended and that we sit for hours such as will be determined by the majority in the House, and we are left right back in exactly the same position that my honourable friend feels would be avoided by the things that he is mentioning. I notice that the Member for River Heights - and you know, it's not that I want his ear so much but he asked for an answer -- (Interjection) -- Well fine, fine - the honourable member who refers to me as Captain Marvel apparently can listen, write, read and talk to his deskmate at the same time, and if that doesn't make a marvel out of him, then . . . -- (Interjection) --

I just put it to the honourable member that there is nothing that parliament can do, and I would like to go one step further and say that, why have any rules at all. Well, the Member for Rhineland, the Member for Rhineland throws out the same question and I ask the Member for Rhineland whether he thinks that parliament should have the authority to make a rule which prevents parliament from expressing its will in majority, because that's -- (Interjection) -- well, that is not what we have here.

We have, Mr. Chairman, we have here a list of rules which we agree upon to guide the conduct of debate, to guide the hours of sitting, to do all of those things which we have decided we will do in order to regulate our activities; but not one of these things could, or in my opinion should, or would, prevent the majority from moving a resolution which would suspend all and each one of these rules to change the hours of sitting, to extend the hours of sitting, and the Member for Rhineland says, says in answer to that, why have rules? Because both things are desirable. It is desirable to have an understanding as to how the affairs of parliament should be conducted under ordinary circumstances; it is desirable to have those things arbitrated upon as we do by the Speaker; and it is also desirable that the rules be the servants of the House and not the House be the servant of the rules. And if our honourable friend can't understand that, then I merely regret it. I tell him that it is a fact.

The honourable member, the Member for River Heights, says that debate becomes incoherent after 12:00 o'clock. The honourable member is too generous to us; debates can be incoherent at roughly 4:30 -- (Interjection) -- No, not right now, but roughly 4:30 - at roughly 4:30. Debate can be incoherent at any hour. What is important is what is happening in parliament, not necessarily the debate. Debate is only one of the activities which parliamentarians engage in in order to fulfill their commitments to their representatives.

The honourable member says that last year's debates -- I don't know the terms he used, he said "hot" and "tempers were frayed" I frankly thought the debate was a normal parliamentary debate. If the honourable member will read about debates that took place in the Mother of Parliament from year to year I would think that he would find that last year's debate was a matter of child's play, and it has always been the case, and in my view, will always be the case that there are two main elements which are available to government, to a majority and to an opposition. The element that is available to government is a majority of the members, its supporters, and if it uses that majority arbitrarily it is likely to lose maybe some of its support within the House and, what is just as important, if not more important in the long run, it may if it uses its parliamentary majority irresponsibly to force debate at certain times or to keep people here until 8:00 o'clock in the morning or things of that nature, it may lose the support of the people outside of the House if it encourages irrational debate.

One of the things that has always been available to the Opposition, and it has always been used by the Opposition, and I'm not criticizing the Opposition for doing it, is its position in being able to prevent the government from instigating what it considers to be a bad program.

(MR. GREEN cont'd.) . . . . Nothing wrong with that. There is absolutely nothing wrong with the Opposition using every means at its disposal within the parliamentary system to try to prevent the government from obtaining its program. And one of those things - from time immemorial, it didn't start last year, I'm not going to blame last year's debate on this - is to try to continually dominate the debate or use up the debate and use up as much debating time as they can and if they know that the time is limited, that this is a position that the Opposition will use. If they know that you can't debate beyond a particular hour that will become a feature of its position in attempting - and I won't use the word "obstruct" - but in attempting to avoid legislation that it quite properly thinks should be avoided. I have no objection to that. But I think that we should come to grips with the fact that this is Parliament and I say thank God for that. I wouldn't want to see it change. And if the honourable member thinks, you know, and I really ask for guidance from people who have been around longer than I, the Member from Morris I say, I know that my deskmate, the Minister of Labour, I'm sure will agree that there is nothing that the honourable member could suggest which would in the absence of some other force other than parliament being able to stop parliament from debating. Because whatever rule you want to suggest it would be open to any member to move a resolution that the rules be suspended, given the proper notice that resolution would come up for discussion, if that was attempted to be obstructed the majority could stop the adjournment of debate. The honourable members seem to think that that is something serious. I don't think that that's serious at all. I think a member has a right to ask for an adjournment of the debate; I think the House has a right to refuse that adjournment. I think a House that refused that adjournment irresponsibly would pay for it. I think that a House that refused that adjournment responsibly would be congratulated for it. I don't say as an open and shut case that you have to permit the adjournment of a debate. I say, Mr. Chairman, and I challenge the parliamentarians on the other side to indicate that I'm wrong, that even if we sat here and agreed to any proposal that the Honourable Member for River Heights wants to put as to some special closing hour for what he considers speed-up, that that couldn't bind this House, I would not try to create the farce that would be because it wouldn't, and I would not want to make a fiction out of the proceedings of the House.

