

THE LEGISLATIVE ASSEMBLY OF MANITOBA

10:00 o'clock, Wednesday, July 19, 1972

Opening Prayer by Mr. Speaker.

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

The Honourable Member for Logan.

MR. WILLIAM JENKINS (Logan): Mr. Speaker, I beg to present the Sixth Report of the Standing Committee on Law Amendments.

MR. CLERK: Your Standing Committee on Law Amendments begs leave to present the following as their Sixth Report:

No. 74 - An Act to incorporate The Native Alcoholism Council of Manitoba.

No. 84 - An Act to incorporate "The Icelandic Festival of Manitoba" or "Islandingadagurinn Manitoba".

No. 102 - An Act to amend An Act to incorporate Brandon Golf and Country Club.

No. 114 - The Convention Centre Corporation Act,

And has agreed to report the same without amendment.

Your Committee has also considered Bills:

No. 53 - An Act to amend the Mines Act.

No. 70 - An Act to amend The Amusements Act (2).

No. 93 - The Clean Environment Act.

No. 104 - An Act to amend The Civil Service Superannuation Act.

No. 106 - An Act to amend The Highway Traffic Act.

No. 108 - The Health Sciences Centre Act.

No. 110 - The Statute Law Amendment Act (1972).

And has agreed to report the same with certain amendments.

Your Committee recommends that the fees paid with respect to Bill No. 74 - An Act to incorporate The Native Alcoholism Council of Manitoba, be refunded, less the costs of printing.

All of which is respectfully submitted.

MR. SPEAKER: The Honourable Member for Logan.

MR. JENKINS: Mr. Speaker, I would like to move, seconded by the Honourable Member for Osborne, that the report of the Committee be received.

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

MR. SPEAKER: The Honourable Member for Logan.

MR. JENKINS: Mr. Speaker, I beg to move, seconded by the Honourable Member for Osborne, that the fees paid with respect to Bill No. 74, An Act to incorporate the Native Alcoholism Council of Manitoba, be refunded, less the cost of printing.

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

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

MR. PETER ADAM (Ste. Rose): Mr. Speaker, I beg to present the first report of the Standing Committee on Agriculture.

MR. CLERK: Your Standing Committee on Agriculture beg me to present the following as their first report.

Your Committee met on Monday, July 17, 1972 and appointed Mr. Adam as Chairman. Your Committee recommends that, for the remainder of the Session, the quorum of the Committee shall consist of Ten (10) members.

Your Committee also met on Tuesday, July 18, 1972 and considered Bills:

No. 58 - An Act to amend The Water Supply Board Act.

No. 98 - An Act to amend The Natural Products Marketing Act.

And has agreed to report the same without amendment.

Your Committee has also considered Bill:

No. 54 - An Act to amend The Farm Machinery Act.

And has agreed to report the same with certain amendments.

All of which is respectfully submitted.

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

MR. ADAM: Mr. Speaker, I beg to move, seconded by the Honourable Member for Gimli, that the report of the Committee be received.

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

MR. SPEAKER: Ministerial Statement and Tabling of Reports; Notices of Motion; Introductions of Bills; Oral Questions. The Honourable Minister of Finance. Introduction of Bills.

HON. SAUL CHERNIACK, Q.C. (Minister of Finance) (St. Johns): Mr. Speaker, I was a little slow on this on the tabling of reports, may I deal with the Tabling of Reports.

MR. SPEAKER: Report back to the Tabling of Reports. The Honourable Minister.

TABLING OF REPORTS

MR. CHERNIACK: Mr. Speaker, this is not a statutory requirement and it's the first time that it was made possible. I want to file a preliminary financial statement of the Province of Manitoba for the year end of 31st of March, 1972. Copies are available for all members, together with a letter elaborating on the filing of the report, which, as I say, is the first time because we were able to get a report ready by this time.

MR. SPEAKER: Introduction of Bills.

ORAL QUESTION PERIOD

MR. SPEAKER: The Honourable Leader of the Opposition.

MR. SIDNEY SPIVAK, Q.C. (Leader of the Opposition) (River Heights): Mr. Speaker, my question is to the First Minister. I understand that there will be an official opening of the of the Fresh Water Fish Marketing Plant in Transcona on Friday and the Honourable Jack Davis will be present. Is it the intention of the First Minister to discuss with him the contradictory statements that have been made with respect to compensation to the fish processors, particularly his statement saying that Manitoba has not been fair in the manner which compensation has been offered?

MR. SPEAKER: The Honourable First Minister.

HON. EDWARD SCHREYER (Premier) (Rossmere): Mr. Speaker, it is likely that either the Minister of Industry and Commerce or I will be meeting Mr. Davis on Friday in connection with the opening of the plant referred to. However, there has been no suggestion that we would have to discuss matters that are already discussed and which are on the record.

MR. SPEAKER: The Honourable Leader of the Opposition.

MR. SPIVAK: Mr. Speaker, another question of the First Minister.

MR. SPEAKER: Order!

MR. SPIVAK: Mr. Speaker, I wonder is the First Minister prepared to allow Mr. Davis' letter to the Globe and Mail to remain unanswered publicly and not to ask for a retraction, in which he claims Manitoba did not offer compensation properly as it was supposed to?

MR. SPEAKER: The Honourable First Minister.

MR. SCHREYER: Mr. Speaker, I don't know what letter or what date the letter that the honourable member is referring to. However, as the honourable member knows, I tabled in this House approximately ten days to two weeks ago an exchange of correspondence between Mr. Davis and the Minister of the Crown here and the tabled letters I believe speak for themselves.

MR. SPEAKER: The Honourable Leader of the Opposition.

MR. SPIVAK: Yes, another question to the First Minister: Has the government written the Honourable Jack Davis to inform him of the government's position with respect to the matter; have they indicated to him that they dispute his claim that Manitoba has not been fair with the fish processors in relation to compensation?

MR. SPEAKER: The Honourable First Minister.

MR. SCHREYER: Mr. Speaker, the only point would be to simply point out to Mr. Davis that if he will read his own letters of approximately a year, two years ago, he will see that in his own letter, over his own signature, he indicated at that time that he was satisfied with the arrangements made relative to the matter of redundancy in settlement, with respect to redundancy, etc.

MR. SPEAKER: The Honourable Leader of the Opposition.

MR. SPIVAK: Yes, to the First Minister. Has the government pointed this out to Mr. Jack Davis?

MR. SCHREYER: Mr. Speaker, I would regard it as a rather unusual procedure to write someone to point out to him to read his own letter of 18 months ago. I don't see any problem in so doing but certainly it would be in my opinion a rather needless exercise.

MR. SPEAKER: The Honourable Member for Inkster.

MR. SIDNEY GREEN, Q.C. (Inkster): Mr. Speaker, is it the practice or will it be the practice to communicate with federal ministers through the agency of the Toronto Globe and Mail, or should the Government of Manitoba be communicated with through the agency of the Toronto Globe and Mail?

MR. SPEAKER: The Honourable First Minister.

MR. SCHREYER: Mr. Speaker, that would be just about as unusual as communicating with a federal minister through the Leader of the Opposition.

MR. SPEAKER: The Honourable Member for Thompson.

MR. JOSEPH P. BOROWSKI (Thompson): Mr. Speaker, I have a question for the Attorney-General. Could he indicate the extent of the disturbance at Stony Mountain last night?

MR. SPEAKER: The Honourable Attorney-General.

HON. A. H. MACKLING, Q.C. (Attorney-General) (St. James): Mr. Speaker, I didn't spend the evening at the Stony Mountain Jail personally, I have no direct contact with that institution because it's a Federal institution; they don't report to me. I assume from time to time there may be problems in that institution but where there are, they report to the government to which they are responsible and that is the federal authorities. Certainly I am not aware of any of my staff being called upon from a security point of view to do anything there.

MR. BOROWSKI: Mr. Speaker, a supplementary. We are well aware that it's a Federal prison but would the Attorney-General, since this prison is in Manitoba and if there is a prison break it will affect the people of Manitoba, not Ottawa, would he undertake to look into the matter and see to it that there isn't any deals made like they made at Headingley?

MR. SPEAKER: Order, please. I would suggest that the question in some of its aspects is argumentative. I do wish, and I've asked the honourable member to not express opinions in argumentative precepts when he's stating a question. I have indicated question should be brief and concise. The honourable member may have many opinions but they are not necessarily to the question. The Honourable Attorney-General.

MR. MACKLING: Well, Mr. Speaker, I disagree with the assumptions of fact that are made in the honourable member's question and I suggest that that kind of question may be provocative of creating disturbances rather than being very helpful.

MR. BOROWSKI: Mr. Speaker, a supplementary question. Would the Attorney-General undertake to find out from the Federal prison at Stony Mountain and have a report for the House and the people of Manitoba by this afternoon?

MR. MACKLING: No, Mr. Speaker, I would think that the Honourable Minister of Justice and the Solicitor General would be annoyed if the Attorney-General of this province or any other province sought to interfere in the workings of an institution that is outside of our jurisdiction. I am in no position to request or demand information. When we are called upon we will respond and respond readily.

MR. BOROWSKI: Mr. Speaker, on the basis of the Attorney-General's statement, are we to understand that the Attorney-General is not concerned about what happens in federal prisons?

MR. SPEAKER: Order, please. The question is out of order. The Honourable Leader of the Liberal Party.

MR. ASPER: Mr. Speaker, my question is to the First Minister. Is it the practice of the Province of Manitoba to hold a sort of formal reception - or other --(Interjection)-- Is it the practice of the Province of Manitoba to hold some formal reception or other method of recognizing when the Queen's representative, the Governor-General is in the Province of Manitoba?

MR. SPEAKER: The Honourable First Minister.

MR. SCHREYER: Mr. Speaker, I would not want to give the impression that I am an expert on protocol, but my understanding is that if the Governor-General is here on a visit of State or official business then word comes through Mr. Butler and appropriate arrangements are made. Occasionally from time to time the Governor-General sees fit to make an other than formal visit in the province and no formal notice or advice is given us and therefore no arrangements are made. And of course one receives the official or formal notice, one is hard-pressed to know whether any arrangements would be appreciated, helpful or unhelpful.

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

MR. ASPER: Mr. Speaker, it appears that my microphone isn't working but - can you hear me? A supplementary, Mr. Speaker. In view of the fact that the Queen's representative

(MR. ASPER cont'd.) was in the province this week and to the best of my knowledge and I think this House's, no formal recognition of this event took place, will the First Minister instruct whatever department of government is in charge of protocol to inquire into this sort of thing so that an event such as this is not passed again in the future

MR. SPEAKER: The Honourable First Minister.

