

THE LEGISLATIVE ASSEMBLY OF MANITOBA
2:30 o'clock, Tuesday, April 15, 1969

Opening Prayer by Mr. Speaker.

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

INTRODUCTION OF GUESTS

MR. SPEAKER: I pause for a moment to introduce our young guests. We have with us today 140 students of Grade 6 standing of the Margaret Underhill School, Transcona. These students are under the direction of Messrs. Stoyko, Braun, Campbell and Mushey, Mrs. Gillingham and Miss Washluk. This school is located in the constituency of the Honourable Member for Radisson.

On behalf of all the Honourable Members of the Legislative Assembly, I welcome you all here today.

I wonder if I may take a moment longer and make a statement. Of late I have noticed that during the oral question period that questions are being put based on newspaper releases. The point I wish to make is that honourable members in making quotations from newspapers are requesting from the Ministers as to whether or not the story is true. This procedure is contrary to parliamentary procedure and I would request the honourable members to act accordingly. In this regard I would direct the attention of the honourable members to Beauchesne, Fourth Edition, Citation 171, which lists questions which are not necessarily acceptable toward the better handling of the business of the House. I look forward to the wholehearted co-operation of the members in this regard in the future.

The Honourable Member for Portage la Prairie.

MR. GORDON E. JOHNSTON (Portage la Prairie): Are we at the orders, Sir? Are we at the Orders?

MR. SPEAKER: I am about to call them. Orders of the Day.

ORAL QUESTION PERIOD

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

MR. JOHNSTON: Mr. Speaker, I'd like to direct a question to the acting Minister of Mines and Natural Resources. It's concerning flood fighting costs. Does Ottawa share in any of the flood fighting costs, and if they do, could the Minister tell us the formula?

HON. GURNEY EVANS (Minister of Finance) (Fort Rouge): Mr. Speaker, I think there is no regular arrangement under which flood fighting costs, as such, are shared with Ottawa. Each flood has been regarded as a problem by itself. In some cases Ottawa has shared, as in the case of the 1950 flood. Negotiations were undertaken and a sharing agreement arrived at. I think the same can be said to be true of all other cases in which assistance from Ottawa has been received in connection with flood fighting costs or the repair of damages from floods. As far as I'm aware, there is no regular established basis on which this sharing is done.

MR. JOHNSTON: A supplementary question, Mr. Speaker. Will the Manitoba government be requesting assistance for this present flood crisis from Ottawa?

MR. EVANS: I think that's hypothetical. If a flood should arise of a magnitude which requires such assistance, we undoubtedly will approach Ottawa.

MR. SPEAKER: The Honourable Member for Elmwood.

MR. RUSSELL DOERN (Elmwood): Mr. Speaker, I'd like to direct a question to the Minister of Education. Does the Minister have any comments to make on yesterday's school referendum, and in particular I wonder whether he could indicate to the House what kind of campaign the government carried on in those divisions to encourage people to come into the plan.

HON. DONALD W. CRAIK (Minister of Youth and Education) (St. Vital): Mr. Speaker, I haven't any comment to make that I think would add any further information except out of the four, two divisions opted in as unitary divisions and two opted out. The two that voted themselves in were Morris-Macdonald and Western divisions, and the two that voted themselves out, or decided to stay out of the unitary plan, were Mountain division and Pembina Valley.

As far as the government's involvement was concerned, we provided the existing school boards with as much information as we could. Campaigns were -- what campaigns did exist were run pretty well at the local level. This was their desire and we assisted them where possible.

MR. DOERN: A supplementary question. If there was a request from these divisions in the near future, what would it involve for them to have a further referendum in some of these defeated divisions?

MR. CRAIK: The previous rules that we have used, Mr. Speaker, have been that we requested that approximately 85 percent of the board membership of existing boards, elementary or secondary, were to request, accompanied by a petition of 35 percent of the resident electors.

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

MR. GILDAS MOLGAT (Leader of the Opposition) (Ste. Rose): Mr. Speaker, I'd like to address a question to either the Premier or the House Leader. I wonder if they could give us any information on the state of health of the Minister of Mines and Natural Resources who was taken ill suddenly last night. I know that it's not necessary for me to add how sorry all the members of the House are. I wonder if he could tell us what the situation is?

HON. WALTER WEIR (Premier) (Minnedosa): Well, Mr. Speaker, the Minister of Mines and Resources was resting comfortably this morning and had a relatively good night. The diagnosis hadn't been complete and further tests were being carried out. Certainly he will remain in the hospital today and possibly tomorrow, but I understand he's coming along relatively well.

MR. SPEAKER: The Honourable Member for Burrows.

MR. BEN HANUSCHAK (Burrows): Mr. Speaker, I wish to direct my question to the Honourable the Minister of Consumer Affairs. The railway industry has given notice of a six percent general increase in the agreed charge freight rates effective July 14. My first question, Mr. Speaker, is will the Minister assure the public of Manitoba that he will protect the consumers interests to whatever extent he can to avoid this becoming a general six percent increase in the cost of living. And my second question, if I may, will the Minister undertake to study and give his comments to this House on the current practices in establishing rail and truck rates? I understand that some are subject to approval of a government board and others are not.

HON. SIDNEY SPIVAK, Q. C. (Minister of Industry & Commerce) (River Heights): Mr. Speaker, the question was directed to the Minister of Consumer Affairs; it probably should have been directed to the Minister of Transportation, but because I'm familiar with the matter at one time the problems of rail transportation were within the Department of Industry and Commerce, may I simply say that the railways increase is as per the national Transportation Act, which was Bill C-231, and it was agreed to by the Federal House of Parliament.

And while I'm on my feet, I wonder if I can answer a question of April 1st of the Honourable Member from Burrows concerning Northern Natural Gas Company's proposed pipeline that would possibly come through Manitoba. At that time the honourable member asked whether the people of Manitoba would be represented at the hearing in connection with this pipeline application. The company is required to file a submission to the Alberta Oil and Gas Conservation Board and the National Energy Board, which will clearly describe the proposed route and the availability of natural gas for sale to distribution companies along its route. It will not be until the company's submission to the National Energy Board is available that we will be in any position to determine the most appropriate action, but I'd like to assure the honourable member - and the House - that the Department of Industry and Commerce will closely examine this and will ensure that every consideration be given to the possibilities that it would have for Manitoba.

And while I'm on my feet I'd like to answer a question as well of the Honourable Member for Elmwood, who asked whether there would be centennial buffalo pins available for the members of the House. I'd just like to report that the stock is very low at the present time. A substantial order has been already undertaken by the department, and when in fact we receive them we will make sure that the members have some available for them.

MR. SPEAKER: Order please. I believe the Honourable Member for Burrows has a supplementary.

MR. HANUSCHAK: Yes I do, Mr. Speaker, if I may. With reference to the freight rates, is it not correct that the agreed charge rates are strictly negotiated between the two parties and that there is no legislation governing them in any way whatsoever?

MR. SPIVAK: My understanding is that it's all controlled under the National Transportation Act, which allowed the railways to in fact alter the rates as they saw fit.

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

MR. ELMAN GUTTORMSON (St. George): Mr. Speaker, I'd like to direct a question to the Minister of Education. Prior to the tabling of the Boundaries report, the Minister informed the House that when the copies were printed he would make copies available to all the division trustees and the municipal men. The municipal men have complained to me that they have not received copies of this report as the Minister indicated they would. Could he tell us why?

MR. CRAIK: Well, Mr. Speaker, copies of the report were delivered - 10 to each school division on the first day we got the report, and since that time there have been reports mailed directly to all - as far as I know - all of the municipal offices. Now they may not have arrived because I think they've just gone out late last week, but they are in the mail.

MR. GUTTORMSON: A supplement. I was talking to the municipal men on Saturday and they had not received any report.

MR. SPEAKER: The Honourable Member for Inkster.

MR. SIDNEY GREEN (Inkster): Mr. Speaker, I'd like to direct a question to the Honourable the Minister of Finance. Some days ago I asked the Honourable Minister whether he could provide the House with details of estates in Manitoba that were subject to tax in the last year, not the names but figures, and he said that he would try to get them. Is that information going to be available at any time before the budget speech debate is closed?

MR. EVANS: I'm not able to tell my honourable friend definitely whether that will be available before the budget debate closes, which is next Monday. We have a senior official in Ottawa and he's been there for some days trying to find what information will be available to us, as a government to begin with; and second, what of that information can be made public. Much of it, certainly the details by individual estates would be confidential, but he is endeavouring to find out. A very well qualified man is there now. I'm afraid I'm not able to give further information at this time.

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

MR. LAURENT DESJARDINS (St. Boniface): Mr. Speaker, I rise on a point of privilege. It's with the spirit of co-operation so well known with our Party, and especially the Member for St. Boniface, that I wish to inform you, Mr. Speaker, that any time you wish me, or any special place you wish me to do so, I'm ready to speed up the work of the House to withdraw Resolution 26 that appears in my name, because I think that has been well covered. So I mention this now and we might save the printers a little work and yourself too, Sir.

MR. SPEAKER: Does the Honourable Member have leave to withdraw that resolution? (Agreed.) I appreciate the economy in the mind of the honourable gentleman. Are you ready for the . . .

MR. MOLGAT: Mr. Speaker, I'd like to address a question to the Minister of Health and Social Services. It is now a little over two weeks since the Medicare Act has gone into effect in Manitoba, and I understand that as yet the doctors in the province have received no regulations dealing with the manner in which they are to handle DVA patients, Indian Affairs patients or indigent patients. Could the Minister indicate when the regulations will be sent out?

HON. GEORGE JOHNSON (Minister of Health and Social Services)(Gimli): Mr. Speaker, I thought these were well in hand. I would be pleased to take this as notice and get the answer this afternoon or at the first opportunity.

MR. SPEAKER: The Honourable Member for Selkirk.

MR. T. P. HILLHOUSE, Q. C. (Selkirk): Another question to the Honourable Minister of Health. When you distributed the tariff of fees payable to doctors under the new Act, you only had a limited number and each member of the House didn't receive one. Would you make the extra ones available for those that did not receive them?