So, Mr. Chairman, with respect to that particular motion or the honourable member's suggestion, I say that all we have done here is agreed as to guidelines. In the last analysis we are the masters, all of us, as a majority speaking, of how the rules of the House will serve us. We are never going to be servants to those rules. I know that the members on this side don't want to be servants to a list of rules that we create to guide us - and I'm inclined to think that the members on the other side would not want to be servants to a list of rules. They never ever proposed it and I don't think that any parliament has ever proposed that they become the servants of the rules rather than have the rules serve to them. And, Mr. Speaker, any, you know what is referred to again as the speed-up resolution, you know - and I'm not sure that I like that term. I indicated last year. I believe that what the members are really saying is that they are prepared to sit for longer periods of time to work harder so that they will be able to get the business of the House done, that there is nothing, in my opinion, which would indicate that this to me is critical and as has been the case from time to time. If the resolution that is put asks for certain hours - let's say they ask for unlimited closing time - there would be nothing to prevent any member including a member of the Opposition from asking it be limited to a certain hour and moving an amendment accordingly, and again a majority of the members in the House were in approval of that, then that would be the government rule. I ask the members to excuse the sound of my voice but I have an awful toothache and I just can't speak properly.

MR. CHAIRMAN: The Member for Rhineland.

MR. FROESE: Mr. Chairman, I think when the Minister spoke just before me that he really didn't believe all he pertained to us to believe, because surely enough we know that we will not come back to this House and debate the rules day after day, set up rules for each occasion that we meet. This is the purpose of dealing with the rules at the present time, to amend them so that the guidelines will be there by which we will be guided. This is the very point. We feel that after we've spent 80 hours in Committee that then the rules will change and that the time for closing of committee meetings still be regulated to, as suggested by the Leader of the Opposition, 12:00 o'clock midnight instead of no time limit at all or 3:00 o'clock. Because, Mr. Chairman, the experiences that we have had - a year ago we started an

(MR. FROESE cont'd.) . . . . agricultural committee meeting shortly after 12:00 midnight and certainly that's not a time to start committee meetings and do a proper job. I feel that members should be alert; they should know what they are doing and be able to deal with the legislation at hand properly. Therefore I would suggest that we amend this particular rule and I am making a motion that the closing hours of Standing and Special Committees of the House, sitting at night after the 80 hours in Supply are completed, not go beyond 12:00 o'clock midnight.

MR. CHAIRMAN: The Minister of Mines and Natural Resources.

MR. GREEN: Mr. Chairman, will the honourable member not understand that he has just extended the hours by rule as to how long we sit from 10:00 to 12:00 o'clock, because right now, right now the rule is that we close at 10:00 clock. You have moved that we -- (Interjection) -- It doesn't matter. The rule after 80 hours is still 10:00 o'clock. Mr. Chairman, this is the point that I'm trying to make to my honourable friend, that after 80 hours the existing rule is 10:00 o'clock. You have just moved that the existing rule be 12:00 o'clock.