MR. SCHREYER: Mr. Speaker, certainly I've no objection, in fact I'd be quite happy to inquire to see whether there was anything that remotely resembles an oversight in protocol. On the other hand, I want to make it very clear to my honourable friend that I received no advice from advisers to my office, nor was there any communication received from that of the Lieutenant-Governor, I have no reason to believe whatsoever that there was any unusual oversight incurred here.

MR. SPEAKER: The Honourable Member for Virden. The Honourable Member for Wolseley.

MR. ASPER: A supplementary, Mr. Speaker. Does the First Minister not consider it inappropriate that the Queen's representative come into the province without him being notified?

MR. SPEAKER: The Honourable First Minister.

HON. RUSSELL PAULLEY (Minister of Labour) (Transcona): He came to Transcona, to open the Roland Michener Arena.

MR. SPEAKER: Order, please.

MR. SCHREYER: Mr. Speaker, there is some parallel, the parallel can be checked out - I understand that Governor-General and Lady Michener are visiting in Red Deer, Alberta, - whether there was any formal notice to the Government of Alberta, whether the Government of Alberta was requested to make any particular kind of formal arrangements, I do not know, this can be checked. My impression is that the visit to Transcona in Manitoba and to Red Deer in Alberta, that the appropriate arrangements were made in each case on the advice of the Governor-General's office and officials of the respective provinces.

MR. SPEAKER: The Honourable Member for Virden.

MR. MORRIS MCGREGOR (Virden): Mr. Speaker, I'd like to address this question to the Minister of Industry and Commerce, having given not too many minutes to prepare an answer, the question being: How many MDC loans have been applied for regarding industries at Rivers or planning on moving to Rivers in the last 18 months?

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

HON. LEONARD S. EVANS (Minister of Industry and Commerce) (Brandon East): Mr. Speaker, this is a detail question which I will have to take as notice. I presume the honourable member is referring not only to the Town of Rivers but also to the Rivers Air Base, and as he does know, the Federal Government has assumed responsibility through the Department of Indian Affairs for attracting industry to the Rivers Air Base, which is of course in the reverse situation to the Gimli Air Base which was assumed by the Provincial Government.

MR. SPEAKER: The Honourable Member for Virden.

MR. MCGREGOR: A supplementary question. Yes, I understand the position and I'm neither with the government or Ottawa or here and envy him in the squeeze play, and it is played one against the other and I'd like to know.

MR. SPEAKER: Question please.

MR. MCGREGOR: The question being, and also how many in both places - Rivers and the Rivers Air Base have been approved in that same 18 months?

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

MR. EVANS: Mr. Speaker, offhand I cannot recollect any applications or approvals, but as was said, it's a detail question and I'll take both questions as notice.

MR. SPEAKER: Orders of the Day. The Honourable Leader of the Liberal Party.

MR. ASPER: A question to the Minister of Industry and Commerce, Mr. Speaker. Is it correct that the Manitoba Development Corporation has established a division within it called the Special Projects Division?

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

MR. EVANS: Not that I'm aware of, Mr. Speaker.

MR. ASPER: Would the Minister undertake to inquire and report to the House on the matter?

MR. SPEAKER: The Honourable Member for Thompson.

MR. BOROWSKI: Mr. Speaker, I have a question for the Minister of Colleges and

MR. BOROWSKI cont'd) Universities. Could he indicate whether they have a criteria established at the University for the ratio - Canadian ratio of professors? In other words has the University been told that they can hire only a certain number of foreign professors to work at the University?

MR. SPEAKER: The Honourable Minister of Universities and Colleges.

HON. SAUL A. MILLER (Minister of Colleges and Universities)(Seven Oaks): No.

MR. SPEAKER: The Honourable Member for Thompson.

MR. BOROWSKI: Mr. Speaker, in view of the study that was released in Alberta where there are Canadian professors out of work, is the Minister not concerned and will he undertake to see to it that Canadian professors and Manitoba professors get priority in jobs over foreign professors?

MR. MILLER: Mr. Speaker, I have full confidence in the people running the universities, they have more common sense than the Member for Thompson.

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

MR. ASPER: Mr. Speaker, my question is to the Minister of Tourism but it might more appropriately be answered by the Minister of Finance. Is it the intention of the department to use all -- by that I mean 100 percent of the revenues gained by the new Amusement Tax, the 10 percent -- to subsidize ticket prices for senior citizens and other groups, was that a formal statement of policy?

MR. SPEAKER: The Honourable Minister of Finance.

MR. CHERNIACK: Mr. Speaker, amusement taxes like all other taxes are general revenues of the province and become part of the Consolidated Fund. Disbursements made for any projects are disbursements made through the departmental estimates.

MR. ASPER: Is it not correct that government officials have made a statement publicly and made commitments to that effect?

MR. SPEAKER: Order. Order, please. The question is becoming argumentative, would the honourable member rephrase it?

MR. ASPER: Is it not the intention of the government to allocate from the Consolidated Fund an amount equivalent to that collected on the amusement tax for subsidizing tickets for senior citizens?

MR. SPEAKER: The Honourable Minister of Tourism and Recreation.

MR. DESJARDINS: Mr. Speaker, as Minister responsible for recreation, I did make the statement in this House that we would be more than willing to discuss some method of aiding some citizens less fortunate than others and I suggested that we should meet with the executive of the Jets; we intend to do so, no special amount was mentioned at the time.

MR. SPEAKER: The Honourable Member for Thompson.

MR. BOROWSKI: Mr. Speaker, I have a question for the First Minister. In view of the fact that the government has spent many millions of dollars creating jobs in the last two years, will he take steps to see to it that Manitoba professors, Canadian professors get priority at the Universities in Manitoba, which are paid for by public funds?

MR. SPEAKER: The Honourable First Minister.

MR. SCHREYER: Mr. Speaker, the problem that the honourable member refers to is a problem of some years standing, it has perhaps been aggravated in more recent years. However, as the honourable member knows, the matter of hiring of teaching staff for institutions of higher learning, universities in particular, and tenure of professors is something which has traditionally over, not only over the years but over the centuries, been regarded as something to be dealt with by the Boards of Governors of Universities. It is something which they can be asked to consider but any direct intervention by the Crown in this respect would not be advisable in my opinion.

ORDERS OF THE DAY - REQUEST FOR PAPERS

MR. SPEAKER: Order for Return the Honourable Leader of the Liberal Party.

MR. ASPER: Mr. Speaker, I move, seconded by the Honourable Member from Portage la Prairie, that an Order of the House do issue for a return showing the following:

1. (a) What percentage of the shares of Chemalloy Minerals Limited are owned by David Winchell the President of Chemalloy and the President of Tantalum Mining Corporation of Canada Limited?

(b) What percentage of the shares are owned by members of his family or through corporations in which he or they are financially interested?

(MR. ASPER cont'd)

2. For whom does Handels Bank of Zurich hold, as Trustee, 25 percent of the shares of Chemalloy?
3. Were 100 percent of the shares of Tantalum Mining issued for \$10,000.00 four years ago?
4. Does Tantalum Mining still owe Chemalloy over \$1,700,000.00 plus interest, or any other amount, or has Chemalloy been repaid this money?
5. Does the parent company of Tantalum Mining, namely Chemalloy Minerals, still have a deficit ranging between \$2 million and \$3 million, according to its audited financial statements?
6. Has Chemalloy satisfied the Government or the MDC that it has the ability to pay the \$2 million it is supposed to pay to Tantalum within the 18 months referred to in the agreement between Tantalum, Chemalloy and the MDC dated June 29th, 1972?
7. What evidence has the MDC or the Government of Manitoba received that Chemalloy can make the payment?
- 8.(a) Will David Winchell continue as President of Tantalum Mining Corporation of Canada Limited?
 - (b) If so, what salary will he or Chemalloy be paid for his services?
 - (c) If the management fees or consulting fees are to be based on a formula, based on sales by Tantalum, will the Minister of Industry and Commerce give an estimate as to what the range of salary or management fee is likely to be?
- 9.(a) Does Tantalum Mining Corporation of Canada have any subsidiary companies or other affiliated companies?
 - (b) If so, what are their names, how much has been invested in them, and give a brief description of their assets?
 - (c) If Tantalum does not have any affiliates or subsidiary companies, what has happened to the subsidiary and affiliated companies referred to in the signed balance sheet of Tantalum, dated December 31, 1970, which shows an investment in subsidiary and affiliated companies of \$157,956.00?
10. In respect of the mining leases which are shown on the financial statements of Tantalum Mining Corporation of Canada Limited, as at December 31, 1970, at a cost of approximately \$1.4 million show the following:
 - (a) From whom were the mining leases acquired, and at what prices?
 - (b) If the leases were acquired from a corporation or corporations, state the true ownership of the selling corporations.
 - (c) If any mining leases were acquired from companies or persons which are "related" or "affiliated" with Tantalum Mining, were independent opinions as to the value of those leases first obtained before they were sold to Tantalum Mining Corporation?
 - (d) Did the independent evaluation confirm that the selling price was the fair market value of the mineral claims?
11. How much net profit, after interest, depreciation, depletion and all other normal operating expenses, did Tantalum Mining Corporation earn in 1971?
- 12.(a) Does the Government have independent geological studies of the minerals owned or leased by Tantalum to support the statement of estimated values of the ore body, as contained in the statement by the Minister of Industry and Commerce, dated July 11, 1972, at pages 5,6 and 7, under the heading of "Value of Mine".
 - (b) Or, was the Minister relying on information given to him by officials of the company involved?
13. What evidence did Chemalloy and/or Tantalum provide to the Manitoba Development Corporation or the Government of Manitoba that financing for Tantalum was unavailable from the normal sources of financing of mining industries in Canada?
 - (a) Was any attempt made by Tantalum and/or Chemalloy to finance the Tantalum Mining Corporation through the sale to the public of shares?
 - (b) Was any attempt made through any other normal means of mining industry finance, prior to the Manitoba Development Corporation agreeing to invest in the company as required by an agreement of June 29, 1972, between Tantalum Mining, Chemalloy Minerals and the MDC?
 - (c) If so, what were the reasons that Tantalum Mining Corporation was unable to arrange finance through normal, as opposed to Governmental sources?
 - (d) How much will the total legal costs, the costs of the litigation, and the costs of the Receivership, which are required to be paid by Tantalum Mining Corporation, amount to?