MR. JOHNSON: Mr. Speaker, I'll see if the Corporation couldn't supply us with the bound volumes for the honourable member to add to his law library.

MR. HILLHOUSE: . . . probably furnished free.

MR. SPEAKER: The Honourable Member for Rhineland.

MR. JACOB M. FROESE (Rhineland): Mr. Speaker, I'd like to address a question to the Honourable the Minister of Finance. When can we expect the tabling of the Capital Supply estimates?

MR. EVANS: At this moment I'm not able to give my honourable friend a definite date. Normally it would be after the conclusion of the budget debate which will be next Monday night - some time after that. -- (Interjection) -- I'm sorry I didn't hear.

MR. FROESE: In normal years we generally have them before the budget is concluded.

MR. EVANS: At the moment they are not ready and I cannot undertake to present them before next Monday night, or after that.

MR. SPEAKER: The Honourable Member for Burrows.

MR. HANUSCHAK: Mr. Speaker, I wish to direct my question to the Honourable the Minister of Health. To ease the processing of patients' claims, would the Minister be good enough to inform the Corporation to clearly outline to the people as to the procedure to be followed upon seeing a doctor. I understand that this causes considerable difficulty in obtaining patients numbers as assigned by the Corporation, that people perhaps are not aware of the change in the numbering system or have disregarded the receipt of the new card and that sort of thing, and there are many call backs that have to be made and that sort of thing to obtain this information. Would the Minister undertake to see to it that this is clarified to the people.

MR. SPEAKER: The Honourable the Minister of Health.

MR. JOHNSON: Mr. Speaker, in answer to the Member from Burrows, I would certainly look into that further. I believe that attempts at the public information have been directed at attempting to inform everyone that the number they received with their medical care insurance card is both the medical and hospital insurance number. With respect to the claim procedures, I think this would have most relevance with respect to those doctors who are opted out. I'll take the question as notice and make some enquiries.

MR. SPEAKER: The Honourable the Minister of Education.

MR. CRAIK: Mr. Speaker, before the Orders of the Day, I would like to table a Return to an Address for Papers No. 23 dated March 24, 1969.

And might I also take the opportunity on behalf of the Minister of Mines and Natural Resources to table the daily report on flood conditions for the Assiniboine River, for the Whitemud River, Souris River, the Pembina River and the Red River, and in tabling the Red River report I would like to point out that the Flood Forecasting Committee has revised Red River stages upward on the basis of crests being experienced in the United States portion of the basin. Above normal temperatures of the past week have caused more rapid rate of snow-melt than anticipated earlier, and the Committee emphasizes that excessive rain could cause further upward revision in river stages. The level, the Winnipeg measured level is still 18 to 20 feet and this is not greatly different from the previous level, or last level mentioned, and above the Floodway level is anticipated - peak stage and date - 762 to 764 feet elevation, April 24th to 27th, and the level in 1966 indicated is 763.

MR. SPEAKER: The Honourable Member for Elmwood.

MR. DOERN: Mr. Speaker, I would like to direct a question to the Minister of Municipal Affairs. Since the members of the Legislature will be actively involved in the 1970 centennial celebration, is the Minister going to provide members of this House with bison pins or some kind of little souvenir type item that they can use to distribute among their constituents, or in playing a role in the centennial celebrations?

HON. OBIE BAIZLEY (Minister of Municipal Affairs) (Osborne): Yes, Mr. Speaker, I think we would be quite happy to make a generous distribution of the Spirit of 70 pins, and for the balance of the question I would take it under consideration.

MR. SPEAKER: The Honourable Member for Rhineland.

MR. FROESE: Mr. Speaker, I would like to address a question to the Honourable the Minister of Transportation. Is the government advised of all rail line abandonments that are being planned, and if so, are any of them being planned for this year or are they all being held in abeyance until a certain time. What is the situation?

HON. STEWART E. McLEAN, Q.C. (Minister of Transportation)(Dauphin): Mr. Speaker, I do not believe the government is advised of all rail line abandonments. I am under the impression that there are none taking place at the present time. There is an association known as the Rail Line Abandonment Association that receives certain assistance from the Province of Manitoba and which undertakes to appear on behalf of communities asking them to do so.

MR. FROESE: A supplementary question. Wherever rail line abandonment takes place, has the government seen to it that highways are provided for those people in those areas?

MR. McLEAN: Mr. Speaker, we do not have any policy that specifically deals with a highway where there has been a rail line abandoned, although naturally we take that factor, if it occurs, into account in planning our highway and road program.

MR. SPEAKER: The Honourable Member for Burrows.

MR. HANUSCHAK: Mr. Speaker, I may have missed this comment from the Honourable Minister of Education, but could he tell us what constituencies where the school divisions which had opted out and those which had opted in?

MR. CRAIK: The in ones are Morris-MacDonald and Western; the out ones are Pembina Valley and Mountain.

ORDERS OF THE DAY

MR. SPEAKER: The adjourned debate of the proposed resolution of the Honourable Member for Gladstone. The Honourable the Minister of Government Services.

HON. STERLING R. LYON, Q. C. (Attorney-General) (Fort Garry): Mr. Speaker, I wonder if before we embark into the resolutions, there is an Order for a Return first of all on the Order Paper, and then thereafter if I could speak on a matter of business of the House this afternoon. I understand there would be agreement in the House to deal with the second readings of the bills which appear on Pages 15 and 16 of the Order Paper before we go into resolutions. If that is convenient for members, we would be agreeable on this side of the House.

MR. GUTFORMSON: Mr. Speaker, this would meet with our approval.

MR. SPEAKER: The Honourable Member for Rhineland.

MR. FROESE: Mr. Speaker, I was just going to mention I wasn't consulted, but I'll agree to it anyway.

MR. SPEAKER: I take it it is the wish of the House that we turn to Page 15 and commence with Bill No. 31.

MR. LYON: The item - the adjourned debate on the Order for Return on Page 1, Mr. Speaker.

HON. THELMA FORBES (Minister of Government Services) (Cypress): Mr. Speaker, when I adjourned this debate I did not notice that the Honourable Minister of Municipal Affairs was in his seat and I adjourned it on his behalf. The Honourable Minister of Municipal Affairs.

MR. BAIZLEY: Mr. Speaker, I am prepared to accept this Order for Return with the usual reservations.

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

PRIVATE BILLS

MR. SPEAKER: The adjourned debate on second reading of Bill No. 31. The Honourable Member for La Verendrye.

MR. ALBERT VIELFAURE (La Verendrye): Mr. Speaker, the Bill before us is actually to change the name and the structure of the Association of Franco-Manitobaines, commonly known as L'Association des Canadiens-Francais du Manitoba - I should say L'Association d'Education.

As most members will know, last fall there was a meeting where a new structure, a new constitution was adopted. Having been one of the 15 persons that were elected in a democratic way to form this new organization, I would just like to say a few words here today. The former Association had been formed some 53 years ago in 1916, if I'm right with my years, when the rights to have French speaking people be learned French in school was removed. At that time the Association was formed to try and regain this right in order to have people of French-speaking origin learn their language in school in the French language. However, in 1966, if I remember well, in this House - and I want to commend the government for this change in legislation - legislation was passed in this House permitting that 50 percent of the time be allowed to the teaching in French.

At this time the Franco-Manitobans decided that their previous Association was not serving any more the purpose that it had been formed for and decided to have a good look at themselves and find out in what way they could contribute the most to the betterment, the better understanding for the people of Manitoba. A meeting was called where some 300 people interested gathered and discussed for two or three days, established working papers and then presented them at a later meeting that fall attended by some 700 Manitobans. At that time the present structure was adopted. We elected an executive of five people, that are mentioned in this Act, and I want to assure this House, Mr. Speaker, that all these people are vitally and directly interested in the well-being of Manitoba. They are not people with separatist ideas; we are part of Manitoba. We want to do our share, and we think by having a worthwhile and well intended organization we can help the betterment not only of this province but of this country.

(MR. VIELFAURE cont'd)

The Honourable the Minister of Education was present, and I am sure he remembers that time, and we indeed had a very good meeting that received a lot of publicity. We are quite often charged as Franco-Manitobans with trying to force French down our throat. This is a statement that hurts me very much when I hear it, and I suppose that people that say it have reasons. However, this is certainly - certainly not our intention, Mr. Speaker, and certainly not through this legislation. For fifty years, Mr. Speaker, we were not even allowed to swallow French, even those of us who wanted to learn it, in the school system, so certainly now that we have legislation permitting the teaching by law for fifty percent of the time, this doesn't certainly mean that we that are the people forming the Association intend to force French down anybody's throat.

I would like to point out to the government that this Association is, as I said before, composed of very well meaning people who are dedicated to this province and who certainly intend to do their part in the better relations between people of different groups. I certainly urge the government that whenever they have to deal with problems relating to the cultural or language interests of the Franco-Manitobans, that they certainly look at the people, the executive of this organization as being very representative of the Franco-Manitoban society, and I can assure the Ministers concerned that they will indeed get the co-operation of these people.

The question was asked about treaties in this Act. I checked with the person who wrote this Bill and he assures me he was going to phone me back and give me the exact meaning of treaties, and I am sure the Honourable Member from St. John's would probably know better than I do how to find the explanation. However, this is certainly a way of saying, that accords with organizations that have the same purpose can be conducted between one another, and certainly within the permits of legislation in the provincial and federal field.

Mr. Speaker, I think that this is about all I have to say on this Bill, and again may I assure the members of this House that the people who do form this organization are people who intend to co-operate, to make sure that everything possible is done to better the relations between the different people in this province.

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

MR. SHOEMAKER: I beg to move, seconded by the Honourable Member for Emerson, that the debate be adjourned.

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

MR. SPEAKER: Second readings. Bill No. 38. The Honourable Member for St. John's.

MR. GREEN: Mr. Speaker, in the absence of the Honourable Member, may we have the indulgence of the House to let this matter stand?