Mr. Chairman, does not the honourable member realize the impossibility of his position? If we put his position into the rule we have just put into the rule that whereby we used to close at 10:00 o'clock, we will not now go beyond 12:00. And there is still nothing, nor could there ever be anything that would prevent the honourable member himself, certainly the Minister of Labour will probably get more support, certainly the same would be true of anybody on this side of the House, there would be nothing -- (Interjection) -- well I am sure at this point and you are never sure, you know you are never -- it's you people who lost members while the House was in session not us. Well I remember the Member for Churchill left during the session. The fact is that there would be nothing to prevent somebody from getting up -- (Interjection) -- It wasn't worth listening to or repeating and I won't. The fact is that the honourable member would incorporate into the rule that after 80 hours that they not sit beyond 12:00 o'clock. Okay? And then I could stand up in the House, put on the Order Paper a resolution that for the remainder of the session of the House, the House have leave to sit in the forenoon from 9:30 to 12:30, in the afternoon 2:30 to 5:30 and in the evening from 8:00 p. m. till endless, and nothing could stop that motion from coming. -- (Interjection) -- Well so then what are we talking about? Does not the honourable member realize that in the last analysis whatever these rules say -- and certainly I agree that we're not going to come in here every day and argue the rules -- and for the most part, for the most part members as a whole recognize that they should be guided by certain rules. It's only when the exceptional circumstances come along, it's only when people are in real disagreement as to how long they are going to sit that it means anything at all, and when that happens then I have to tell the Honourable Member from Rhineland in order for him to get his way he has to have 28 other people with him. And that's open to the Member for River Heights, that's open to people on this side, that's as it always was and as it always will be, and his motion, the one that he has just put, represents a better answer as to the futility of what he is trying to do than anything that I have said because he has just extended the hours from 10:00 to 12:00.

MR. CHAIRMAN: The Leader of the Opposition.

MR. SPIVAK: Mr. Chairman, the Minister of Mines and Natural Resources was very upset because it appeared to be the case that I wasn't listening to him. I was listening to him but as soon as I heard the thrust of his argument I realized how specious it was and the form it was going to take and I wanted just to confirm something for me. The Minister says that I refer to him as Captain Marvel and one has to marvel at the change in his position. At one point he was considered a democrat, now he's become an autocrat, and in effect what he's basically saying is that we should not be the servants of the rules but we should be the servants of the majority in the House. Well we are, that's right, we are, we always have been; we always are and we always have been.

Let me explain my position, Mr. Chairman. We recognize that parliament is supreme; we recognize that parliament can do anything. If as an example the government on the other side wanted to, they have the legal right to stay in power for the next 25 years without calling an election -- (Interjection) -- Mr. Chairman, let me finish. The Honourable Minister Without Portfolio says "nonsense". I want to say to you, I want to say to you that you have the right as a majority in this House to stay in power for 25 years without calling an election and legally there is nothing that would prevent -- (Interjection) -- What do you mean nonsense? Then you better understand your law and you better listen to what the Minister of Mines and Natural Resources just said, because as a matter of fact the rule may be desirable and even the legislation that was passed before may be desirable that we have elections every five years,



(MR. SPIVAK cont'd.) . . . . but there is nothing that prevents, because parliament is supreme, for government there is nothing it prevents . . .

MR. GREEN: If the honourable member will permit me I'll tell him in a moment.

MR. SPIVAK: I have some suspicion of what you're going to say and . . .

MR. GREEN: A legal -- a legal right.

MR. SPIVAK: Yes, I'm not sure that there's a legal right. -- (Interjection) -- Well I would suggest to you that is a legal issue and I'm not sure that you're correct on that.

MR. GREEN: The honourable member is, I believe, a Masters in International Law and I'm sure that if he will let me put it to him he will agree that they have a legal right . . .

MR. SPIVAK: I'm aware . . .

MR. GREEN: Every people have the legal right to . . .