(MR. ASPER cont'd)

14. After Chemalloy Minerals invests its \$2 million in Tantalum within 18 months, is it correct that there is no guarantee that the Government of Manitoba will have members on the Board of Directors of Tantalum; and is it correct that the control of Tantalum in the operation of its affairs will then rest exclusively with Chemalloy, including the power to sell the assets?

15. In the event that Chemalloy decides to sell its controlling shares of Tantalum, after Chemalloy has invested the required \$2 million, does the MDC or the Government of Manitoba have any rights to acquire those shares?

16. Will the Head Office of Tantalum Mining Corporation of Canada Limited be moved to Manitoba and will all books of account, records and the like be returned from Toronto to Manitoba?

MR. SPEAKER presented the motion.

MR. SPEAKER: The Honourable First Minister.

MR. SCHREYER: Mr. Speaker, we accept the Order for Return subject to the caveat that we will provide information with respect to matters coming directly under the purview of the Crown or a Crown subsidiary, and also subject to the understanding that if and where certain questions as asked have already been answered relative to previous questions, that the answer would simply make a reference to a previous answer already submitted, subject to those two caveats the order is accepted.

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

MR. SPEAKER: The Honourable Member for Rhineland have a point of order?

MR. JACOB M. FROESE (Rhineland): Mr. Speaker, yes on a point of order. Most likely the reply to the return will not be made before the session is ended. Will the government provide copies to me and probably other interested parties of the House as well?

MR. SPEAKER: The Honourable First Minister in reply to the point of order.

MR. SCHREYER: Yes, Mr. Speaker, the information when it is compiled would be made available in the normal way as it's been done after previous sessions. I assume that there is no objection from the Leader of the Liberal Party to the two caveats which have been expressed, and of course there is the implicit one that where a consent has to be obtained from a third party, the consent will be sought, if it's not received then it cannot be made available.

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

MR. ASPER: On the point of order raised by my honourable friend from Rhineland and his concern that it would be some length of time, I would suggest, Mr. Speaker, there should be no problem on that score because the information . . . available.

MR. SPEAKER: Order, please. The honourable member is debating the question which is strictly out of order. Orders of the Day. The question has been agreed to. The Honourable House Leader.

HON. RUSSELL PAULLEY (Minister of Labour)(Transcona): Mr. Speaker, we will now go to the Third Readings on the Order Paper. I understand from the Leader of the Opposition a desire to hold third reading on Bill 22 in the name of the Honourable Member for Roblin, it is anticipated he may be back this afternoon. So therefore, Mr. Speaker, then we will call the other three Third Readings.

GOVERNMENT BILLS - THIRD READING

MR. SPEAKER: Bill 81. the proposed motion of the Honourable Minister of Labour. The Honourable Attorney-General.

MR. MACKLING: Mr. Speaker, on behalf of the Honourable Minister of Labour, I move, seconded by the Honourable Minister of Colleges and Universities that Bill No. 81, The Labour Relations Act be now read a third time and passed.

MR. SPEAKER presented the motion. Is it agreed? So ordered Bill No. 109. The Honourable Member for Rhineland.

MR. FROESE: Yes, I certainly would like to have some comments before we pass Bill 81.

MR. SPEAKER: Order, please. Let me indicate to the honourable member that I give ample opportunity after I ask "is it agreed" and the members sit there. Once I say it's agreed the motion is passed. Now I shall revert to asking the question again, but I do wish honourable members would stay with it so that we do not get confused in our procedure. The Honourable Member for Rhineland.

MR. FROESE: Well, Mr. Speaker, I had thought that the Official Opposition would want to get into the bill before it was finally passed, and now that the Chair has difficulty in allowing me to speak on the bill . . .

MR. SPEAKER: Order, please. I would like to indicate to the honourable member I have no difficulty in allowing anyone but if they are sleeping at the switch that is not my problem. The Honourable Member for Rhineland.

MR. FROESE: Mr. Speaker, on second reading and also in committee I did propose amendments to this particular bill. While the government has brought in a large number of amendments to Bill 81 I certainly still cannot subscribe to many of the principles contained in the bill.

For one, I do not subscribe to the Rand Formula as such that combines membership and the matter of contributing fees into one and that once a union is established that all members have to pay dues. If this principle was applied across-the-board that would mean that if we had a Communist Government elected here that all members would have to belong to the Communist Party and I for one couldn't buy that, I wouldn't want to contribute to them. This is the principle involved in this Labour Bill and I can never, never subscribe to such a principle.

I moved an amendment in connection with the membership rights or rights of individuals and this was not accepted - that any person working in a certain industry should have the right not to belong to a union. This was denied, the government overruled it and refused it. I feel that people should be free, they should be free to work wherever they desire without having to become a member of a union. I noticed that the matter of free speech being denied is still in the bill, they wouldn't change that particular piece of legislation either, that provision. This is referring to freedom of speech as provided on page 15, and I certainly take very strong exception to this, that certainly the manager or the proprietor of a business place and the people working in there should have the right to discuss matters whatever they desire without having to have a club hanging over their heads and that means that fines, heavy fines would be imposed on them. Certainly this is not in keeping with democracy and with the rights of individuals under our so-called democratic system.

And further, Mr. Speaker, the whole bill in itself, what does it say when we pass special legislation like this? This indicates to me that we are not providing sufficient legislation for the general public and that what we have on the Statute today is insufficient to protect members of society. This is what you are saying by passing legislation of this type and I don't agree with this. If that is the case, then let's pass legislation that will apply to all people in this province equally and that all people will be protected equally. Why give special consideration in this way?

Another thing, we are under this legislation causing the general public to be suckers under this legislation. They have to abide under the legislation yet when we have people belonging to professional associations, people who have attended universities or obtained degrees, they don't have to comply, they're above the situation. The legislation doesn't apply to them. We are in fact saying that you are the elite. You don't have to abide by what we're telling the ordinary Joe to do. You are above the average citizen, and that you're certainly creating class distinction right here in the bill. These are certainly things that I cannot buy.

We have the matter of strike votes not being binding. This is still in the bill. What is the purpose of having a strike vote if you're not going to abide by it? This still means that we're giving the union bosses the control of the unions and that they have more control than the general membership have; that they don't have to abide by the decision of the membership, they can well do as they please.

The matter of the contributions of membership dues or of dues to the unions was raised and I think it was the Liberal Party that brought in an amendment which was rejected which dealt with the excess amount of money that is being collected in dues and not being used for the normal purposes of collective bargaining. Certainly there will be a surplus, certainly we don't have collective agreement discussions every year and in the off years the dues are still at the same rate, so this means that in those years they're collecting a lot of money which is not being used for any of those purposes, yet what are those moneys going to be used for? In the discussion that took place certainly there was mention made that some of this money would find its way into the coffers of the NDP Party. And I wouldn't be surprised about this. When the Honourable Member for Inkster spoke on another occasion here in this Assembly discussing international unions certainly this seemed to be the course of action that - this is where

(MR. FROESE cont'd) apparently they are getting their funds from.--(Interjection)-- Honourable members on the government side say the press gallery is empty. I'm not speaking to the press gallery, Mr. Speaker, I don't care whether that press gallery is empty or not.

MR. SPEAKER: Order, please. Order, please. I should like to indicate to all the . . . Order! I should like to indicate to all the honourable members they will all have an opportunity to speak on the bill when their turn comes. In the meantime it would be a courtesy to keep quiet so I at least can hear what is being said. The Honourable Member for Rhineland.

MR. FROESE: Yes, I've seen some of the members will only speak when the press gallery is full or when there's representatives of the press in the gallery; that's when they'll rise and speak so that they can be reported on. And that raises another point, because I've been getting very little coverage in the press and when I do get a coverage it'll never caption what I've said; mine will come in somewhere at the bottom or somewhere in-between which is very insignificant. I've noticed that. I don't know whether you people have bought the press so that I wouldn't get coverage. Sometimes I wonder whether there isn't --(Interjection)-- sometimes I wonder whether there isn't some kind of arrangement between the government and the press that I should not get coverage in what I'm doing.

MR. SPEAKER: Order, please. Order, please. Order, please. Order, please. I do think that we should try to proceed with the bill. I would also appeal to the honourable member to stay with the subject of Bill 81. I do not think that publicity of one kind or another is pertinent to Bill 81. The Honourable Member for Rhineland.

MR. FROESE: I think the government members mislead me here, that I brought some extraneous matters into the debate on Bill 81. I think Bill 81 in itself has enough in it that I can stick with that and discuss the particular matters. I've already referred to several matters. I know that the government did come across with one exemption, namely in connection with those peoples with whom it was a matter of conscience to contribute to union funds and that this has been alleviated. I appreciate that, I certainly thought that that should have been a provision from the very start; the bill should never have come into the House without it, because if you're going to apply a bill such as this, which in my opinion infringes on the freedom of the individual, on the freedom of speech of the individual, that certainly exemption should be made.

Honourable members don't like to hear me talk about freedom of speech, that they're denying freedom of speech. They're very sensitive about this, but that's what the bill indicates, and I take very strong exception to these provisions.

Mr. Speaker, I know that we are unable to submit any amendments at this time, I was too busy - I think we have to give notice if I'm correct - and I was too busy and not being able to give notice in connection with other bills so that I didn't have the time to prepare and submit them so that they could be discussed at third reading. I do intend to do that in connection with some of the other bills that are still up for discussion on third reading.

The matter of certification of the unions with the minority of people present in a certain place of employment is still in the act. I don't subscribe to this principle. I think it should be a majority of those people working in the plant. I don't subscribe to the idea that one-third of them if they make application that this should apply.

I could touch on many more provisions in this bill but I don't intend to do that at this time. I just want to be on record as rejecting this bill that is before us that has now passed second reading and committee stage. I think it was really in poor taste of this government to accept none of the recommendations submitted by the opposition. Not a single one, not a single amendment that was offered by the opposition was accepted by the government. And some of them were good amendments, some were amendments that the government should have accepted but I think because they came from the opposition they would not accept them. This is a more or less a standard practise by now, that this government will not accept amendments from the opposition for the very fact that they were not introduced or initiated by themselves. That's been the practise now and we've seen it - we saw it last night in connection with another bill. That was an amendment that was perfectly in order, one that they should have accepted, which is a matter of course in other bills and yet they would not allow it to be introduced or incorporated into that particular bill. I've seen this happen time and again and I take very strong exception and I criticize the government for that very act.

So, Mr. Speaker, I want to be on record as opposing Bill 81 on third reading on the matters that I've raised and I will ask for a vote on third reading.