MR. SPEAKER: (Agreed.) Bill No. 40. The Honourable Member for Winnipeg Centre.

MR. JAMES COWAN, Q. C. (Winnipeg Centre) presented Bill No. 40, An Act respecting Misericordia Hospital, for second reading.

MR. SPEAKER presented the motion.

MR. COWAN: Mr. Speaker, Bills Nos. 40 and 41 are from the same organization, and I would like to point out that Les Soeurs de Misericorde were incorporated in Manitoba in 1899 by a special Act of the Legislature. Misericordia General Hospital is presently owned and operated by the said corporation. Originally a maternity hospital, it has since grown to its position today as one of Greater Winnipeg's larger general hospitals. The Sisters of the Order have considered it to be desirable to incorporate a new corporation under the name of Misericordia General Hospital for the purpose of acquiring and operating the hospital. The corporation of Les Soeurs de Misericorde will remain to carry on generally religious and charitable purposes.

The reasons for this decision of the Sisters were various. The present Act of incorporation provides that its affairs shall be managed by the members, for the time being, of the corporation, all of whom must be Sisters of the Order. The members have constituted a governing board from amongst their number which is in effect a Board of Directors. Hitherto, the Board has been assisted in its management of the affairs of the hospital by a Board composed of Winnipeg business and professional people, but the function of this Board has been advisory only. Last year, a decision was made by the Order that the community of Greater Winnipeg, through various of its business and professional people, should be involved in the affairs of the corporation in more than an advisory capacity through membership on its Board

(MR. COWAN cont'd) of Directors. This could not be done without the amendment of the present Act or an application for a new one.

Certain other changes in policy within the Order itself made it advisable to follow the latter course. The Sister Superior of the Order in Manitoba had previously also been the Administrator of the Hospital. It was decided that no longer should the same Sister hold these two positions. This division of authority was in keeping more with the new two corporation concept than that of the single corporation, and this was also true of the appointment last November for the first time of a lay Executive Director of the corporation.

For these reasons, the Sisters decided to apply for a new private Act incorporating Misericordia General Hospital, to which the corporation of Les Soeurs de Misericorde would transfer all of the property and assets of the hospital, subject to existing encumbrances. In short, the Sisters consider that the people of Manitoba should have a more direct voice in the operation of the hospital which they financially support through the Manitoba Hospital Commission.

For themselves, the Sisters desire an Act which permits them to continue in the religious life and generally to pursue their basic purposes of charity and mercy.

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

MR. LEONARD H. CLAYDON (Wolseley): Mr. Speaker, because this hospital is located in my constituency, I think I would like to read into the record some of the facts concerning Misericordia Hospital, because it ranks as the third largest hospital in the province. As the Member for Winnipeg Centre told you, this hospital was originally incorporated in 1899. The Sisters of Misericorde, at the invitation of the Archbishop of St. Boniface, came to Winnipeg, they were given a mandate by the Mother General of the Order to open a facility to care for unmarried mothers and to offer assistance to the sick and injured.

Now the hospital has come a long way since 1899 and their Act was amended in 1919 to broaden their functions. With public support, the hospital was enabled to add a new wing in 1908, another in 1948, and the last one in 1954. At the present moment, it has a capacity of 418 beds and 53 bassinets. The School of Nursing has facilities for 250 women in the nursing education field, and there are 114 active and associate members of the hospital and an additional 365 courtesy members. There are some 1,100 employees engaged in the operations at this hospital, and in 1968, 15,589 patients were admitted, which is equivalent to the size of a small city. There were 1,781 babies born in the hospital, and in the field of surgery, there were 8,802 operations. The hospital opened a four-bed intensive care unit, and at the present time they are negotiating with the Hospital Commission to increase this to 10 beds.

Their program for the future is to expand, to increase the bed capacity from 418 to 700 beds. I think there is no doubt in any person's mind about the tremendous contribution that the Misericordia Hospital has rendered towards the public in Manitoba in the field of health services, and I'm very happy to say that this is taking place in the constituency of Wolseley.

Mr. Speaker put the question and after a voice vote declared the motion carried.

MR. SPEAKER: Bill No. 41.

MR. COWAN presented Bill No. 41, An Act respecting Les Soeurs de Misericorde, for second reading.

MR. SPEAKER presented the motion.

MR. COWAN: Mr. Speaker, the remarks I made in respect of the introduction of the previous Bill apply to the Bill now before the House, and I don't think I have anything to add to it at the present time.

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

MR. SPEAKER: Bill No. 9. The Honourable Member from Brandon.

MR. R. O. LISSAMAN (Brandon) presented Bill No. 9, An Act to incorporate Brandon University Students' Union, for second reading.

MR. SPEAKER presented the motion.

MR. LISSAMAN: Mr. Speaker, I think the Bill is pretty obvious to anyone that peruses it. The purpose and intent of it is to actually incorporate a legal entity in the instance of the Students' Union with the head office in Brandon, and the powers and limitations are set forth in Section 5, subsection (1). The purposes are to acquire, be able to receive and hold property, both real and personal, for the benefit of the students of Brandon University; to receive and maintain a fund, or funds, to invest all or part thereof and to apply from time to time all or part thereof of the income to the social welfare, pleasure, recreation and the benefit of the

(MR. LISSAMAN cont'd) . . . students; and also to promote various educational, literary, artistic, scientific, sporting events on behalf of the students; and to be able to print and publish and circulate a student paper.

In my own study of the Bill I've wondered, and particularly due to one or two comments I've had from the public - incidentally I might say that to the best of my knowledge the Board of Directors are generally in agreement with the Bill and the students of course requesting it are in favour of it - but it has occurred to me that under the Executive Committee and Honorary Officers, there might be some degree of safeguard added to the Bill in that I believe that there's a possibility in this instance of people becoming members of the executive and honorary officers who are not members of the student union. I really wonder if this would be wise, and it might be well for members to consider this particular section. Otherwise, as I've said, the Board are in favour and the students of course have requested it, Mr. Speaker.

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

MR. DOERN: Mr. Speaker, I move, seconded by the Honourable Member for Inkster, that the debate be adjourned.

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

MR. SPEAKER: Bill No. 26. The Honourable Member for Kildonan.

MR. PETER FOX (Kildonan) presented Bill No. 26, An Act to Grant Additional Powers to Rossmere Golf and Country Club, for second reading.

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

MR. SPEAKER: The Honourable Member for Winnipeg Centre. Bill No. 39.

MR. COWAN presented Bill No. 39, An Act to amend and consolidate the Acts incorporating The Fidelity Trust Company, for second reading.

MR. SPEAKER presented the motion.

MR. COWAN: Mr. Speaker, the present capital structure of The Fidelity Trust Company consists of one million Class "B" shares, common shares, and one million Class "A" common shares, each with a par value of one dollar. The only existing distinction between the classes of shares is that Class "A" shares carry one vote for each 10 shares held while Class "B" shares carry one vote for each one share held. One of the chief objectives of the company has been, and still is, to assist in the development of the Province of Manitoba by receiving deposits from the public and re-investing these public savings within the province rather than having the whole or any part of the savings transferred to other areas of Canada as a result of policy decisions taken by companies with head offices in other parts of the country. In order to achieve this objective, it was of the utmost importance that control of the company be vested in persons whose objectives were consistent with those of the company. By virtue of the small body of shareholders that existed until quite recently, control was maintained by a preponderance of voting rights accruing to the owners of Class "B" shares. However, in recent years the body of shareholders has greatly increased in number and has had the value of the issued shares, and the directors no longer being apprehensive that eastern interests could easily take control of the company. Accordingly, the purpose for which different voting privileges were provided for the two classes of shares is no longer important and there's no reason why all shareholders should not now have equal rights in all respects whatsoever.

In addition, the company's growth and development has been regulated by the legal requirements that the total amount of moneys accepted for deposit be limited to 15 times the paid up capital. Each time the total deposit approached the legal maximum, it is necessary to sell more shares. The company is of the opinion that the shares of the company will gain wider public acceptance if they are all of one class and all equal in every respect, and that, Mr. Speaker, is the purpose of this Bill, to have all the shares in one class and equal in every respect in regard to voting and in other matters.

MR. SPEAKER: The Honourable Member for Churchill.

MR. JOE BOROWSKI (Churchill): Mr. Speaker, there are a few questions that are unclear in my mind. Listening to the member speak, he mentioned something about transfer of voting rights on a basis of shares held. I know a bit about shares because I buy them occasionally, and it seems to me that when you're buying shares the voting rights have a great deal to do with how much the shares are selling for. Now it seems by passing legislation here we're going to make a decision which is going to affect the shareholders. Now I'm not aware if they're foreign shareholders or Canadian or whether they live in Manitoba. It seems to me that until we have more information, and we haven't really been given very much information

(MR. BOROWSKI cont'd) about who owns these shares, at what price they were bought and how it's going to affect the value, and we could conceivably, by passing this legislation, reduce on the market the price of the shares by 100 percent overnight.

I would like the member to bring more information to the Assembly, and while he's doing that he might consider giving us some information as to how much of this money is being invested in Manitoba. He was speaking of this as the primary objective of this company and I find this rather difficult to believe. I've always understood that companies are in business to make money, not to develop a province. He mentioned this as their purpose, so perhaps he can give us a little more information on this.

MR. GREEN: Mr. Speaker, I move, seconded by the Honourable Member for Wellington, that the debate be adjourned.

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

MR. SPEAKER: Bill No. 45. The Honourable Member from Morris.

MR. WARNER JORGENSON (Morris) presented Bill No. 45, The Manitoba Municipal Secretary-Treasurers Association Act, for second reading.

MR. SPEAKER presented the motion.

MR. JORGENSON: Mr. Speaker, I would have expected that members of the House would have wanted me to give them some reasons why this Bill is before the House at the present time, and I would like to take advantage of this opportunity to pay a tribute to the members of this association for the work that they have been engaged in for the past number of years.