MR. CHAIRMAN: Order please. Order. Order please. Order please. Order please. I'm interested in the legal debate that's going on but I find it difficult to find the relevancy of the amendment and also much of the debate. May I read once again for the honourable members, "that the closing hour of Standing and Special Committee of the House sitting at night during the Session should be the same as the closing hour of the House until the 80 hours in Supply are completed." Now unless somebody moves an amendment to talk about the sittings of the House other than during the 80 hours in Supply, the arguments which are taking place are irrelevant in my view. So . . .

MR. SPIVAK: On that, Mr. Chairman, if I'm correct, we are dealing with Section 3 of our rules and the proposal to amend those rules and I think therefore it's relevant to deal with Section 3 -- (Interjection) -- no this is Section 2 of the proposal but it's Section 3 of our present rules and that deals with the hours of our sittings.

MR. PAULLEY: Yes, if I may, Mr. Chairman. The reason for this is not dealing with the sitting of the House but dealing with the sittings of the committees which is not contained within our rule at the present time. So therefore, I suggest that it is a different proposition than that suggested by my honourable friend, the Leader of the Opposition.

MR. SPIVAK: Mr. Chairman, there is an amendment proposed to Rule 3 of the present rules and therefore -- but Mr. Chairman, so long as we're not dealing with Rule 3 I can deal with those items referred to in Rule 3 and I intend to.

Now let's go back to the argument. The rules are desirable, the government by its majority can change those rules. But we have found it desirable to at least try and conduct our affairs according to an agreed form of rules, one exception of which we've recognized, and that is that there should be a speed-up, and a speed-up should take place to complete it. It's not in the rules, it's a tradition. We've recognized this. In past practices the rules of the House have been altered by in fact a motion being introduced, debated and then finalized with a majority vote which provides for that. I recognize that. No one's questioning that. But I'm suggesting to you that in terms of trying to present a reasonable -- and I'm trying to be reasonable about what should happen in the future -- there is nothing that prevents us from setting up a rule that would be a desirable rule, which would say that there is a limit, a time limit, when in fact the speed-up motion comes. We can operate under those conditions, as we can operate under the present conditions, as we can operate under any other conditions, and I am trying to present it as a reasonable way to suggest to you that the procedure should follow that basis. Mr. Chairman, we follow a procedure that could be altered by a majority rule. There is nothing that suggests that the normal day's proceedings could not be altered at any given date by a resolution coming in from the government side, passed by a majority, say that the rules that we've operated before should be changed. We haven't done that. The reason we haven't done that is because we've found it desirable that the rules should be firm and set, that we should stick by them, so it would be fair to everyone to have with some certainty the knowledge of how we are to operate so that we would conduct our affairs in a rational way, in a sensible way, in a civilized way.

Mr. Chairman, I said in a civilized way, because I can say to the Honourable Deputy Leader that there are some people on the other side who did not think that the five weeks of speed-up was a civilized way to debate. I know from the discussion that took place there were a number of people who did not think it was civilized to sit here until 2 o'clock, 3 o'clock every morning and then start debating at 9:30; and that's a fact. Now what I'm trying to implore in the presentation -- and I recognize that it is possible that the Member for Rhineland's proposed amendment may not arrive at that conclusion and therefore it may have to be altered if there

(MR. SPIVAK cont'd.) . . . . was some general agreement -- is to try and see whether we can develop a rule that's desirable, which will say that if in fact after the 80 hours we determine that we want a speed-up that we at least put a time limit that's desirable, which may very well be changed by the government if they are prepared to bring in by a formal resolution, but at least let us confirm that we are prepared to operate in something that will be reasonable. Now what's so wrong about that? Do you think something's wrong about it in terms of the logic? I recognize parliament's supreme, I also recognize that you can do anything you want with a majority. I recognize if you wanted to pass a law that the Member from Rhineland cannot come in this Legislature, you could pass that law right now and you could stop him from that. But so what? All that proves is that the government, whoever the government is of the day, has that power; we recognize it. But we have abided by a certain tradition, we set up rules, desirable rules, to be able to conduct our affairs in a manner which would be reasonable. Now surely what's unreasonable to suggest that there be some kind of time limit in those areas, and the time of speed limit unless there is some agreement. I want the Minister of Mines and Resources to suggest that what I'm suggesting is unreasonable now.