MR. SPEAKER: The Honourable Member for Emerson.

MR. GABRIEL GIRARD (Emerson): Yes, Mr. Speaker. As we have pointed out during second reading and during the committee, we are not happy with Bill 81 because we find that in Bill 81 we have a great number of clauses that are very far-reaching, some that are experimental of which the consequences are beyond our ability to assess.

I might also say, Mr. Speaker, that it is a little surprising if not disillusioning to see legislation of this magnitude being introduced in the House at a very late date. Being told by representative after representative that the labour legislation in Bill 81 ought to be reviewed very carefully, that we ought to be given time for consideration of this matter and yet find an adamant, if not obstinate government that will refuse to look at the possibility of giving more consideration to this kind of legislation.

I think it would be fair to say, Mr. Speaker, that during the committee debates we have found that the government was only prepared to accept suggestions that they themselves had decided to bring forward. We found the committee sitting on Bill 81, in my view to be somewhat of a kangaroo court, where only suggestions by government could be accepted. In fact, Mr. Chairman, during the committee debates I proposed at one stage that we would save a great deal of time if the Minister had told us what he had intended to do. If he had told us from the outset, "look we're accepting nothing else but our own amendments" it might have well been a saving of time to let them go through the bill as they felt they would like to do without dragging our feet on any particular section.

I believe that a democratic system ought to operate on the well-meaning, on the constructive objectives of those in government, but this was not the case, Mr. Speaker; in spite of observations, in spite of criticisms, the Minister and those members of the committee decided we will not budge from our position and I don't think that this is a democratic way of doing things. Certainly not ideally, Mr. Speaker.

It is kind of strange when we see things in the bill that ignore some very fundamental principles on which our society has been operating for several years. The principles of being innocent until proven guilty have been shunned away, put away just very casually as though it was something that was unimportant right from the beginning. The principles of majority in decision making have not been kept in this bill, as a matter of fact they have been ignored. And if we in this House could operate on the same principles as this bill we could say to the government the 35 Conservatives don't wish this bill to go through and therefore on the basis of the logic in this bill they should have the right to be able to cast it away for good. We're casting away that kind of fundamental principle, Mr. Speaker, as though it were a very unnecessary part of our society.

We had given the impression that agreements that have been conducted in the past will be undisturbed because this bill comes into effect on January 1, 1973. But we thought very lightly about the amendments that were brought in that in fact cast away this kind of suggestion and say from now on November 1st, 1972 is a day on which this bill will have to take effect and any agreements that were negotiated prior to that will have to be accommodated on that particular date. And I suggest the people of Manitoba were not thinking in those terms, they were of the belief that the Minister had indicated to them in some definite way that we needn't worry too much because we've got six months to prepare for the effects of this bill because it won't be enacted into law effectively before January 1973. And again we find a rather belligerent group who think nothing of setting aside promises that have been made to the people of Manitoba and then simply saying well that was not the case.

Mr. Speaker, we look at this bill and think of the onesidedness of this particular piece of legislation. We in Manitoba have been told by the Minister on repeated occasions that we probably have the province with the best possible industrial relations in Canada, we have a rather peaceful group in Manitoba both in management and in labour. Our record is excellent. And the suggestion was made in Committee, Mr. Speaker, that part of the reason for this kind of good relationship was the capable personnel that the Minister now has in his department who served as conciliating officers, and the capable Arbitration Boards that were set up to do conscientious work and avoid the kind of pitfalls that we might have had had we not had these capable people. But his legislation in turn after being commented on by the Minister as being the ideal situation in Canada, this legislation in fact tells the conciliation officers or the arbitration officers with regards to dispute, you haven't done your job, we're not satisfied with you. Your function is useless. We're casting you aside.

Why have we done this? Mr. Speaker, I have my views on it. I believe that to some degree at least, and maybe not ideally, there existed in Manitoba in our labour legislation a

(MR. GIRARD cont'd) kind of balance between the powers of labour and management with the proper kind of conciliation officers and arbitration people that was able to maintain a peaceful and co-operative atmosphere. But what we now have done is we have removed the obstruction, as the Minister sees it, the obstruction of the conciliation and arbitration, and we have weighted the laws in favour of union-management very heavily. Because it is my view that the purpose of this legislation from the Minister's point of view is to unionize Manitoba as quickly as possible and give the executives of the unions - not the employees, but the management people of the union, more power in this province, possibly more power in this province than anywhere in Canada -- I wouldn't suggest anywhere in the world because I am told that in some countries this kind of legislation is already weighted in the same direction -- however, probably the most powerful kind of powers anywhere in Canada. We are introducing in this bill a new principle, which we in our debates have brought forward, but have been told, you know, it's so unimportant, you people are really talking about nothing clauses. But I suggest to you that the delegations that appeared before the committee didn't think so. We are introducing a principle here with regard to the hot goods issue that is non-existent anywhere in North America and the Minister seems to have the confidence that this cannot but improve our industrial relations in Manitoba. We have been told in Committee that this kind of clause can be interpreted to mean anywhere between an insignificant measure and that promoting a general strike. And yet, Mr. Speaker, we fall on deaf ears because we find a group, a rather academic group, who feel that they know better what's best for Manitoba and they couldn't care less who tells them that they should be careful about this clause or the other clause.

We have, Mr. Speaker, in the past, in the labour legislation of the past, been concerned about such things as vital services. I am sure that the public of Manitoba is concerned, especially when at this time we hear that other provinces are not faring too well in the area of vital services. We fear in Manitoba that we might well face the kinds of situations undesirable as they may be, that have been faced in both Vancouver and Montreal and Toronto, the larger cities of this country in the last while. We have suggested to the Minister on many occasions and delegates to the committee have done as well, that we ought to be concerned about the welfare of the public; we ought to be concerned about the outmoded way of settling industrial disputes and we ought to be thinking of how we could possibly resolve this. And I for one don't believe that the Minister and his colleagues have exhausted all possibilities of finding a way of solving this kind of problem. However, their solution was a simple one: You throw the public into the lion's den and how they fare they will. Mr. Speaker, I suggest to you that that is a rather callous if not irresponsible way of legislating. I think that people in government have a responsibility to make sure that they've exhausted all possibilities before they legislate callously, and certainly even if they intended to legislate callously, closing deaf ears is not the way to enact legislation in a democratic system.

I might wish to comment as well, Mr. Speaker, because I think it reflects on the attitude of the committee during the committee hearings, that the members of the government on that committee were more interested in biased petty politics than they were in constructive legislation. I suggest that it was very petty when some members took advantage of a situation that was totally out of our control to point out, you know for one hour the members of the Conservative Party was not represented on the committee. And that was the issue, not the bill. -- (Interjection)-- Yes, we were accused of being irresponsible. On that very day, Mr. Speaker, I would like to point out that I went to see the Minister and I explained to him what the problem was and I showed him that it was inevitable, but the little men on that committee -- and I'm sorry I don't know which little men it was because I could use man instead of men -- chose that kind of petty issue in order to make a case and forget about Bill 81 because to them it was more important to play this kind of crass, petty politics than it was to deal with the laws of Manitoba as we're framing them now. It speaks very poorly, Mr. Speaker, of the intentions of those committee members. Certainly my evaluation of that kind of member has decreased and I feel that it is time we get a little more responsible and consider the laws we are making rather than the petty politics that might be involved in them. I don't wish to comment in detail on the Minister's conduct in committee, Mr. Speaker, but might I suggest that it's certainly unsatisfactory to the people of Manitoba and certainly to the members of this side to get into a committee and to find that an important bill of this kind is simply railroaded through with the intention of ignoring the members from the opposition, ignoring most of the delegations and ramming a law through that will affect all Manitobans, whether it's good or bad, because "we" think it's better. I feel that the government, especially the Minister of Labour and his cohorts, displayed what is usually called the marks of an arrogant kind of government.

(MR. GIRARD cont'd)

Mr. Speaker, I think there are good things in Bill 81. I think that Bill 81 could have been legislated in a way that would have been favourable to Manitoba, but we have been told by legal experts that in fact it could be considered irresponsible for a government to legislate this kind of a bill without taking the time to study the repercussions because of the poor drafting and the far-reaching clause. If this bill is enacted as is, and if we find that in Manitoba we are faced with severe problems in our labour relations, the only people to blame will be the Government of Manitoba, not so much because of their intentions, because I don't suppose that this is the intention, but by the obstinate and arrogant way that this kind of bill was legislated. We would have been prepared, Mr. Speaker, to work co-operatively with the government and look at all the clauses in this bill including the controversial, technological and hot goods clauses. We would have been prepared to partake in the discussion provided that it was a constructive discussion, but when we are left on the wayside, when we're not accepted as being part of those who should comment on the bill, Mr. Speaker, we have no choice but to say, that's the government's bill and that's the government's bill in spite of the opposition. I would have much preferred it to be otherwise but I might suggest now that there is no way I can support this bill having had it shoved down our throats the way we have.

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

MR. ASPER: Mr. Speaker, I don't propose to take too much of the House's time because what has been said in committee and in this House pretty well describes where the various members stand on the issue.

The original suggestion we put to the House I think is still valid and tenable and I think my honourable friend from Emerson made the same point. That is that in the four days that we were able to spend in committee, in the rush of sitting into the late hours of the evening, the government itself proposed some 40 amendments and were the submissions of all the parties who appeared before the committee in a very hurried manner, were they to be considered probably another 60 to 100 amendments would be required, even if we only sought to carry out the government's stated intentions. The rush of the drafting of the bill, the stampede to see its enactment, for a very obscure reason, Mr. Speaker, created a bill which will need another series of amendments next year. In the small amount of time available to the committee, the submissions I believe were over 40, perhaps 50, made valid points, almost all of which made the point that this is a pervasive, profound and new approach. No one was willing to damn it, most were willing to accept the validity of some of what was in the bill -- as a matter of fact a good deal of it, perhaps the majority -- but all asked and we asked ourselves and we state again that inasmuch as the essence of this bill will not become the law of the land until January 1, 1973, and if in the period of four days of hearings the Minister himself acknowledged over 40 amendments were required, the wiser course of action I think that we can suggest to the Minister is that he do defer the passage of the bill until January or February of next year when it comes into effect so that further and better amendments can be made to it. Knowing that that suggestion will fall on - I think it was closed and deaf as well, ears - I will not discount the discussion or ignore the contents of the bill in the hope that it will be deferred.