The association was first formed in December of 1931, when approximately 20 Secretary-Treasurers met following the convention of the Manitoba Association of Rural Municipalities. The objects of the association at that time were to work in conjunction with the Manitoba Union of Municipalities on all matters of public interest. Secondly, to mutually assist each other in the standardizing of the work methods and forms used in solving questions arising from the administration of municipal law. And thirdly, to protect the members of the association in carrying out their responsibilities in accordance with the law and the dictates of honour and integrity, and to watch legislation relating to municipal affairs and to suggest from time to time such amendments as may be deemed advisable.

Through the years the association has followed these objects, and on many occasions have made suggestions to improve legislation affecting administration of municipalities. In 1937, the first extension course for council members and secretary-treasurers was established in conjunction with the Union of Manitoba Municipalities and the Department of Municipal Affairs, and has been held annually except for an interruption in 1950 due to the flood.

One of the largest undertakings of the Manitoba Municipal Secretary's Association was realized in 1966 when a correspondence course for municipal Secretary-Treasurers was established with the support of the Department of Municipal Affairs and the University of Manitoba. This was a culmination of eight or nine years of study and preparatory work on the part of the association. This course is now in its third year of operation and offers the following subjects: First year - Municipal Accounting; Second year - Municipal Administration; Third year - Municipal Law; and the Fourth year - Human Relations, and I think we all are aware of the need for that type of work, particularly on the part of secretaries of these associations. The members of the Manitoba Municipal Secretaries Association are serving on the Board of Certification concerning this course. It may also be of interest to note that the above course is being considered for translation and adaptation to their requirements by the Province of Quebec.

In addition to the above, the Manitoba Municipal Secretaries Association has been and is presently active through committees in improving and standardizing municipal forms, compiling a reference to other statutes relative to municipal administrations, and when deemed advisable, attendance at Law Amendments Committee when legislation affecting municipalities is being considered. The objects of the association have remained constant and it is in the interests of the association to continue its efforts in the promotion of good civic government.

The particular reason for the passage of this Bill at the present time is that the previous Act was passed in 1955 and the contents of it were so confining that by-laws cannot be passed without contravening the Act, and after 19 years the Act is inconsistent with the objects of the association.

I'd like to point out here some of the problems facing the association with the Act in its present form. First, Section 6 of the old Act refers to entering into agreement with the

(MR. JORGENSON cont'd) . . . Manitoba Hospital Services Association and Manitoba Medical Services, which are both now obsolete. In Section 8, old boundaries of districts corresponded with old judicial boundaries system which is now also obsolete. Section 9 names officers of the association but does not include the Secretary-Treasurer. And finally, no provision is made in the old Act for the association to make investments. It was felt by the officers of the association that rather than submitting amendments to the old Act, it perhaps would be a lot quicker and a lot neater to simply introduce a new Act for consideration by this House, and in the final section of the new Act have the old one repealed. It is for this purpose that this Act is being brought forth today.

MR. SPEAKER: The Honourable Member for Kildonan.

MR. FOX: I move, seconded by the Honourable Member for Burrows, that the debate be adjourned.

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

MR. SPEAKER: Go on to second reading of Bill 37?

MR. LYON: There was agreement we would carry on with these public bills introduced by private members, down to the end of Bill 44 only.

PUBLIC BILLS

MR. SPEAKER: Second readings of Public Bills - Bill No. 37. The Honourable Member for Brandon.

MR. LISSAMAN presented Bill No. 37, An Act to Vest Title in Land in The City of Brandon, for second reading.

MR. SPEAKER presented the motion.

MR. LISSAMAN: Mr. Speaker, probably in this instance a bit of explanation should be given. Again I believe it's relatively easy to discover what has happened in the past. Years ago, in 1916 in fact, the Land Titles Office issued title to certain properties, and these are set forth in the Bill, registering the owner as the Brandon Brewing Company Limited. Now this company became dissolved and subsequently the Premier Brewing took over, but during all those periods, as will be seen under the "whereas" on the back page, the lands have never been shown on the tax roll of the City of Brandon and no taxes have ever been paid thereon. So these lands have been tied up in this fashion and now of course the city would like to regain title to this property so that the proper disposition could be made of it.

MR. SPEAKER: The Honourable Member for Burrows.

MR. HANUSCHAK: Mr. Speaker, the last comment made by the Honourable Member for Brandon I believe is the most significant one, and that is, and I'll read from the Bill: "And whereas the lands have never been shown on the tax roll of the City of Brandon and no taxes have ever been paid thereon."

Now personally I do not feel that we could just let this matter slide by in this manner. If we read the preamble to the Bill, this parcel of land - I don't know how large it is but I would assume that it's not a little 25 foot lot; it was, I take it, property acquired for the purpose of operating the, at that time, called the Brandon Brewery Company Limited, back in January of 1916, 53 years ago - and it wasn't shown on the tax rolls of the City of Brandon at that time. Then some time later - three years later - the letters patent of the company were cancelled in August of 1919, and again nothing happened. Somehow this managed to slip by, supposedly, without having been brought to the attention of the City of Brandon. And then some time transpired and a company in a similar industry came into being - again in 1931, in July of 1931, the Brandon Brewery Company Ltd., and I take it that that company had ownership of this piece of property. This state of affair continued for three years and its letters patent were cancelled in October of 1934. In the meantime, now which one had ownership of the property isn't too clear, because in the meantime there was another company that came into being, or maybe this one intervened - maybe the sections of the preamble are not in chronological order because I note that the section following it makes reference to a Brandon Brewing Company Limited incorporated in April of 1924 - but at any rate there's another incident that occurred in that year. And then it changed its name in August of the following year, in August of 1925, to Premier Brewing Company. And then in 1945 - 24 years ago - its letters patent were cancelled. And all these things had occurred within the City of Brandon, Mr. Speaker, and in the meantime -- and at no time during this period, according to this Bill, was this land ever shown on the tax roll of the City of Brandon.

Now my question is was this simply a case of oversight on the part of someone, on the

(MR. HANUSCHAK cont'd) . . . part of the city, or was this a tax freeze, a tax concession. Perhaps the Minute Book of the City of Brandon at some time, maybe some time prior to - when was it? - to the fourth of January of 1916 may indicate, may give some reason why this piece of property was not shown on the City of Brandon's tax roll. I feel that this is something which the City of Brandon ought to explain to this committee before the passage of this Bill. Now it's not my intention to inconvenience the City of Brandon by sending a delegation from that city to Winnipeg - although I'd be most happy and I'm sure other members of the committee would be most happy to hear a delegation from the City of Brandon - but if there is some other way, perhaps via the mover of this Bill, to provide the committee with this information, I think that the Committee would accept it.

And the other question that comes to mind, Mr. Speaker, is the legality of this. What's happened, or rather what has not happened? Is this legal? And how does this affect the relationship between the two parties? Is there any corporation in existence at the present time on whose assets the City of Brandon may lay claim? And secondly, if this has occurred, now if there should be any evidence to indicate that this was a deliberate omission from the tax rolls - for some of the reasons that I have indicated earlier - I'm just wondering, Mr. Speaker, how many other municipalities there may be within which a similar situation exists. And if that does exist, then all the more reason for rapid action on the part of the Minister of Municipal Affairs to bring in legislation dealing with this matter.

You may recall, Mr. Speaker, some time ago I put a question before the Orders of the Day to the Honourable the Minister of Municipal Affairs asking him when he intends to bring before this House legislation dealing with the question of tax concessions and the like. He did not give a definite answer, he stated that this was government policy - I believe that was his reply - and in due course a bill may appear. At the time that I raised that question, I raised it on the basis of an incident which had occurred in the Province of Ontario, where a municipal council had undertaken of its own accord to give tax concessions, that it was found that tax concessions so granted were beyond its powers and hence declared illegal. So it indeed would be interesting, Mr. Speaker, to check into the history of this situation and get the full reasons in detail as to how this state of affairs presently reported to us came about.

MR. LISSAMAN: Mr. Speaker, I think I could undertake to get the information on the two points the honourable member raised at such time . . .

MR. LEONARD A. BARKMAN (Carillon): Is the honourable gentleman closing the debate?

MR. LISSAMAN: Just answering questions.

MR. SPEAKER: The Honourable Member for Turtle Mountain.

MR. EDWARD I. DOW: Mr. Speaker, I in no way am going to withhold the passing of this Bill, but I foresee some problems here that should have been corrected some time ago in the books of the City of Brandon. There is another method by which the city can get title. Because of the fact that it was not on the tax roll, there is a procedure that they can sell for a tax sale and get it. This might hold it up -- (Interjection) -- Pardon? No, the Municipal Act does set up certain powers that a municipality, where a piece of property has been, let's say overlooked from being put on the tax roll, where they can date it back and sell it - this is true - but here again it withstalls the issuing of title for at least another year or more, and after what - some 45 years, why maybe they want title for it. But I can see and have had some experience how this can happen. It can happen very easily and it is not any matter of concessions, it's a matter of sometimes in the transfer in the Land Titles office certain properties are not included in deeds. Now I don't know whether this applies to this particular piece of property or not.

However, I would like to agree with the passing of second reading, but I would like the Honourable Member for Brandon to possibly have some of his city council there to maybe answer some direct questions at the hearing at the Law Amendments.

MR. SPEAKER: The Honourable Member for Rhineland.

MR. FROESE: Mr. Speaker, it does appear strange to me too how a situation like this can arise, and I'm just wondering, do the auditors not make a close check of all the properties in a given municipality and that a thing like this would be caught by the auditors? Does not the auditor's report bring things of this type to light and that they would mention the correction in an area of this thing?

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

MR. SPEAKER: Bill No. 34. The Honourable Member for Pembina.

MRS. CAROLYNE MORRISON (Pembina) presented Bill No. 34, An Act respecting The Town of Morden, for second reading.

MR. SPEAKER presented the motion.