MR. CHAIRMAN: I wonder if we could not proceed with some order regarding, you know, taking into consideration what the Leader of the Opposition said. There doesn't seem to be any disagreement in my view about the suggested rule as printed before us; the disagreement is after the 80 hours have been processed. So I wonder if we could have some agreement on the suggestion and then take into consideration the debate which has been offered relative to the period of time after the 80 hours have been completed, as an amendment to the report, rather than an amendment to this particular clause. The Minister of Mines and Natural Resources.

MR. GREEN: What the Honourable Member for River Heights is saying is that we are now discussing an amendment to Rule 3, therefore Rule 3 as a rule which is desirable, becomes into question; he is really asking the House to consider whether we shouldn't now make some change to the recommendation with regard to Rule 3, to deal with what he calls the speed-up. I know that the Chairman may find it tiresome but I think it's perfectly legitimate to proceed in that way. He at this position has not put an amendment. He recognized the apparent futility, if not the reverse objective which the Member for Rhineland achieves by his amendment, which changes the time from 10 o'clock to 12 o'clock, and he says to us, isn't there something reasonable that we can agree upon? And I put it to him, that the impediment to his position remains what I said it was before, that even if we now think that the reasonable time to agree upon is 10 o'clock. Everybody in the House apparently agrees with that. The only question that is being discussed is what will you do if the members of the House in the majority decide that they don't want to continue the agreed upon hours, the hours provided by the rules? Then I say at that stage, and let it happen at that stage, there will be a debate as to what is reasonable. I don't want to foreclose the arguments that will be available to members at that time, given the circumstances as to what they think is reasonable. We know that the debate is going to come. We know - we can predict with almost a certainty that there will be a difference of opinion. Why should we presume here months before the event, to know how that difference of opinion should be resolved?

The Member for River Heights says that members on this side believe that debating after 12 o'clock is unreasonable. -- (Interjection) -- Well I'm sorry, yes they said it last time. I can tell you that almost without exception, as a matter of fact, in my mind, without exception, although they felt that sitting beyond 12 o'clock was a problem, that without exception they were prepared to do it and knew that they had to do it in view of the kind of debate that we were in; and it's nothing new to this group of legislators, it's happened historically over the years.

I would ask the honourable member to read about the debate in England on "Home Rule for Ireland," where a group of approximately three parliamentarians, Parnell, Devitt and a few others, decided that they were going to prevent parliament from operating until they got their way, and parliament sat virtually all night in order to have its will reflected in the legislation that the people would get. I would expect that on any really contentious issue, and I don't fault the opposition for this at all, on issues which go to the core of why we are here, the opposition will use the rules to try to impede the progress of the government. There is nothing wrong with that. The government has to use its majority position to try to forward the position that it has promised to the people. And at that stage, if you think you are going to be guided by a set of rules written down on paper, then the honourable member is just not being realistic. That's all I'm saying. I'm saying that your rule is not going to cover the situation, so why

(MR. GREEN cont'd.) . . . . . create the farce of making a rule that we know won't work.

The honourable member says, well if you follow my logic that we could legally, legally wipe out the five-year term, vote by majority, that we could be here for 20 years or 25 years. Why stop at 25? If we are going to vote by majority, we may as well say that we are the government indefinitely. And he says that we have the legal right to do that. Well, Mr. Chairman, I said that the people have legal rights, too, and the rule of law is that the people have a legal right to conduct a successful revolution - only a successful one, only successful ones - and if this party or any other party, if this party or any other party said that they were going to foreclose the people's right to change the government, then I will march with the Honourable Member for River Heights against that government to get the legal right to throw them out, because after they've thrown out what they did would be illegal and what we did would be legal. So don't play around with legal rights. The fact is that the rules and the custom of the rules are there for the purpose of facilitating parliamentary debate.