We recognize and we commend the Minister for bringing forward the amendments he did, by and large they were amendments which we had spoken to in the House. Particularly the redefinition of who is an employee, to exclude categorically the management element, to exclude the professional element, professional members of staff, was a wise move. We believe that the Minister in the amendments narrowed the risk and extension of the powerful technique of sympathy strikes. We applaud the inclusion of a conscience clause and by and large I think the Minister made a major concession to our point of view in making, in one or two areas, the acceptance of mediation compulsory.

So having acknowledged that the Minister did move some distance, I must also say, Mr. Speaker, that I was left bewildered by the proceedings in the committee, perhaps because it was the first committee hearings I had attended since my entry into the House. But what struck me was the intransigence, the inflexibility, the ramrod approach, the total unwillingness to hear the other man's point of view. Mr. Speaker, perhaps I am naive in believing that government in this province, in the parliamentary system, consists not so much of the adversary system but of the government of the day, the elected government in office and the opposition members exchanging in rational, human dialogue, ideas for the purpose of producing a consensus, not of what the government in office thinks but what the people of Manitoba think. And if I entertained those views, if I sincerely believed, as I think most Manitobans still believe,

(MR. ASPER cont'd) that this House is their House, that this committee is their committee, that we are all part of the governing process, then those views were sadly shattered in the committee. Because, Mr. Speaker, it can be nothing but an inescapable conclusion that had we in committee pointed out that the bill as drafted would have taken three-year-old children to the whipping posts for wiping their nose on their sleeve, the Minister would have said "amendment rejected" because he somehow learned those two words, and it's like a computer reflex action. When any moderate and even modest suggestion for change was put before the committee, the beginning position of government was "no" and the ending position of government was "no" and it cast serious doubts on the validity of the committee system if it has no role in shaping government opinion.

So while I attended those committee hearings, particularly toward the end, and observed the fact that no matter what we do in this House or in the committee it will have no impact on government, it raises for many of us the question - how can we best perform our responsibility to the public. We sought amendments that would, and we still seek, and we will seek next year, and when we change the structure of those who are in office we will adopt changes; changes for example and these are only examples - that will redefine the circumstances under which sympathy strikes can take place even further than they were redefined by the Minister; changes which will reintroduce into the law the status of the government having the authority to act expeditiously in the public interest which this government has, for the first time since I've served in office, given up power, the tendency of this government has been to seek more power unto itself, but here's a case where the government deliberately says, we don't want the power to intervene expeditiously where a vital service or the public interest is involved. We asked for that amendment, Mr. Speaker, it was denied. And that is on the shoulders of the government. It will be remembered that both the Liberal and the Conservative Opposition parties urged on this government in committee, and do here today, that instead of undoing the good and throwing out everything that was good with the old act, one major aspect should have been retained, and that was that the public of Manitoba can rest easier knowing that government can move expeditiously to stop an unwarranted or an unduly damaging strike; and this government gratuitously, voluntarily, gave up that authority, in effect abdicating its responsibility to the people.

My honourable friend from Emerson has already made reference to the inclusion in the bill, in spite of our protest in committee, of the reverse onus, the onus that requires an innocent man to prove that he is innocent as opposed to the requirements of a man being presumed innocent until proven guilty. And we offered in committee two amendments, two amendments which would have given labour a much better position than the present law does but would not have seen us adopting the reverse onus. We suggested, and still suggest, that by lowering the standard of proof that labour is required to bring into court, in order to secure a conviction for an unfair labour practice, for example, the standard of proof be reduced. This would have made labour's task easier; this would have preserved the principle that no man in this country, except in the most extreme circumstances, should walk into a court of law on the presumption that he is guilty unless he proves that he's innocent.

And as we see the erosion bill by bill of everything that has made the democratic process sacred to those of us who cherish it, whether it's in the City Bill where this government says don't blame us for refusing to remove the snooper clauses, the right of no knock, the right of entry into homes, it's always been in the law, and now the government adopts those views as their own. Every piece of legislation either has some retroactivity, which is odious to our way of passing laws, or has some infringement of basic civil liberty. And here we go into the Labour Bill unduly creating a reverse onus on innocent people to prove that they're innocent.

We offered the government a way out and the government rejected it. We asked the government in our amendments in Law Amendments Committee, or rather Industrial Relations Committee, to state and recognize that there exists in the management-labour relationship today a growing invasion of the employees privacy. There are new labour-management relationship techniques which constitute an invasion of privacy of the individual and we asked that an amendment be passed making it an unfair labour practice for any management group to force employees to engage in group sensitivity discussions of any kind. And the paranoia, the supersensitivity of government convulsed at the thought because they said, "Ah, you're talking about the Manitoba Development Corporation's psychodrama sessions", and from that moment on there was no rational discussion capable, because the defence of government

(MR. ASPER cont'd) came to the aid of Dr. Briant, the wizard of finance from Montreal, because we couldn't even discuss psychodrama sensitivity sessions, mind-probing devices that management is imposing in cases against labour without the government trying to defend its record; the government did not have a record that had to be defended. So, Mr. Speaker, we could not even have declared, I think, a modern . . . of law that no management in this province will be permitted to probe the inner sanctum of employees minds and their psyche. And I would have expected a government that calls itself the friend of labour to embrace such a provision, the pro-labour provision.

We asked for a number of amendments dealing with sympathy strikes. They were partly granted, not adequately. We had proposed to move on the subject of technological change further amendments today in the House but, Mr. Speaker, the experience of the past few days for me personally has cautioned me against abusing the time of the House, the members' time, by trying to improve any amendment to any government position because the government has not yet seen fit to accept the fact that perhaps, perhaps just maybe somebody on this side of the House has a contribution to make to their process of government. And it is that intransigence that has led me to decide not to move the amendment that we had proposed to move because it makes a mockery of the process, and it amounts to a waste of time.

It was surprising, disappointing, and remains mysterious why the government refused the amendment in committee that would allow a non-member of a union, who is required, and with our consent, with our support for the government, to pay union dues when he's not a member of the union, why in those circumstances could the member not, or the non-member of the union who under the Rand check-off is required to contribute, why was it so unreasonable when we moved that if the union is contributing part of his union dues against his will to a political party, or to a candidate for office, that the non-member simply be required to pay a portion for collective bargaining costs and not be required to finance a political party that has nothing to do with the collective bargaining process; the principle being that every member of a plant that benefits from a collective agreement should contribute to the cost of the collective agreement. But if the union is using part of those dues for purposes that have nothing to do with the collective bargaining, the grievance, and the supervising of the employees rights, but have only to do with contributing to external activities which have nothing to do, as I say, with the collective bargaining process, then surely the government ought to have accepted the amendment to make the Rand formula check-off more human, more reasonable. Because already this morning, only this morning, rank and file members of unions, as well as people who are working in plants where there is likely to be - well there will be - a complete check-off we're in touch with me to express their very great concern over this very issue. But we didn't get rank and file members into the committee; we didn't get the non-unionized workers into the committee, because the committee was rushed, because inadequate notice was given, because it takes weeks, months, to be able to communicate with the people in our various constituencies who are affected.

So we have Bill 81, the product of, one does not know who, whose pen, but certainly the author did not appear to be the Minister because his very fear of moving one syllable away from what his office put into the bill left us convinced that he himself did not have a full grasp of what we had suggested, nor what the bill had suggested. Mr. Speaker, I do not damn Bill 81 - in fact I state that the Liberal Party will vote for Bill 81, we are prepared to experiment - we simply take this opportunity to lay before the House and put on the record our concern over the manner in which it's been done; our criticism over the abdication of government of its responsibility, and to warn them that while we are willing to experiment that we will expect that if there is a deterioration in the relationship between the consumer and his management and his labour, the public, if there's a deterioration because of the things that we have expressed alarm over, we will expect the government to move next year to amend it. Should the government fail, it can be expected that we will do it.

MR. SPEAKER: The Honourable Leader of the Opposition.

MR. SPIVAK: Mr. Speaker, I have a brief contribution to make to the debate and I welcome the opportunity of following the Liberal Leader because I do have a few comments for him.

I've listened with some interest to his presentation to try to determine exactly where he was going to be at the end. One of the difficult periods in this last few weeks, a difficult time in the last few weeks, is to understand fully where he was going in any particular issue because you couldn't be sure. You could never be sure because he seemed to want to straddle

(MR. SPIVAK cont'd.) both sides of the fence at all times.

Now, Mr. Speaker, we are now dealing with a bill which involves essentially a new principle with respect to labour relations. And we have essentially said on this side that we were not prepared, and cannot be prepared, to accept this principle without further study. We are not prepared because it is a labour relations bill, and because labour is in front of it, to say necessarily that we have to support it. Mr. Speaker, we are not trying to use political gobbledegook to try and appeal to all people at all times, but rather what we are attempting to do as opposition is to oppose government legislation if we feel that it cannot at this particular time contribute to the total benefit of our development and our economic activity and, in effect, be beneficial to the workers of the province.

Now, Mr. Speaker, as I've said before the case has not been made by the government, and the case was not made in front of the many presentations that were brought before the Industrial Relations Committee. And while I personally was not present I do have the briefs, I've read the briefs, I have some understanding of the impact and their thrust, and I find it very difficult for myself, or anyone else, to be put in the position by the government of having to support it or reject it. Mr. Speaker, we have labour relations in this province which are the best in the country. We have a conciliation system that has been working. The government has proposed a major change which results cannot be anticipated but can only be speculated on in relation to whether this will or will not be better in terms of the total labour relations in this province. And, Mr. Speaker, I'm not prepared at this particular time to accept the government's undertaking or belief that this will happen. And I do not believe that the presentations that have been made in effect support a position which would allow us to vote at this particular time. So, Mr. Speaker, our dilemma is twofold; either we vote against the bill, which can be interpreted, and will be interpreted by the members opposite, as being a vote against labour, or we can abstain from voting.

Now, Mr. Speaker, I must tell you that we have considered that very seriously as a caucus and there are not too many occasions in which an opposition has put itself in a position of abstaining from a vote and we considered this, and we consider this because we have been put in the impossible position that in a matter of a few weeks we have to accept literally a major fundamental change which will affect the economic life of this province and we have to accept it without serious opportunity for study or consideration. Mr. Speaker, on the basis of the amendments that have been introduced by the Minister of Labour and by the Member for Crescentwood for him, we are now satisfied as a result of some discussion with those people who advise us with respect to legal matters that the interpretation and understanding of those sections were not understood by the members of the committee, have not been understood by the public, and certainly haven't been understood by the press who believe that there is some retreat on the part of the government from its position. Rather they have hidden in them onus sections and responsibilities which alters and changes fundamentally even the original concept that had been proposed, and we're asked to approve it. And we're asked to approve it on the last day of the session. And the Member for Wolseley is prepared to approve it. And I don't know why. He must obviously agree that the principle of free-collective bargaining is a correct one. That government should not in fact be involved but if he does that he ignores the whole history in this province of the way in which conciliation is worked and government's involvement, and the fact that we have been able to achieve such a remarkable record with respect to labour relations in this province.