MRS. MORRISON: Mr. Speaker, in presenting this Bill I would like to emphasize the fact that Morden is a fast growing town. It is now bursting at its seams and needs some more land in order to expand. It is the wish of all the land owners concerned that this Bill be passed; it is the wish of the Rural Municipality of Stanley; it is the wish of the Town of Morden. In reading the Bill, members can see that the responsibilities for taxes have been taken care of. There are two short amendments to this Bill which can be taken care of when it goes to committee, and I would hope that the members would see their way clear to lend support to this Bill. Thank you, Mr. Speaker.

MR. SPEAKER: The Honourable Member for Inkster.

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

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

MR. SPEAKER: Bill No. 43. The Honourable Member for Selkirk.

MR. HILLHOUSE presented Bill No. 43, An Act to amend The Child Welfare Act, for second reading.

MR. SPEAKER presented the motion.

MR. HILLHOUSE: Mr. Speaker, this is the third time that I have introduced a similar Bill into this House and I make no apologies. As a matter of fact, what I am trying to do is to remove from our Child Welfare Act our artificial and arbitrary barriers in our law of adoption, and in the hope that such legislation will pass and restore to the Child Welfare Act its main purpose, the welfare of children. I hope, too, that on this occasion the government will not act according to the crack of the government's whip, and that the individual members of the government will vote according to their own conscience. I'm satisfied that if they do vote according to their own conscience this Bill should pass unanimously.

Mr. Speaker, in Manitoba there are four types of adoption, these being: (1) Selective adoptions - that is children adopted by adoptive parents selected by the Children's Aid Society or by the Department, the Director of Welfare. The second type is a parent's own adoption. That covers the case where a child is adopted by an own parent and a step parent. The third kind is a private adoption, and that is children adopted by adoptive parents chosen by the natural parent, or parents, other than by the authorized agencies. The fourth kind is known as de facto adoptions. That covers cases where children are adopted by adoptive parents who have fully maintained the child for at least five years, but where the placement was initially arranged by the natural parent, or parents, as a temporary plan.

Now for the sake of this Bill, I ignored the last three types of adoption as the question of religion is a matter mutually settled or agreed upon by the respective parties. It is therefore only in respect of the first type of adoption that I would direct my attention and that of the House.

In saying what I have to say, Mr. Speaker, I hope that my remarks will not be construed by anyone as being anti-religious but rather as an expression of my belief in religious freedom, which to my mind implies that this God-given right is exercised at its best when there is a separation between church and state, when we accept the premise that our civil government should confine itself to the protection of the individual in the exercise of his natural rights, and to that extent it is entitled to the respectful and willing obedience of all. I believe in the individual's natural and inalienable right of freedom of conscience to worship or not to worship, and to profess, to practise and to promulgate his religious beliefs or to change them according to his conscience or opinions, but that in the exercise of this right he should respect the equivalent rights of others. I do not believe that any government should enact any legislation which favours one religion against another. I believe that it is my duty to oppose any such legislation as being subversive, not in the best interest of church and state, and an invasion of a field which is secular.

Believing as I do, I sought to repeal the so-called religious sections of the Child Welfare Act on two other occasions, and then, as now, I am of the sincere conviction and belief that a child has no religion, that religion should not be made a pre-determining factor in the adoption of a child and that the sole and only consideration should be the welfare of that child. I believe that a child's welfare will be adequately protected if the social worker responsible for that

(MR. HILLHOUSE cont'd) . . . child's placement sincerely and conscientiously carries out the trust imposed, and if that trust is so discharged we will have no cause to worry in respect of the spiritual or material welfare of that child. I do not believe that the mere profession of a faith by an adopting parent should be a condition precedent to any child's placement, and I am certain that no worker would recommend such a placement unless that applicant otherwise merited recommendation. In fact, I feel that if it were not for the religious section of our Act, the sole and only consideration would be the child's welfare, and that in my opinion should be the sole and basic concept to follow.

For the purpose of further discussion I think that it would be advisable to read the so-called religious section of our Child Welfare Act, as I am of the opinion that there is a great deal of confusion surrounding this section. The section is Section 131 and it reads as follows: "131, subsection (1) - No child dealt with under this Act (a) being a Roman Catholic child shall be placed in the care of a Protestant society or in a Protestant family, home or institution; or (b) being a Protestant child shall be placed in the care of a Roman Catholic Society or in a Roman Catholic family, home or institution; or (c) being of a religious faith other than Protestant or Roman Catholic, shall be placed in the care of a Protestant or Roman Catholic family, home or institution. And for the purpose of this section, in the case of a child whose parents have not been married to each other, the determining factor shall be the preference of the mother, if she is living, expressed at the time of giving her consent to the adoption of the child or the time of the committal of the child as a ward of the government."

Subsection (2) of that section reads: "This section does not apply to the placing of children in a situation or in a temporary home or shelter for children, but due regard shall be given to the religious preference of a child so placed and proper time allowed for the exercise of religious duties."

Subsection (3): "A judge may on the application of any person, and upon notice to such person as he may direct, make an order providing for the proper commitment or placing of the child pursuant to this section.

1. (a) Subsection (1) does not apply to the placing of a child in a home for adoption by the Director or an Agency, or to the adoption of a child through the Director or an Agency if the parent at the time of giving his consent to the adoption of the child, or at the time of the committal of the child as a ward of the government, gives a written statement to the effect that he has no preference as to the religion in which he wishes the child to be raised, and that he prefers the child to be adopted by a person who, in the opinion of the Director or Agency through which the adoption will proceed, is the most suitable of those desiring to adopt a child, regardless of their religion."

It is quite clear, Mr. Speaker, that Section 131 only relates to Protestants and Catholics and does not refer to any other faith except insofar as it relates to the adoption of a Protestant or a Catholic child of such other faith. If my reasoning is correct, and since at common law there was no adoption, does this section (a) permit the adoption by a person of a faith other than Protestant or Catholic of a child of the Protestant or Catholic faith; (b) permit the adoption by a person of no faith of a Protestant or a Catholic child; or (c) permit adoptions by agnostics or atheists of children of no faith. I believe, Mr. Speaker, that it does. It seems to me that the only purpose of this section is to retain the numerical equilibrium between the two main faiths, and this being so, such a purpose has no place in any welfare statute, and particularly in one dealing with children. I realize that that formula is followed in the choice of our senators and in the choice of our judges, but I do not think that it holds any place in respect of our children.

As previously stated, Mr. Speaker, it has always been my opinion that in such legislation the sole purpose should be the immediate and ultimate welfare of the child, an objective which can be obtained without any reference to religion, provided, as I have previously said, our social workers charged with the responsibility of the placement of such children properly, faithfully and conscientiously carry out such responsibilities.

In 1962 and in last year I introduced a Bill for the repeal of this section, and following the Bill which I introduced in the year 1962 the government brought in an amendment in 1963 relieving to some extent the rigidity an absolute prohibition contained in subsection (1) of Section 131 of the Welfare Act. Now I think it's worthwhile to read the amendment that was brought in by the Government in 1963 which was an addition to Section 131 and it started with a new subsection (4), and subsection (4) reads: "Where the care and custody of the child has been committed to the Director or an Agency, and after attempting to place the child in

April 15, 1969

(MR. HILLHOUSE cont'd) accordance with subsection (1), that is a Catholic child with a Catholic family or a Protestant child with a Protestant family, the Director or the Agency is of the opinion (a) that no suitable home or shelter within the province is available or is likely to be available within a reasonable time in which the child can be placed in accordance with subsection (1), but (b) that a suitable home or shelter within the province is available or likely to be available within a reasonable time and which, were it not for subsection (1)" - that is the religion - "the child could be placed, the Director or the Agency, as the case may be, may apply to a Judge of the County Court of the County Court District in which the child is at the time residing to waive the provisions of subsection (1) in respect of that child."

Subsection (5) deals with the notice that is required to be given by the applicant at the direction of a judge to the various religious denominations affected and to the various parties affected.

Now subsection (6) says: "Where an application is made under subsection (4), if the Judge is of the opinion that it is in the best interests of the child he may make an order waiving the provisions of subsection (1) in respect of that child and thereafter subsection (1) does not apply to the child, and any order made under subsection (3), whether made before or after the order under this subsection, in respect of the child is varied to the extent necessary to give effect to the order made under this subsection."

Subsection (7) says: "Where a judge refuses to grant an order on an application made under subsection (4) in respect of a child, no person shall make a similar application in respect of the same child within three months of the refusal unless the Judge, or some other Judge of the same County Court, grants leave to bring the application earlier."

Subsection (8) says: "Where an order made under subsection (6) a child is placed in a home or shelter other than the home of persons adopting him under this Act, the Director or Agency shall notify the person in charge of the home or shelter of the religious faith of the child as of the date of the application for the order."

Now that amendment came into effect in May 6, 1963. Now you will notice from that amendment that there are only two aspects to this amendment; namely, (1) it only refers to the adoption of Protestants by Catholics and vice versa and further allows the adoption of a child of another faith by a Catholic or a Protestant; and (2) it recognizes for the first time that the welfare of the child should be the paramount consideration in adoptions.

At the time that this amendment was introduced to the House, I accused the government of a lack of intestinal fortitude in foisting on a County Court Judge a decision that should be made by this Legislature, and I still do so. I still feel that way, and as this amendment for the first time recognizes by statute that the welfare of a child shall be the paramount consideration, why can't we, by statute, make the decision of such welfare the responsibility of the Director or Agency without cluttering up our law with gutless legislation.

In the final analysis, Mr. Speaker, by the 1963 amendment, although the Judge had to determine the question of the child's welfare, such determination would be based upon the recommendation and the evidence given to him by a qualified social worker, and this being so, why the necessity of making an application to the court. Why can't the order be made by the Director on the same evidence as that made by the Judge. I do feel, however, that once a child has been declared the ward of a Director or an Agency, that Director or Agency stands in loco parentis to that child, and it is my considered opinion that such Director or Agency should exercise all the rights and powers and assume all the legal obligations in respect of that child in the same way as if the Director or Agency was the natural parent.

Following this reasoning still further, and keeping in mind the welfare of the child is to be the determining factor in placing a child for adoption, that Director or Agency should have the right, notwithstanding the determined religion of such child, to place that child with foster parents who would best assure the welfare of the child, regardless of his or her religion or lack of religion.