The procedure that the honourable member speaks of now, not something that we discovered this year, not something that happened new to Manitoba this year, perhaps was exemplified last year, because I say, of the real basic issues and differences of opinion that arose on a particular piece of legislation. When that happens, then I say that given a good strong opposition who wants to prevent the legislation, given a good strong government that wants to advance that legislation, you are going to have to deal with what the majority want the rules to be, and that's not unusual. I didn't object to it when I was a member of the opposition; I said if we want to have control over these things we have to have over 28 members in the House to do it. I don't object to it now, and I won't object to it if the unthinkable thought happens, and that the honourable members on the other side have more members in the House; because all my protestations at that time would come to as much nought as the protestations that the honourable member is now making.

MR. CHAIRMAN: May I place before the committee at this time the motion of the Member for Rhineland in amendment: "And that the closing hours of the Standing and Special Committees of the House sitting at night after the 80 hours in Supply are completed, not go beyond 12 o'clock midnight." Question? The Leader of the Opposition.

MR. SPIVAK: Mr. Chairman, I must say to the Honourable Minister of Mines and Natural Resources, if he and I were marching together the thing that would really concern me is whether the Minister of Transportation would let us march into the building? -- (Interjection) --

Well I think you may have to argue against that. I understand the argument. I think everyone does, but you know again, we start at 2:30, that tradition has been followed I guess since the rules were introduced or changed. We know that we start at 2:30. We know that we start at 10 o'clock, we don't change that. We know that we operate under a certain set of rules that are capable and susceptible to the change at the will of the majority. The majority rules in this Legislature and it has a great impact on how we conduct our affairs, and it certainly has a great impact on the people. We understand that. No one's quarrelling with that. The objective is obviously to try and become the majority so that you can set the terms or follow the logic of the Minister of Mines and Natural Resources and operate the way you see fit. But we are coming to some changes. There's been an area of general agreement expressed in the rule changes that we are going to be dealing with, and this is one area that from what I gather was not discussed and that's why it's being discussed now, because I think that in again - recognizing the you know, all power, that a majority in the Legislature can exercise to accomplish what it wants - recognizing all of that, that at least it's desirable to try and work out some kind of rationale in which we can operate, which we will consider to be reasonable; and that's all that's being requested.

I didn't suggest a time limit. I wanted to see whether there would be any concern or any expression on the part of the people on the other side to try and work this out. The Minister of Mines and Natural Resources is standing up, and I would assume at this point is presenting a party position - or the two, House Leader and the Deputy Leader. I assume that's the party position now, because obviously this appears to be the case; no one else from your side has stood up and discussed it. Now I would be prepared, from my point of view to allow us to discuss the other rule and to come back to this specific one as an amendment to the committee's report to deal with this, to give in fact, the members on the opposite side the opportunity to discuss this among themselves and see whether they are in agreement, because if they are,

(MR. SPIVAK cont'd.) . . . . then the government has the majority, this will be the result. But if they are not, possibly we can arrive at something that can be worked out and can be agreeable, and on that basis I would be prepared to allow us the opportunity to discuss this when we deal with the committee's report and we can bring this in as an amendment dealing with this specific section. This is really at your will, Mr. Chairman; I realize the motion has been put, but possibly it can be referred back, if the mover would agree to that.

MR. PAULLEY: Mr. Chairman, I don't want to prolong the debate. I must confess that the eloquence of the Leader of the Opposition, the more he speaks, indicates the lack of his understanding of the Rules of the House. I think this is very, very evident. And also, I would apply that to my honourable friend the Member for Rhineland. Because what does our rule say at the present time? It says that the sittings of this House shall terminate at 10 o'clock, period. There is no reference in the Rules of the House so far as sittings are concerned in reference to 80 hours. The reference to the 80 hour aspect of our rules only applies to Committee of Supply, that at the termination of 80 hours of consideration of the estimates the question shall forthwith be put dealing with the estimates. The rule says notwithstanding that - or it doesn't say notwithstanding that - but the rule of the House is, Mr. Chairman, that the sittings still continue to end at 10 o'clock in the evening.