Now, Mr. Speaker, the argument has been presented that there is hate with respect to the bill, and there is. That's not an uncommon thing; it happens at the end of the session. We had the Farm Machinery Act last year, and we had a number of amendments, in fact probably more amendments than we had sections, and the bill was fundamentally changed, and we proved it. But there is a pattern that was followed with respect to that particular bill. There was in fact a committee; there were in fact recommendations; there was in fact a direction that the government was going. We had a White Paper with respect to the Unicity proposals and that White Paper was presented and the Minister of Urban Affairs and the Minister of Finance, who were one and the same, went on a mission throughout all of the Unicity area and talked to the people, and he listened to the people, and a bill was ultimately introduced, and discussion took place on the bill, and ultimately an act was passed.

We had the Auto Insurance presented and there was a committee, and there was a report, and there was discussion, and finally there was a bill.

(MR. SPIVAK cont'd.)

Now with respect to the Labour Relations we have a bill and the Minister of Labour had intentionally twisted the hearings that were held as to suggest that those hearings resulted in the proposal that came forward and the proposal we're dealing with comes as a direct result of those hearings. The proposal that we're dealing with comes as the result of the experience and the understanding of the Member for Inkster and the Minister of Labour, but come more from the years that the Member for Inkster had in the labour field than anywhere else. And, Mr. Speaker, I without question, cannot match that experience. I cannot match his understanding, and I am not going to particularly fault him because he has tried to impress Manitoba with his views because he is a person who has that responsibility being both a member of the caucus and a Minister of the Government who attempts to implement his policy, but I can object, and I do object very strongly, to the fact that we are put in the impossible position of within two weeks of accepting or rejecting it when we go through all the years of his experience, and at least three years in which this bill has been in the making, and I reject completely the contention of the Minister of Labour that somehow or other it was dealt with in a committee and as a result this is what was produced. And I can't accept it, and I can't for the life of me understand how the Liberal Party or the Liberal Leader can accept it on that basis.

Now the education of the Liberal Leader is something that we're all observing and watching but it's getting a little bit ludicrous to start to suggest that the process that we've been working under for so many years is so ridiculous that we can't, you know, we simply can't achieve concrete results. I accept that we have had disagreements; I've accepted that we have fulfilled the function that an opposition must fulfill of opposing and providing alternative policies, and I think that we have been responsible in the way we have handled our position, but I cannot at this particular time be prepared to stand up and support a program that I know is not understood by the workers of this province, that is not understood by the employers of this province, that is not even understood by the members in this House, and I say this to you quite directly. So, Mr. Speaker, our alternatives were two: one was to in fact not vote on the third reading of this bill - and as a matter of fact we discussed this seriously on second reading, but we determined at that point to indicate our protest by voting against it. And, Mr. Speaker, I want to assure you that we have looked up precedence with respect to this both in Manitoba history and British Parliamentary history to be in a position to be able to record our position. We have come to the conclusion, Mr. Speaker, that rather than not vote which would indicate in any way a cop-out on our part, and that's not our intention, that we are going to vote against the bill. Now we're going to vote against the bill, Mr. Speaker, because of the undue haste, because of the fact that the amendments indicate fundamentally that even the government hadn't really firmly made up their mind about certain matters and it required further study, and we're going to vote against it because we do not believe that this is in the best interests of the workers of this province, because we anticipate at the end of the line the kind of disruption on our economic activity that was warned by some of those people who made their presentation and which will alter what has been reasonably a good labour relations - well the best labour relations climate in the province. We believe as an example, Mr. Speaker, that had a committee had the opportunity of studying this in between this session and the next, that we could have called Mr. Justice Freedman to the Committee, and we could have had Mr. Justice Freedman in front of us and we could have requested of him his views with respect to technological change; in addition, and to be able to get from him the benefit of his opinion and the additional benefit of his experience since the Freedman Report had in fact been presented. And we think that this would have been the type of wise course, the wisest action to be able to get that kind of understanding so that we could meet the problems of technological change. And I cannot believe that the members opposite really at this point are in a position to suggest that they have all the answers, rather I believe that what we will face next year is a series of amendments as a result of the experience that will in fact be required simply because they have not considered every aspect, and there will be more and more discussion directly with the Minister and the members of his department as those people involved in the labour relations field become more and more aware of the detail and the specifics.

Mr. Speaker, we have had the opportunity of talking to people who are experienced in this, who are not necessarily pro-management or pro-labour, who have indicated to us that as they continue to study the bill over and over again they find more and more items that they have to question because they do not understand the significance of it and it has to still be interpreted.

(MR. SPIVAK cont'd.) So, Mr. Speaker, we can't pass this from our point of view; we can't pass it because we have been asked to do an impossible situation.

I don't have to deal with any of the matters that the Honourable Member from Emerson has presented; I think he has presented our position rather ably. I must suggest, Mr. Speaker, that we considered an amendment with respect to essential and vital services if there had been any kind of agreement that there would be an attempt to consider it. We knew that the amendment, and we did not introduce it, would be rejected by the government but we felt essentially that it should be considered, and had we had that opportunity, had we had that opportunity, Mr. Speaker, for consideration in the committee, we would have been able to deal with it. And the principle is very simple. We think that there is a difference between vital services and essential services; we think those vital services are going to have to be provided with something different than what we have had in the past if the right to strike is to be given up. And we propose for discussion, and we would need the research on this, and we would need some study on this, and we would certainly need the people involved in the vital services, and we could name some who we believe would be included, that is some who would be included in vital services before the committee, but we believe that there is some way in which you could tie a rise in their income which would be tied to the average rise that would take place with respect to trade union negotiations in any given year, plus an additional percentage because of the fact that they have given up their right to strike. We believe that in this respect they will have given up their right to strike but there will be a benefit that will accrue to them as a result of the negotiations that will take place within the labour movement itself which will ultimately and properly affect the rise in their income. And we believe that that is a principle that could have been, and seriously considered by this committee had it had an opportunity to study for the next three months, or four months, the bill that the Minister had in the form of a White Paper and give us the opportunity to be able then to work out a scheme so that vital services, and we're not talking that many, could have had that opportunity of being specified and we would have at that point been able to protect the public's interest.

So, Mr. Speaker, we are now in a road to an experiment in Manitoba, and, Mr. Speaker, we may have sympathy with many of the particular sections with respect to the bill, but we're being asked to approve an experiment. Now no one can suggest that our economic life in Manitoba and economic conditions are so viable and so strong that Manitoba can afford to experiment. No one can suggest that it's in the interest of the workers of this province for an experiment to take place. An experiment is to take place because we are going to try and produce something better than what we have, and what we had has been pretty good by every standard, and I could quote again the words of the Honourable Minister of Labour --(Interjection)-- No, I'm being repetitive for this one point. Mr. Speaker, Manitoba cannot afford an experiment. You had a member from one major corporation who appeared, and he had the guts to appear and that was the House of Seagrams, and he essentially told you that from his point of view, and I have his brief and I know what his comments are, that from his point of view, you know, he can't afford to experiment with Manitoba if they're going to be experimenting. --(Interjection)-- Oh, good. Well the Honourable Member for St. Boniface says "good" and he is in a situation where he has been in private business and he's been an employer and he can say "good"; but the worker who loses his job, the worker that does not have a rise in his income, the worker that does not have an opportunity and has to move out of this province because nothing is going to be happening here, you know, will not say good. And you can argue all you want about doom and gloom. You know, what you're trying to do is justify an experiment that at this point is not required because of our labour relations and which in fact could impinge like many other things have impinged on the future economic development of this province.

So, Mr. Speaker, our position is simple. We cannot accept the principle of free collective bargaining at this time. We do not believe that the government has made its case; we do not believe that there has been sufficient time for study. We are going to vote against the bill, not because we are against labour, and I must point out, Mr. Speaker, that we have passed pretty expeditiously every other bill that has been introduced with respect to labour matters in this House, but we are not prepared to be bullied, nor are we going to be so hypocritical and foolish as the Liberal Party is to stand up and vote for something, when in essence we don't fully understand it; we believe the workers in the province don't understand it; and we believe that management doesn't understand it, and we're quite satisfied with the exception of two or three people in the caucus of the New Democratic Party, most of the New Democratic Party members, don't understand it.

MR. SPEAKER: The Honourable Member for Churchill.

MR. GORDON W. BEARD (Churchill): Thank you, Mr. Speaker. I don't intend to leave you waiting too long on this bill. I would like to add some comments though and first of all I think I join with many in here in looking forward to constructive objectives in moving into new fields to assist labour management in carrying out their responsibilities in the fields of negotiation.

Secondly, I again follow the other speakers in saying that governments should have really given everybody in Manitoba more time to consider the bill because it was given us late in the session. It must have been ready earlier; if it wasn't then it shouldn't really have been offered to us at the time it was because they themselves should have had more time to look at the bills and make sure that they're drawn up properly. Now if this is the case then it has been necessary for them to study it and bring it up to date right until the last minute, how could they expect the people of Manitoba to accept it under the same conditions as they have had to work on it for six months and do it in a matter of a few days. I don't believe this is being reasonable. So I say it had to be ready weeks and months ago and it would have been so much better if they'd of submitted it two or three months ago in the early part of the session, when the contractors and industry would have had more time to look at the bills and consider them because this is the worst time of the year when you think of the road contractors, the building contractors, and industry in general in Manitoba who are going full belt now and they're looking after their own business, people are working, unemployment is at its lowest, so that means that everybody is busy doing their own thing and really the time to consider the future of many of the problems of labour and management is not during the peak periods of employment but during the wintertime when they do have more time to sit back and consider what is good and what is not good.