Now according to the Annual Report of the Department of Welfare of 1966-1967, for the period April 1, 1963 to March 31 1967, the ages of children at the time of placement for adoption by the Children's Aid Society and by the Department Regional Offices were as follows: There was 450 children under the age of 1 month placed for adoption. Now can anyone in his senses say that a child 1 month old has any religion. From 1 month to 3 months there were 688 children placed; from 3 months to 6 months there were 353 children placed; from 6 months to 1 year there was 321 placed; from 1 year to 2 years there was 205 placed; from 2 years to

(MR. HILLHOUSE cont'd.) 6 years there was 189 placed; from 6 years to 10 years there were 22 placed; and over 10 years there was 14 placed.

My submission, Mr. Speaker, and I can't emphasize it enough, is that we should be dealing entirely with the welfare of the child and the religion of that child should not be a factor which we consider at all. As I have said, if a social worker charged with the responsibility of placing that child does his or her job conscientiously and sincerely, I feel certain that both the material and spiritual welfare of that child will be taken care of and that we don't have to have applications made to a Judge, particularly when that Judge makes an order on the basis of evidence given before him by a social worker. That evidence is the determining factor. Now why can't the agency to whom that social worker is responsible make a decision similar to that made by a Judge on the same evidence. I can't see any reason for it.

Now in Manitoba for the past number of years our birth statistics show that the number of children, both legitimate and illegitimate, is steadily decreasing, and in the matter of illegitimate births alone we have a continually growing problem. For the year 1963 the total births in Manitoba were 23,269, of which 1,666 were illegitimate. For 1963 the total births were 23,018, a drop over the previous year, but the number of illegitimate births increased to 1,767. In 1964 there was a further drop in the total births to 22,068, but there was an increase in the illegitimate births to 1,917. In 1965 there was a further drop in births in Manitoba to 20,276, but there was an increase in the illegitimate births over the years 1962-63, the number being 1,891, while for the year 1966 the total births in Manitoba dropped to 18,326 but the illegitimate births reached an all time high for those years of 1,938.

Now as Manitobans I don't think we can have any pride in these figures, but I do submit that we must do everything in our power to see that these children are eventually placed in good foster homes and that the best way of achieving that objective is to remove from our adoption laws all artificial and arbitrary restrictions. To me, a child is entitled to a special status in our society, a fact which was acknowledged by the Commission on Human Rights of the United Nations in 1959 when it adopted a declaration on the rights of a child. Canada was a signatory to that treaty, but due to the conflict of jurisdiction between the federal and provincial government, that treaty has never yet been fully adopted by our province. But notwithstanding this fact, I believe that it embodies principles which should be used by us as a guideline in all our welfare legislation.

Without reciting all of the principles in this declaration, there are one or two that I would like to refer to and these are: (1) "every child without any exception whatsoever shall be entitled to those rights without distinction or discrimination on account of race, colour, sex, language, religion, political or other opinions, national or social origin, property, birth or other status, whether of himself or his family. (2) The child shall be protected against all forms of neglect, cruelties and exploitation. He shall not be the subject of traffic in any form." And I submit that under our present Welfare legislation the way we place children in foster homes we are trafficking in children. "(3) The child shall be protected from practices which may foster racial, religious or any other form of discrimination. He shall be brought up in a spirit of understanding, tolerance, friendship among people, peace and universal brotherhood and in full consciousness that his energies and talents should be devoted to the service of his fellow man."

As our law stands in Manitoba today I do not think that we are giving a child a square deal. In my opinion, every child who is brought into this world, regardless of whether that child is legitimate or illegitimate, is entitled to all the protection and everything that society can give to that child. I believe that under our law we are denying that child something which is his birthright, and I think that the sooner we correct this injustice towards the child, the sooner we will solve the problem which has plagued us for years.

Mr. Speaker, I could go on, but I think I've brought out the points that I intended to emphasize. All that I do hope is that there will be a free vote on this Bill and that nobody will be forced to vote against his or her conscience and that the government will instruct their members that it is a free vote. I'm satisfied that if the government does give to their members the right of freedom of voting, that this Bill will be carried by a substantial majority.

MR. SPEAKER: The Honourable Member for Churchill.

MR. BOROWSKI: Mr. Speaker, I rise to support this Bill also. I've been interested in this matter for some time. I wasn't aware that there's been that much discussion and that many resolutions presented to this House and defeated. Reading the relevant sections that we're trying to throw out of this Act, I really can't understand how anyone that's concerned

(MR. BOROWSKI cont'd.) could possibly have voted against it but the record shows, as the previous speaker indicated, that on three occasions he's moved a motion or a resolution and it was defeated. To me it seems simple enough; the whole thing has to do with religion and I think one of the things that the Pope and a lot of other church leaders have been preaching is that we're all brothers and sisters. They're cooperating religiously and I think to expedite this matter that we should cooperate with leaders of the church by voting for this resolution. If we vote against it I think if we're saying anything, we're saying this, that one religion is better than the other. I realize my church, which is a Catholic church, is probably responsible for this, what I consider, regressive piece of legislation passed by legislatures that were probably properly motivated but been misguided in the past and as I understand it our Church was probably responsible for having it in there.

I think from the top they've taken a stand on this, some of the clergy are still living in the past, don't like to see it changed, but certainly His Holiness the Pope has changed his mind, and talk about ecumenism and matters like this thing here, there's a lot of cooperation and it seems to me that we as legislators would be going against the wishes of the heads of the church. I don't suppose we'll ever reach a point in our deliberations or in our life that all church leaders, that is clergy, bishops, cardinals, will all agree on any particular piece of legislation, but when the heads of the church, our church and other churches are preaching this thing here that one religion is just as good as the other; in fact we're even having services rotated in the various churches. For example, in our town we even had our priests go and have a service in another church and the preacher of that particular church have a service in our church; so it seems in this day and age it's time that we started being more concerned about the child than about religion, because as the speaker has indicated, a child that's one year or two years, even five years, has no religion, so it's foolish to argue that because this child happened to come from a mother that was Catholic or Protestant or whatever she was, it should be placed in that home. It doesn't make sense because that child simply has no religion.

I also understand, I haven't seen the statistics, although the previous member had quoted many statistics, but a majority of these children that are placed, about 90 percent I'm told by some of our members, 90 percent of these children are illegitimate children or children born of unwed mothers and really I just can't see the concern of those that have voted or may vote against the Bill today. The mother obviously doesn't care. She's given the child up, that's the reason it's up for adoption. So if the mother doesn't care why should the legislators care. A child surely should be the first consideration and by passing this legislation we'll be taking out these legal religious or religious legal roadblocks that have been there for years and really I can't see any problem. I think that anybody that has any kind of a conscience for children should see the value in this resolution and vote for it.

MR. SPEAKER: Are you ready for the question? The Honourable Minister of Health.

MR. JOHNSON: I beg to move, seconded by the Honourable Minister of Labour that the debate be adjourned.

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

MR. SPEAKER: Bill No. 44. The Honourable Member for Selkirk.

MR. HILLHOUSE presented Bill No. 44, An Act to amend The Metropolitan Winnipeg Act (1) for second reading.

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

MR. EVANS: Mr. Speaker, I believe now we should turn to the Private Resolutions on
Page 2.

PRIVATE MEMBERS' RESOLUTIONS

MR. SPEAKER: Proposed resolution No. 24 - The Honourable Member for Hamiota, The Honourable Member for Gladstone.

MR. NELSON SHOEMAKER (Gladstone): Mr. Speaker, at 5:30 on Friday afternoon I was speaking on the resolution that is on Page 2 that was originally moved by the Honourable Member for Hamiota, and the resolution is quite clear in that it says that there is a continuing movement of people from the rural areas going to the urban areas. That is a fact. A fact that a lot of us in the rural areas regret very much. There is a lack of industry in the rural areas and this in fact is causing the movement and the present government while they have identified some of the reasons for this movement, they have failed to do anything about it, and therefore, the resolution states, "Therefore Be It Resolved that the Manitoba Government give serious consideration to greater financial support of Regional Development Corporations."

Now the Regional Development Corporations, we believe, can do a much better job than the government has in establishing industry in the rural areas and thereby preventing to some extent the movement of the rural people to the urban areas and in particular, Winnipeg.

On Friday you will recall, Mr. Speaker, that I was reviewing conditions in Roblin with my honourable friend the Member for Roblin and going over with him the survey that was made some four or five years ago by the Department of Industry and Commerce, and that survey pointed out that the people within the trading area of Roblin would spend slightly over \$ 3 1/2 million more money if the businessmen in that area set about to do certain things, and in the survey they set down the things that they should set about to do. Now the Department of Industry and Commerce, as I told the House on Friday, had made 12 such surveys. I find Mr. Speaker, that I only have 11 of them here - that is the surveys themselves, and it is not my intention, you will be glad to know, to review the whole 12 of them, but they all say the same thing in essence as this one says about Roblin; that if the people in the areas, that is in the 12 towns that were under microscope, if they will set about to do certain things then the business within their areas will be increased substantially. They are sick and tired of the government doing absolutely nothing in this regard and so the resolution says that the least that the government can do is to lend financial support to the local Regional Development Corporation so that they can carry out the work that the government has failed to do.

Since Friday, I received a whole series of propaganda sheets from the department; in fact they were on my desk when I got home to Neepawa on Saturday, and the entire sheaf of propaganda sheets that I have before me, Mr. Speaker, deals with the TED Report. The first sheet in this sheaf that I have before me is headed, "Expanded role urged for Regional groups", and this is what the TED Commission is telling the government that they have failed to promote regional development. "Corporations are catalysts for rural area development. Regional Development Corporations must assume a major responsibility for co-ordinating the people of a region into an effective planning unit. The major share of the financing should come from the Provincial Government." That's exactly what we're saying in this resolution; exactly. And here is the TED Commission recommending in fact our resolution to the House.