My colleague has pointed out that the Member for Rhineland suggests that it should be 12 o'clock. -- (Interjection) -- Well that's what you said -- oh go beyond? All right then. The present rule, Mr. Chairman, is that it won't go beyond 10 o'clock, so my honourable friend says, and maybe we should adopt his suggestion that we shouldn't go beyond midnight. I wouldn't be prepared to accept that at all; I think 10 o'clock is nice. I fought for it, as I indicated. What my honourable friend the Leader of the Opposition in his very capable manner has suggested to us, that the 80 hour has an application. Basically it has not. What my honourable friend is desirous of achieving can be done when a resolution is placed before the House to extend the sittings of the House beyond the 10 o'clock limit or whatever it is, and that is lifted, because the motion, of course, reads that rules so and so and so and so for the balance of the sittings of the House shall be suspended.

I can't see any logic in my honourable friends - and I want to tell my honourable friend, I think long before he ever became involved in consideration of the rules of the House, the previous government did accept an amendment or two, on a couple of occasions amendments proposed by myself while in opposition, that had the effect of lessening the severity of the implications contained in the resolution for the ordinary change of the rules. So I suggest to my honourable friend that the time and place for his suggestions for a limitation should be when the government attempts to change the rules of the House to make provision for the House to come in and out of Committee and to suspend the rules. I appeal to him and to members that that is the proper time, not within our rules; because you put yourself into a bind. My honourable friend mentions about holding the fort or the fire for a little while until there's discussion with the caucus of the government on this proposition. I would suggest in all due respect, Mr. Chairman, this is not necessary. The members on this side I'm sure know what the rule is, and the rule is that the sittings of the House shall terminate at 10 o'clock in the evening. But the purpose of the suggested amendment to the rule is because there was no directive in the rules of the House to apply to committee meetings. -- (Interjection) -- That's right, and what we're doing and the recommendation of the rules committee to the House is to put a limit on the sittings of the committee, so that at the present time, Mr. Chairman, our rule makes provision for - so that committees of the House can meet until early dawn; and the net effect of this suggestion from the rules committee is to bring the same rule to apply to the committees. My honourable friend the Leader of the Opposition and the Member for Rhineland apparently haven't opened their eyes to the degree that they can see what we are attempting to achieve by this; namely that my honourable friend from Rhineland while we are sitting here at 10 o'clock a House sitting terminates at 10:00, that a Committee on Agriculture will not sit at midnight. We're trying to help you out my friend by this recommendation, and I respectfully suggest, Mr. Chairman, that the Leader of the Opposition and the Member for Rhineland reflect on the error of their ways and realize that we're really trying to help them out.

MR. CHAIRMAN: The Member for Rhineland.

MR. FROESE: Mr. Chairman, the rule that we are just debating here has to deal with the 80 hours -- (Interjections) -- that's what it says, "that the closing hour of the Standing and Special Committees of the House sitting at night during session should be the same as the

(MR. FROESE cont'd.) . . . . closing hours of the House until the 80 hours in Supply are completed." We are not discussing anything beyond the 80 hours in this particular motion here. This is why I'm trying to put forward that after the 80 hours are completed that we will not go beyond 12:00 o'clock. However, I will go along with the suggestion made by the Leader of the Opposition, withdrawing my amendment for the time being. Maybe we can come to some agreement afterwards.

MR. CHAIRMAN: Has the member leave to withdraw the amendment? The Leader of the Opposition.

MR. SPIVAK: Mr. Chairman, that's on the assumption that an amendment dealing with the Rules Committee can come at the end dealing with this specific item.

MR. GREEN: Mr. Chairman, we are prepared to let the honourable member not be confined - in other words when we come to the end of the Rules Committee report, we won't say that you're prevented from putting in an amendment. If you want to make an amendment that will be discussed by the House, we're not going to stop you from doing it because we're passing this item. Do you follow me? Okay.

MR. PAULLEY: Do we take it, Mr. Chairman, that the amendment is withdrawn and we'll deal with Rule 3 as proposed?

MR. CHAIRMAN: . . . withdrawn.

MR. GREEN: Right.