But be it as it may I suppose that looking over one's shoulder, the time has passed, and I think that government in the future when they're considering things, whether it be this government or the next government, should look at legislation and say we will not be bringing it in at the last moment, and this government is doing exactly what their party criticized of past governments, and particularly the Minister of Labour who acts quite eloquently on this very subject, many and many a time have we heard him say this when he was Leader of his Party in Opposition, and I am sure that he would have been up berating government if they had done such a thing when he'd been sitting on this side of the House. Now he will get up and say, "never would I have done this if they'd brought in this type of legislation", but I say to him that he would not have agreed to any type of legislation if he hadn't had time to have people give their different opinions on it and whether it be a week, or whether it be a month, it's very difficult to obtain the proper concern of people. In fact while the Leader of the Opposition was up I just had a phone call from the Mayor of Thompson complaining about a couple of the items within the bill and asking when the committee would be held, and such on, not realizing, and he was amazed to find that the bill would probably be passed before 12:30 today.

But I think that if labour and management are going to get closer to solving their problems certainly I agree that it will have to be done through good faith and a set of their own rules rather than rules that are set down by legislators within government because we can't make those ground rules for everybody, they just don't fit. And I think management and labour can, if they want, sit down and find the proper regulations and rules in which to move about if they're given the opportunity and the freedom to do it, and if the will is there; if it's not then they're both going to suffer. Unfortunately I worry about just how many are going to suffer because one group of selfish people on management side and on union side have decided that they are not going to agree, and this is the difficulty I have in looking at the bill. How many can in fact throughout an industry lose their jobs in management, lose their income, because one group decides they're going to fight to the finish. This means that other stores, other industries, can in fact be locked out of business because of sympathy strikes, and I think this chain reaction is something that government have to take a good look at because it is, I suppose, a conscience clause that we will have to watch very closely. I think that management and union have a right to decide who is going to give in or how the rules are going to be laid down for their own particular discussion. But when it starts to affect other businesses that really have nothing to do with that particular management or union, then it becomes too far-reaching and it's like an octopus that takes over a whole community, and I know that we who live in one-industry towns live in that fear and I wouldn't want to impose that upon other communities. And that is really what is going to happen if they're not very careful.

(MR. BEARD cont'd.)

I again express concern about the small service industry, and I mean the small business people. I hope the Minister will be careful in respect to this and will give guidance and consultation to the unions, and then hopefully they will not go out and create problems in those service industries that we all depend upon and which are a vital part of our communities. I believe that the people that work for those industries must make a living the same as other people but I think unions as well as management have to be realistic in respect to the product that they're offering the people and how much that product can be sold for. So consequently there must be an answer some way and I believe that if it's necessary then government are going to have to step in to that type of service industry, not to take it over but to possibly look at the wages that are being offered and see what can be done towards even subsidizing those wages if that is necessary.

But otherwise, I think that Bill 81 generally speaking is a good bill. It gives you constructive objectives not only to the labour people but to management and I think if after the first shock if management takes a good look at it, I think they'll find that they have a new field of responsibility, that they can in fact sit down with labour, and I believe labour will have a new responsibility and believe that in many respects it will be able to do away with the strikes that most of us feel are outdated.

And so with those few words, Mr. Speaker, I would say that the Minister will have to use caution in his approach over the next year and he'll have to keep a watch on what happens, and I trust that only good will grow out of this new approach to labour and management and I hope it is good for all of Manitoba. I don't really profess to see, as many do, that it will be doom and gloom for industry in the Province of Manitoba; I think that it would show good. I don't believe that there will be any more strikes than there were in the past. I think it was good in the past in the province; I don't think the climate of strikes will grow because of this bill; I think they'll diminish if anything and I can't see that there will be any strange interchange that has been forecast by the Leader of the Opposition or the Leader of the Liberal Party.

MR. SPEAKER: The Honourable Minister of Labour.

MR. PAULLEY: Mr. Speaker, I had thought for a moment or two earlier this morning when my colleague the Attorney-General moved the motion for third reading on Bill 81 that at that particular time the motion would have passed with a minimum of debate. However as we have progressed this morning it seems to me that at long last in this Assembly, leaders of the respective parties who comprise this Assembly, have at long last taken an interest in the affairs of labour.

I doubt very much whether either the Leader of the Official Opposition during the years that he was a member of this House gave a tinker's damn as to the legislation that was then in effect for he certainly has never, as far as I am aware, ever participated in any debate in the House dealing with the matter of labour.

And as the Leader of the Liberal Party so properly said - he's a rather naive individual, he's just beginning to find his feet, and I trust that he accelerates the program of finding his feet because he hasn't given too much evidence of really travelling very quickly in order to find out how government operates. I appreciate the fact that he, the Leader of the Liberal Party, has agreed to support this bill on third reading, and I trust, Mr. Speaker, that one of the reasons that he has decided to support the bill is because many of the provisions contained in the bill have now been adopted by the Federal Government in labour legislation at long last. And I trust and hope that even though I am not a member of the administration at Ottawa or the House of Commons, I trust and hope that I had some part in forming the federal legislation because at my very first conference of Labour Ministers of the provinces, and the meeting with the then Minister of Labour, raised the question of the right of unions to have opened a collective agreement as a result of technological change. And just for the purpose of the record, I was told at that time that it was so revolutionary that it was beyond the conception of my fellow provincial Ministers of Labour but I got a message from one very closely associated with the Federal Department of Labour that the Minister was pleased that at long last someone had realized in the circumstance of technological affecting a substantial number of employees, that at long last somebody had enough gumption to stand up and say that there should be some consideration for the worker. The net result is, whether it was because of my involvement at that particular time or not, that the Federal Government has just at this last session passed a bill which contains provision for a collective agreement to be opened up as a result of technological change.

(MR. PAULLEY cont'd.) So I say, Mr. Speaker, that was the first time, the first conference that I took place in, I was the rookie Minister of Labour in Canada at that time and now the senior one. I'm proud, I'm proud, Mr. Speaker, to introduce Bill 81 into the House and I reject most of the complaints that are directed toward it.

One criticizes me in particular for the so-called haste in the production of this bill. I say, Mr. Speaker, that consideration for Bill 81 started the first day that I was in this House, my first session back in 1954. I realized at that particular time that there were many deficiencies in our labour legislation, and I was determined that I would do my utmost to have changes brought into effect in respect of labour legislation as early as possible so that at least there was some equality between those who produce and those who reap the profits and the benefits. And that is the objective, basically, of Bill 81.

And while it did take a long time to produce the contents of Bill 81, I reject completely the proposition of haste as enunciated by the Leader of the Opposition and the Leader of the Liberal Party, Mr. Speaker. Because anyone at all who had any interest in labour-management relations over the years in government, and out of government, surely should have realized the deficiencies contained in labour legislation in Manitoba and also the inequities contained in the legislation.

My honourable friend, the Member for Emerson is wont to stand and to rant and to rave, and express in knowledgeability, or to attempt to express knowledgeability of the affairs of labour - I give him full credit, Mr. Speaker, for his attempts but I doubt very much, Mr. Speaker, after listening to him whether even on any occasion he has read the present Labour Relations Act of the Province of Manitoba --(Interjection)-- I doubt very much with all of his statements about essential services, and his pleading, and his heartbreak for essential services, I wonder if my honourable friend knows that under the bill, under the present Industrial Relations Act, the former Conservative act, that there was such a concern for essential services that Manitoba Hydro employees couldn't go out on work (strike) but the City of Winnipeg employees could. Is there any equity, any sense of services, Mr. Speaker, as exhibited by the mouthings of my Honourable friend from Emerson that the hospital workers can go on strike, the doctors could go on strike, the transit workers can go on strike --(Interjection)-- but not the liquor commission. That's right. That is Conservative justice, and I suppose maybe they have picked up the concern of the House of Seagrams and I don't mind the House of Seagram's labour relations' expert coming down here to discuss Bill 81, and I want to give Mr. Griffin that representative credit - I'll give him more credit than I would give to the Leader of the Opposition, because at least Mr. Griffin of Seagrams must have read Bill 81. I don't believe the Leader of the Opposition has of this date, and if he has he has shown just as much intellectual approach to that bill, or this bill, as he has to many others.

Now, Mr. Speaker, it seems to me that the approach of the Conservative Party is, let us keep the status quo; let us not, as they say, rock the boat; everything is going along very well. Labour relations in Manitoba are good, Mr. Speaker, and I suggest they will continue to be good in Manitoba, particularly as long as this government is in power, because the government recognizes that there are two sides to a proposition. Would my honourable friends opposite want us to retain forever the proposition that because something is relatively good at the present time, as I repeat that they are in industrial relations, that that's so for all time. Have my honourable friends opposite, and I'm including the Liberal as well as the Conservative, and I'm sure the Social Creditor has not, but has anyone on that side taken a look at labour relations across the North American continent, indeed across Canada, in Social Credit B.C. --(Interjection)-- in Social Credit B.C. they have more strikes because of government intervention in the affairs of management-labour than they do anywhere else in Canada. Is that, Mr. Speaker, what the Honourable Member for Rhineland would advocate? Government intervention. I say that is the cause of strikes. I say that when Saskatchewan was Liberal under Thatcher, they started out with a prohibition in one essential service, and by decree or order-in-council they caused more strikes and unrest, and from one little phrase in an act of government intervention, the labour movement in Saskatchewan soon found out that the absolute control in most cases rested not between the freedom to negotiate between management and labour, but by the iron thumb of government, a Liberal administration. We have a Liberal administration in the Province of Quebec, Mr. Speaker, who rule by decree, and there too an exhibit of labour unrest unheard of. And what are we saying here in Bill 81, the basic principle of this bill is to place the responsibility for harmonious relations between management and labour where it

(MR. PAULLEY cont'd.) rightly belongs, to those two groups.

My friends opposite indicate their lack of knowledgeability of Bill 81 because they continuously attempt to harp on the withdrawal of conciliation services. I don't know how much talking it takes to penetrate some of their heads. There is no withdrawal of the provision for conciliation services. There is no compulsion though either that management and labour have to accept conciliation services. Under the present act, enshrined by the Conservative Party of this province, there was a seven day period before management could lock out, or labour go on strike after the report of a conciliation officer to the Minister of Labour, after termination of an agreement. What are we saying, Mr. Speaker, in Bill 81, and this is one of the basic principles of Bill 81, we're saying that on the day that a collective agreement is signed, both parties know that at the termination of that agreement it's the day of reckoning, that government can't step in with a conciliation officer, a conciliation board, and an extension of seven days, or possibly of fifteen days or more, with an arbitration board. Is this not showing responsibility? And I know, Mr. Speaker, that there are parts of Bill 81 that may be objectionable in some but even the Member from River Heights who declares that he is going to lead his party in Opposition to freedom in labour relations had to admit that there were even some good points in Bill 81.