"Major regional development is unlikely unless the Federal Government is prepared to finance at least 60 percent of the total cost with the province financing the remainder." It says that Regional development is unlikely unless these recommendations are carried out. So if the members of the government vote against the resolution that is on the Order Paper now, they are in fact voting against the recommendations in the TED Commission. That's exactly what they're doing.

The report recommends the following 11-point program of measures to be adopted by the Federal and Provincial Governments to achieve maximum possible development of regional areas, and they go on to name the 11 points that must be carried out by the government.

And so, Mr. Speaker, surely with we on this side of the House urging the government to do something about regional disparity, the First Minister of this province doing everything he can do about regional disparity as enunciated in his speech in Ottawa recently, with the TED Commission making definite recommendations in this area, surely we can expect unanimous support for the resolution that is before us.

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

MR. FOX: Mr. Speaker, I beg to move, seconded by the Member for Brokenhead, debate be adjourned.

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

MR. SPEAKER: The adjourned debate, the proposed resolution of the Honourable Member for Kildonan; the proposed motion of the Honourable Minister of Labour in amendment thereto. The Honourable Member for Selkirk.

MR. HILLHOUSE: Mr. Speaker, I rise to oppose this amendment. When I heard the Honourable Minister speaking I thought that he was actually supporting the main part of the resolution but by the Honourable Minister deleting from the resolution as adopted, I think he destroyed that intent completely, particularly when in his remarks supporting the action of the Minimum Wage Board he stated that that was the criteria which they were using. Well, in my opinion, if we allow this amendment to go through, and we allow the second paragraph of the preamble to be deleted, we're destroying the whole intent and purpose of the resolution moved by the Honourable Member for Kildonan. And I agree with the Honourable Member for Inkster when he says that the minimum wage provided today does not give to a worker these benefits or other amenities of life that are contained in the main part of the resolution but simply gives to that worker a bare sustenance, and for that reason I can't support the amendment as made by the Honourable Minister.

The only way that this resolution has meaning and really means what it says is to be retained in its original form and for that reason I intend to vote against the amendment.

MR. SPEAKER: The Honourable Member for Churchill.

MR. BOROWSKI: Mr. Speaker, I move, seconded by the Honourable Member for Brokenhead, that debate be adjourned.

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

MR. SPEAKER: The adjourned debate on the proposed resolution of the Honourable Member for Ethelbert. The Honourable Member for La Verendrye.

MR. ALBERT VIELFAURE (La Verendrye): Mr. Speaker, personally I thank the House for allowing this resolution to stand in my name on the last private members day. I did give this resolution indeed a lot of thought and I certainly consider it to be a very important and far reaching resolution. And may I admit right now, Mr. Speaker, that I certainly don't find myself qualified to really analyze the far reaching effects of this resolution which says: "That this House request the Federal Government through the Canadian Wheat Board to purchase farm stored grain at initial prices up to a maximum of \$6,000 per farm regardless of delivery quota." Mr. Speaker, in my opinion this means that if this legislation was adopted it would automatically make every farmer in this country the recipient of \$6,000, provided of course that he has the grain; and certainly in a year like this year this would indeed be the solution to many of our problems, because we have to admit that the problem today is that the farmers do have wheat but cannot sell it and therefore cannot have the money that is needed to pay their accounts and the costs for producing such wheat. So in this respect, Mr. Speaker, I certainly think that it has a lot of merit. However, as I said before, I don't consider myself in a position to analyze what impact this would have on the financial situation of the Wheat Board or the country for that matter.

The storage problem would I imagine cause certainly a great many problems because we have to envisage that if the Wheat Board became the owner of the wheat that is on the farms, I imagine that come the next crop the farmer would tell the Wheat Board, well please remove it so that I have room for my new crop and this would be a logical demand. However, Mr. Speaker, certainly we cannot operate this country from wheat only, especially when there is no market for it, and the need is to put cash in the farmer's hand.

Another of the intents of the resolution as I see it, would be to force the Wheat Board to buy it so that in turn they would be more concerned about selling. I'm not so sure whether this actually would change the attitude of any members of the Wheat Board, and I have nobody in mind when I say this; however, I think that Wheat Board members should be aggressive whether they own the wheat or not. It is their duty to sell it and by forcing them to own it I don't think would change the attitude too much. However, again as I said that this time certainly the situation is such that cash is needed and it must be discussed. We have right now the Task Force studying these matters. We also have, as the Minister of Agriculture told us a few days ago, a meeting of the Ministers of Agriculture of the provinces and the Federal, that should discuss this and at the same time would be in a better position than certainly I am to analyze the impact and the effect of such a resolution.

Mr. Speaker, as you can see this resolution has certainly some very good points and

(MR. VIELFAURE cont'd.)... very far reaching effects. This resolution says that we should request the Federal Government through the Canadian Wheat Board to do what is said here. I don't think there is anything wrong at this time in making propositions, suggesting solutions, especially when the matter is so urgent and being discussed; therefore Mr. Speaker, I think that we should pass this resolution and I intend to vote for it.

MR. SPEAKER put the question.

MR. SPEAKER: The Honourable Member for Ethelbert Plains.

MR. MICHAEL KAWCHUK (Ethelbert Plains): I want to make just a few closing comments on this resolution, Mr. Speaker. I would like to also take this opportunity in thanking those who have participated so far in this debate.

I'm happy to hear that my honourable friend the Member for La Verendrye will be supporting this wholeheartedly. On the other hand, I read with some regret that my honourable friend the government spokesman did not see fit to support this resolution, although he had made mention of the fact that the Minister of Agriculture for Manitoba was instrumental in putting pressure on the federal authorities to increase the cash advances last fall. While by the same token of reasoning, Mr. Speaker, if that was a good measure and had warranted putting a lot of pressure on the Federal Government to increase the cash advances, by the same token of reasoning I would submit that the support of this resolution would have been in order from the group on the other side of this House. Because all it's doing, Mr. Speaker, is enabling those people who because of their intensified farming practises do not have the required acreage to qualify for the full \$6,000 cash advance which is available under the present federal legislation, would enable those people who also incur large input expenditures because of the fact that they used greater volumes of fertilizer to acquire this higher yield, this would enable them to enjoy the same benefits as those that are enjoyed presently by the farmers who have a thousand acres under cultivation, or more.

And furthermore, Mr. Speaker, this is exactly not a new suggestion. In the country of United States of America we've had this practise carried on for a good number of years whereby the government purchased grain from the producers and had it in storage for such a time when it was needed, either within the country or for export purposes. So on that basis, Mr. Speaker, I think that this resolution should be supported and eliminate the discrimination that now exists between the farmers who have a bigger acreage and those who do not have the 1,000 acres required to qualify for the maximum \$6,000 cash advance. And with that I would certainly ask my honourable friends opposite to reconsider the position and support this resolution.

MR. HARRY GRAHAM (Birtle-Russell): Mr. Speaker, would the honourable gentleman permit a question?

MR. KAWCHUK: I would be more than happy to, Mr. Speaker.

MR. GRAHAM: Does the honourable gentleman realize that the cost of policing such a program would be borne by the farmers through the Canadian Wheat Board?

MR. KAWCHUK: I fully realize that, Mr. Speaker. However, I do not foresee any difficulty in that respect. As you probably are well aware of the fact there are presently farmers who take out a cash advance and when the space is available at the elevator, they are requested to deliver the grain, and in that respect I fail to see why there should be any difficulties encountered.

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

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

MR. SPEAKER: Call in the members. For the benefit of the honourable members that were not in the House during recent discussion, we're dealing with Resolution No. 12 at the head of Page 3. Those in favour of the motion please rise.

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

YEAS: Messrs. Barkman, Borowski, Cherniack, Dawson, Desjardins, Doern, Dow, Fox, Froese, Green, Guttormson, Hanuschak, Hillhouse, Johnston, Kawchuk, Miller, Molgat, Patrick, Petursson, Shoemaker, Tanchak, Uskiw and Vielfaure.

NAYS: Messrs. Baizley, Bjornson, Campbell, Carroll, Claydon, Cowan, Craik, Einarson, Evans, Graham, Hamilton, Johnson, Jorgenson, Klym, Lissaman, Lyon, McGregor, McKellar, McKenzie, McLean, Masniuk, Spivak, Stanes, Steen, Watt, Weir, Witney and Mesdames Forbes and Morrison.

MR. CLERK: Yeas 23; Nays 29.

MR. SPEAKER: I declare the motion lost.

April 15, 1969

MR. SPEAKER: The adjourned debate, on the proposed resolution of the Honourable Member for Brokenhead, and the proposed motion of the Honourable Member for Virden in amendment thereto standing in my name.

In regard to the amendment on Friday last the Honourable Member for Selkirk brought to the attention of the House an apparent error in the wording of this amendment. In view of the fact that the amendment had been accepted by the House, and in fact spoken to, in my opinion the error in the phraseology of the amendment can be remedied only by a sub-amendment, and therefore suggest that a member, other than the Honourable Member for Virden, move a sub-amendment which I expect will rectify the error.

MR. FRED T. KLYM (Springfield): Mr. Speaker, if I could be of some help to this, I beg to move, seconded by the Honourable Member for Rock Lake that the resolution be amended (a) by striking out the word "and" when it appears immediately after the word "product" in the fifth line of the preamble; and (b) by adding the word "and" to the seventh line of the fourth clause of the preamble immediately after the word "policy", and (c) by adding thereto immediately after the fourth clause in the preamble the following clause: "Whereas there is an urgent need".

MR. SAUL M. CHERNIACK, Q. C. (St. John's): Mr. Speaker, on a point of order before the question is put. Is this not a proposed amendment to the resolution, and not to the amendment? We do have an amendment before us as you have ruled, and surely this proposal - this is an amendment to the resolution itself ignoring the amendment. -- (Interjection) --

MR. SPEAKER: I'd be glad to accept any advice from the honourable gentleman but that was the way I understood it, that we were to be in the process of disposing of the amendment by a sub-amendment, and then deal with the sub-amendment and then up on to the motion itself.