MR. CHAIRMAN: No. 2 --passed. 3. That the documents tabled by a Minister become sessional papers and that the proper phraseology be "lay upon the table"; or "tabling of a document" --pass? The Member for Morris.

MR. JORGENSON: Mr. Chairman, I think that if you would refer to Page 6 of the first recommendation of the committee that sat just before the last session that you'll get the proper phraseology, and I wonder if we could just let that go until we get there. I think it was corrected, there was a further recommendation made at the last committee - on the bottom of Page 6.

MR. CHAIRMAN: Pass that item in keeping with the note on the bottom of Page 6 and recommendation No. 3 - is that what the member is suggesting? Passed. No. 4. Rules 5, 6, 7 and 8: That the ruling of Mr. Speaker with respect to decorum and the attire of members in the House should stand.

That signs be affixed at the entries to the galleries requesting that no cameras may be used in the galleries, no demonstration or applause should take place and silence should be observed, also smoking be prohibited.

That the Members' locker room be reserved for the exclusive use of Members of the House, although the members of the press may be allowed.

MR. PAULLEY: Mr. Chairman, on this I . . .

MR. JEAN ALLARD (Rupertsland): On a point of order. Are we going to finish reading the section before - let you finish reading the section because I have an amendment on the first paragraph.

MR. CHAIRMAN: I'll finish it and then we can go back and consider it from the beginning of this particular section. That the Board of Internal Economy Commissioners examine the accommodation in the galleries.

The Member for Rupertsland.

MR. ALLARD: Mr. Chairman, I intend to make an amendment on the first paragraph. I would delete the words "and the attire". I think this is an old -- and I intend to get the Minister of Consumer Affairs to second it, for he has agreed to do so. I'd like to say a word or two before since I understand I have to speak before I make the amendment. Is that correct?

MR. PAULLEY: Mr. Chairman, I ask you to consider as to the admissibility of this amendment because we're dealing with a report from a committee mentioning a ruling that is in possession of the House. It was made, I believe, by Mr. Speaker Hanuschak previously and maybe the Clerk can put me right. It's my impression that a Speaker's ruling once adopted is a ruling until it's changed by a ruling within the House itself, by a substantive motion. I don't know if my friend, the Member from Minnedosa would agree with that, or the former Speaker, the Member for Swan River. I believe that this is the case, that it is only the House that can over-rule a Speaker's ruling which must be done at the time and then I believe either the Speaker or a subsequent Speaker makes a new ruling, or by way of a substantive motion proposed in the House. I'd like to have this clarified for my own edification, Mr. Chairman,

(MR. PAULLEY cont'd.) . . . . because it is dealing with a Speaker's ruling.

MR. CHAIRMAN: The Member for Morris to the point of order.

MR. JORGENSON: Yes, I should like to deal with the point raised by the Minister of Labour. I would have perhaps agreed with the Minister except for one thing. That is that on Page 2 if he will notice that when we were given our terms of reference, part of the terms of reference was this very subject, and it says in the second paragraph: "The committee was also empowered to consider matters relating to the decorum of the House," so it becomes a part of the consideration of the committee rather than a decision made by the Speaker, and on that basis I would suggest that although I'm going to vote against it and I disagree with it very heartily, I do believe that the Honourable Member for Rupertsland does have the right to introduce that amendment.

MR. PAULLEY: Well okay, Mr. Chairman. I must confess that I didn't look at Clause (2) on Page 2 and it could be that my honourable friend is correct, although I still have reservations as to whether even that committee had the power to upset Speaker's rulings in accordance with Beauchesne and other authorities.

MR. CHAIRMAN: If I may, there are a couple of ramifications that I would like to have the opportunity to look up. It is near the hour of adjournment, perhaps . . .

MR. GREEN: Mr. Chairman, I know the Member for Rupertsland generally is very brief, but he may have more than two minutes to speak on this subject, so maybe we'd better call it 5:30.

MR. CHAIRMAN: It's 5:30. I'm leaving the Chair to return at 8:00 o'clock.