Mr. Speaker, the Conservative Party had an opportunity to propose amendments for consideration today, the report stage of this bill, but did that great responsible party do it? -- (Interjection)-- You didn't have time? You didn't even have time to attend the meetings fully on Saturday afternoon, and it was drawn to the attention of the --(Interjection)-- Garbage! -- (Interjection)-- Yes, you were there most of the day but you were there alone most of the day. --(Interjection)-- They tell me, Mr. Speaker, that they didn't have time to consider Bill 81. I think in many cases they're right. They didn't have time because external activities took precedence over the consideration of this most important piece of legislation. That's what the trouble was. --(Interjection)-- This was the case. You know sometimes the finger of scorn is levied at a person like myself because of so-called pro-labour approach but the responsible, and I want to say responsible, group who basically indicate the opinion of management came before the committee with a brief which contained only one or two objections, which I would have expected of the Chamber of Commerce, and they were very very concerned about the effects of the legislation in respect of technological change, Mr. Speaker, but went on in their brief to say that they thought Bill 81 was a good bill. Of course they said that they would have liked to have had more time. The Conservative Party were in power from 1959 until 1969. Surely to heavens, Mr. Speaker, that was time enough, and yet they want, yet they want more time. -- (Interjection)-- No, and your leader rejects his involvement and the position of the Conservative Party by saying exactly the same as the Member for Emerson says, well I was there but I was not the leader. That's what he has said on a number of occasions that now, now the leader of a once respectable party, he says now because I wasn't the leader, then don't hold me responsible for anything that the Conservative Party did. He said that in this House on a number of occasions.

My honourable friend from Swan River, and I welcome him back from his holidays, and after today, Mr. Speaker - his first return from a lovely holiday when the rest of us were working sometimes 20 to 24 hours a day in order to progress progressive legislation in this House, has the gall to tell me, ask me about forty amendments to a bill. Well for heaven's sake, my honourable friend, I hope you enjoyed yourself while the rest of us were working and I welcome you back. --(Interjection) - Was I working? You damn right I was working; often 22 hours a day in order to produce Bill 81 while my honourable friend, the Leader of the Opposition was slumbering peacefully in his feather bed, or should I say in his bed that has been feathered.

MR. SPEAKER: Order please.

MR. PAULLEY: Of course, Mr. Speaker, there were amendments to the bill as produced. There's no question of doubt about it. I wonder if my expert friend the Leader of the Opposition knows why we call sessions of the Legislature each year if it is not to consider amendments to bills and new propositions. It's done all of the time. --(Interjection)-- 41, yes, that's true. It indicates, Mr. Speaker, despite what the Leader of the Opposition says that at least we do take some note of propositions that are made, and I don't think, Mr. Speaker, that the Minister of Labour has ever figured that he was God and didn't make mistakes, or that this government likewise does not make mistakes in its legislation on introduction. Bill after bill has amendments made to it as my honourable friends know. Of course we did hear representations from those who because of their religious convictions felt that they should not pay dues to a union

(MR. PAULLEY cont'd.) for its purpose. And being reasonable, we did, but the utter nonsense spoken by the Member from Rhineland today of the effect of unions and the in-human approach goes beyond all conception, and of all understanding.

Well, Mr. Speaker, I know that time will tell whether or not we are right in this approach; time will tell and I realize, I realize that it can well be said, not only in Canada but the United States and other jurisdictions as well, that maybe we're wrong in placing responsibility where it belongs. We have seen the results of experiments in Australia, in Sweden, in other jurisdictions, and we have seen them fail. They could fail if we continued, Mr. Speaker, under the present Labour Relations Act in Manitoba. They can fail, or could conceivably fail under the provisions of 81, but having made an assessment of the effects of government intervention in industrial affairs, we felt that Manitoba can take leadership in this field. I disclaim any suggestion that I have been a tool of the trade union movement because they didn't know what was contained in Bill 81, except, Mr. Speaker, that over the years they made representations to the previous administrations, without avail, to bring about stability and a fair approach to labour relations.

Mr. Speaker, I recommend this bill, not because I happen to have the pleasure of moving the bill and considering the bill, but because I sincerely believe that as a result of this legislation we can have a better understanding between all parties in collective agreement. And I suggest, Sir, that if everyone, management, labour, and the general public, if they would but cast aside their own personal biases and unrealistic aspirations and assist the government in its effort to bring about a new and better understanding of the component in the industrial world, management, labour and public, we can continue to have the type of labour harmony that we've enjoyed. And I say, Mr. Speaker, that there is nothing contained within Bill 81 that will upset that because it's only giving responsibility where responsibility should rest.

MR. SPEAKER: The Honourable Member for Sturgeon Creek.

MR. FRANK JOHNSTON (Sturgeon Creek): Thank you, Mr. Speaker. The Honourable Minister of Labour reminds me of the orchestra that used to play the Johnston Rag, you know, you thought that the speech was going to end, or the tune was going to end, but he'd keep on going again. But we also have seen the fickle finger of scorn he waved at us again and after a fairly quiet week we got a little bit of a blast again, we're getting back into shape obviously.

Mr. Speaker, the Minister has been in this House longer, I believe, than anybody else in this House and as a debater I think that he has few equals, and as a debater he realizes that when you're in a corner and you have nothing more to say you start to insult; you start to call people down; you start to say that you didn't have any consideration for labour laws previously, you start to fight back in that attitude, and when he uses the statement "lying in your feather bed" to our Leader and then turns around and says, "Your bed that is feathered", we're really getting into a very low state.

So, Mr. Speaker, just with those few words I will get back to what I think quietly about the bill but there is one thing that I would like to mention to the Minister of Labour that I wish that he would have a conference with the Minister of Finance, because the Minister of Finance in the municipal debate said something about this bill that seemed rather right to me, or said something could be referred to this bill. He said on July 13, 1972 at 4:10 in the afternoon: "What is wrong with a little delay when making important decisions." I certainly wish the Minister of Labour would confer and take the attitude of the Minister of Finance in this respect.

Mr. Speaker, he spoke also getting a little bit down in the dumps and low, and what have you, about the Saturday afternoon when nobody was there. I wasn't on that committee but I happened to be working in my garden on Sunday afternoon and along came a girl from down the street who had sat through most of the committee meetings and she mentioned to me that none of the Opposition members were there after 3:00 o'clock Saturday afternoon, and her statement was, "I wouldn't blame you for not being there, you couldn't get anywhere with those fellows anyway." Mr. Speaker, I can assure you that that is the attitude that most people have in this particular debate.

Mr. Speaker, the criticism to the other side that we don't know that much about labour, or we don't know people associated with labour, and I would say that during the course of a two-week period I meet more people working in the labour force in this province than that whole side does in a year and I would say that - in fact I even would bet you that the Minister of Labour doesn't carry a pair of overalls, a hard hat and boots in his car, and tools to work with guys on the job the way I happen to and many other people do in this Mr. Speaker, so it's a

(MR. F. JOHNSTON cont'd.) . . . little ironic, the Minister firmly believes that if you put on a suit and call yourself a Conservative, you hate labour, and you know he knows better than that but as I said, he's reaching, he's finding ways to justify his pushing through of this bill.

Mr. Speaker, I was not on the committee but there was one part of the legislation that I was, or brief, that I was very concerned with. I've had the opportunity to review the brief and when I spoke on this bill in second reading I said, you know, it had some very loose legislation that would be hard to interpret at any time by a judge. So at that time I thought of the Autopac when the Bar Association came forward with a very good brief showing very technical reasons of what was wrong. At this time after glancing through the Canadian Bar Association and the Manitoba Bar Association combined brief, I see that they don't point out any criticism of the bill, sections of the bill, but they look at the bill from a very legalistic point of view. And I say that there must be over a hundred areas that they point out which is bad legislation, could be badly interpreted, and obviously could be very good for the lawyers in this province, and sections where there are very hard places to make judgment. I don't intend to comment on the technical change or the hot goods, other members of our caucus and my colleagues have done that.

Mr. Speaker, we said in second reading of this bill that it could probably be the best legislation in the country or in North America. We said that it should have hearings to have things like the suggestions of the Canadian Bar Association discussed and put in closed-in clauses instead of leaving open-end clauses, and we still stand by that that it could be probably the best legislation in North America, but we're turning out legislation that we disagree with in many of the technical sections; but we're turning out legislation which is obviously going to be sloppy and hard to interpret it at the same time.

Mr. Speaker, that's mainly my concern. In principle there are other things I don't like about the act. I have stated that I don't believe policemen want to go on strike. I don't believe that many people in services which are necessities to everybody in this province really want to go on strike. They want better arbitration arrangements.

I am rather surprised at the Liberal Party and the Leader of the Liberal Party. I can only suggest that the Leader of the Liberal Party reminds me of that fellow on the Listerine ad on television that says, "I hate it, I hate it, I hate it, but I am going to drink it anyway." -- (Interjection)-- Quite frankly - my colleague says you don't drink Listerine, you just swirl it around and spit it out, but the Labour Party is drinking it whole hog.

So, Mr. Speaker, I don't know that I have any more to contribute other than I'm very disappointed in the Minister of Labour's defence. I tell him that in the House at the present time and I'll make it much clearer to him later out in the hall. --(Interjection)-- Well, Mr. Speaker, he makes things fairly clear to me in the hall, too. But as I say, you really should have taken time. The technical aspects, and when you especially look at the legalistic point of view of the Canadian Bar Association that did not come up and attack this bill in any way, shape, or form, on clauses, technicalities, just from a legalistic point of view has just not been recognized and I think the government is making a serious mistake and you can't expect responsible people to vote for legislation like that because we have to be prouder than that in Manitoba than to pass sloppy legislation.

MR. SPEAKER: The Honourable Member for Assiniboia.

MR. PATRICK: Mr. Speaker, it's 12:30. I don't believe I'll have enough time to . . .

MR. SPEAKER: The Honourable House Leader.

MR. PAULLEY: I think that it would be appropriate for me, lest I be accused of rushing any more on Bill 81, if I move the adjournment of the House until 2:30. So therefore, Mr. Speaker - and I would suggest that the Honourable Member for Assiniboia be allowed to start the next time Bill 81 is up for third reading. He starts the discussion.

So therefore, Mr. Speaker, I move, seconded by the Honourable the Attorney-General, that the House adjourn until 2:30 this afternoon.

MR. SPEAKER presented the motion and after a voice vote declared the motion carried and the House adjourned until 2:30 this afternoon (Wednesday).