MR. LYON: Mr. Speaker, it would appear that in the motion that is before you which you have not yet put - speaking on the point of order - that the final sentence should be rectified to read: "And whereas there is an urgent need for financial assistance to agricultural producers in Canada." There seemed to be some words left out of it.

MR. SPEAKER: . . . at this time, so that we don't get really bogged down on this, that I take this matter under advisement.

(Agreed) The adjourned debate of the Honourable Member for Seven Oaks. The Honourable Member for Turtle Mountain.

MR. DOW: Mr. Speaker, in taking part in a debate on this particular resolution, in the whereases of the first part of the resolution I can see some merit and favour, but pointing out to the House that again it brings up the fact that in resolving this kind of statements that we still have to have some kind of a conference between the municipalities and the provincial government to define responsibilities that they are required to do.

But when you get down into Part 2 of the Resolved part of the resolution, to me this is a very irresponsible type of resolution. When you suggest that you will exempt the first two thousand dollars of assessment and turn around and ask the provincial government to compensate the municipality for that type of money, we are getting back into another shared service cost of where again the provincial government would be in a position to call the tune, and I don't think, in my opinion, that there is any municipality that wants to be dictated to by their superior any more than they have to. I see so many detrimental factors come into here. So many of the small communities would be wiped out entirely as far as taxing direct; it would be a straight case of the provincial government paying that amount of money. It would have the detrimental effect of people being able to hold property that was assessed at \$2,000 for years and years and never pay a nickel on it; and then in addition to that, you would have the tendency of the small houses to be built in the smaller communities to stay under the \$2,000, and I submit to you, Mr. Speaker, that this is a very detrimental type of legislation to even consider. When you consider that our costs during the time of tax rebate -- and I think Mr. Speaker, the Minister of Finance will agree, it was somewhere around 11 or 12 million dollars that was rebated per year, on a \$50 rebate per property -- and even if you take the very low type of assessment, now we're talking of \$100 a property, and so now we're talking 22, 25 million dollars of a rebate that the provincial government is going to give, and I can see no purpose in this. I can't see that. It takes away the right of the individual, that he can be sitting in a property of which he is not going to be paying any taxes and to me this is another wedge in our socialistic type of legislation that our NDP friends are trying to propose to us, that eventually the state takes over. Mr. Speaker, I'm opposed to this type of resolution.

MR. DEPUTY SPEAKER: The Honourable Member for Seven Oaks.

MR. SAUL MILLER (Seven Oaks): Mr. Speaker, I beg to move, seconded by the Member from Churchill that debate be adjourned.

MR. MOLGAT: Mr. Speaker, is the honourable member closing the debate?

MR. MILLER: I am unless someone else wishes to speak.

MR. MOLGAT: Then I would like to move the adjournment in that case Mr. Speaker, seconded by the Honourable Member for Selkirk.

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

MR. DEPUTY SPEAKER: I'm afraid I'm in an awkward spot here. The adjourned debate of the Honourable Member for Logan in the name of the Honourable Member for Souris-Lansdowne. Will someone on the floor there, the House leader -- The Honourable Member for St. Matthews.

MR. ROBERT STEEN (St. Matthews): Mr. Speaker, in the absence of the Honourable Member for Souris-Lansdowne, might I request that this matter be allowed to stand in his name?

MR. DEPUTY SPEAKER: The resolution in the name of the Honourable Leader of the Opposition. The Honourable Member for Hamiota.

MR. EARL DAWSON (Hamiota): Mr. Speaker, this resolution as presented by my Leader is certainly one that should be given careful consideration to by those on the opposite side. When one considers the problems that municipalities are having throughout Manitoba, when you consider the fact that Health and Welfare, Education and streets and roads all have to be paid for by taxes on homes and businesses, and the only two taxes that they have naturally is the tax on property and the business tax, and in many instances the business tax is being removed in the municipalities because many of the councils feel that the business tax is just an added tax because a person is in business and it should no longer apply, because there is nothing really extra given for this business tax, so more revenue is being returned to the ratepayers in the area but only through the efforts of the municipality. Many of the municipalities throughout Manitoba have had to forego the improvements of their streets and roads and the building of sidewalks because many of them cannot afford it. If they were to proceed with some of their programs it means increasing the mill rate in the municipality on the property and naturally it seems that nowadays everyone is opposed to the increase of the mill rate and are willing to forego the frills that are offered through increased mill rates.

Now I think it's only fair that the municipalities should be given the same consideration that the provincial government demands the federal government gives to them. It's only fair to say that did the Manitoba Government consult all the municipalities, towns and villages when they were putting in Medicare, did they not realize that in some municipalities there were doctors that were being paid for through municipal taxes and that to bring in Medicare they weren't going to improve on their doctor services but they were going to increase their taxes. The provincial government did not discuss this with the municipalities. One can also say that when they instigated the collection of Medicare premiums they didn't go to the municipalities and say, how would you like to do it, they said, this is the way it's going to be done, and in many instances they put the municipalities in a position where two or three months from now they'll find out that some people have not made their necessary payments for premiums because they're being collected, or should have been collected by one of the private agencies that the government have appointed and we'll find out the municipality is stuck for them. If the municipalities would have been the sole agent or the employer, the government would have known each month where and who was delinquent in their payments. So this is another area where municipalities were neglected and did not receive any consultation.

Another area was the fact when the government decided to increase the capital grants, I'm sure it was welcomed by all municipalities but the government never once said, is it enough or is there another form that we can return this to you.

So in conclusion, Mr. Speaker, I want to say that I think it's only fair that the municipalities in Manitoba should be given the opportunity to meet with the provincial government at least once a year and the suggestion of regional meetings is an excellent one. This way the Committee of the House would have the opportunity to visit every area and the municipalities would not be put to the expense of representation in Winnipeg and it would give them a better opportunity to be heard if they are in regional meetings. And as I said earlier, I think it's only fair that if the provincial government insist that they be consulted on every move the

(MR. DAWSON cont'd.)... federal government makes in the tax area, I think that the municipalities should be given the same courtesy.

MR. DEPUTY SPEAKER: The Honourable Member for Seven Oaks.

MR. MILLER: Mr. Speaker, I beg to move, seconded by the Member for Churchill that debate be adjourned.

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

MR. DEPUTY SPEAKER: The proposed resolution of the Honourable Member for Portage la Prairie. The Honourable Member for Kildonan.

MR. FOX: Mr. Speaker, I adjourned this motion for the Honourable Member for Churchill, my colleague.

MR. DEPUTY SPEAKER: The Honourable Member for Churchill.

MR. BOROWSKI: Mr. Speaker, looking at this resolution, it looks like the type of a resolution that we in our party, or we in the north could have proposed. There are a few items that aren't in it and I'm disappointed and possibly before the session is over an amendment can be brought in by someone. The resolution starts "WHEREAS there is a deep feeling of resentment among many northern residents that the provincial government is encouraging mineral development and the extraction of other renewable resources and not returning to the North a reasonable share of the wealth produced there, and WHEREAS the northern residents are justly resentful over having to pay more for transportation, food, clothing, fuel, housing and electric power."

Now we all know that the government isn't responsible for the high cost of fuel, whether it's 15 or 20 cents per gallon, it's not the government's fault or responsibility, and this is where I think the honourable member when he proposed a resolution, erred - he should have mentioned something about the five percent tax, because this is a government responsibility, we do have a five percent fuel tax and a Hydro tax and a telephone tax. This makes the cost of living a lot higher by five percent up in the north. It's a well known fact, Mr. Speaker, that it costs approximately twice as much to heat a house in the north because of the extreme temperatures and the length of the season. I'm really sorry that this honourable member did not propose something in there, striking out five percent sales tax on these three items.

Insofar as the development is concerned, mineral development, I don't really know what could be said about it. The way it's worded it doesn't seem to indicate anything positive. The third WHEREAS "Manitoba is on the threshold of a great northern development and urgently requires more permanent residents to fulfill the true role of the north." Well nobody can argue with this whereas. It makes sense. But again it doesn't say anything specific. We all know that we're on the threshold; we've been on this threshold for ten years and I hope will be on it for the next twenty years. But it doesn't really mean anything.

Going further down in the fourth THEREFORE BE IT RESOLVED part on (a) "A special income tax credit for residents of northern Manitoba." This is a very positive statement and it's one that I hope the members in this House can all find favour with and will consider supporting. It's a well known fact that the cost of living, not only in heating, but generally speaking is much higher in the north than it is elsewhere. I think it's recognized by both levels of government, federal and provincial and by large chain companies, grocery stores, by banks, finance companies, because today in Thompson, in Lynn Lake and Snow Lake, there is a system where if an employee goes up to work for some of these companies, he is given anywhere from \$75 to \$100 per month and it's often times called "northern living allowance". Now the provincial government as I understand, pays this type of allowance to Hydro employees, telephone employees and liquor store employees; and in fact, in one particular liquor store, I understand, they get an additional 15 percent increase in wages, so the principle has been established, there is no question about it. Unfortunately, Mr. Speaker, it just applies to employees that work for the federal or provincial government or who happen to work for the parties I've already mentioned. The great bulk of the people living in the north don't have any incentive given them.

In this resolution it talks about tax credits. I think it's been suggested some place by people that are studying this matter, that it should be \$2,000 per year. I realize that tax concessions or tax credits are a federal matter but there is a provincial tax, and it's on a provincial section that I think this should be applied on. In order to do this so it will give them the true benefit of this, they should be given an approximate exemption of \$900.00. I take the

(MR. BOROWSKI cont'd.)... figure of \$900, Mr. Speaker, because this is what it's been calculated by many experts, and some not so expert, to live in the north. This resolution again, I'm very sorry that there isn't a specific figure mentioned. If the government would consider taking out of the provincial share of the provincial income tax, approximately \$900, or out of the total income tax, an exemption of \$2,000, which would I understand come out to about the same thing, this would be an excellent thing. We all know that car insurance rates are much higher down there, we have to pay 9.45 for our television, up until April 1st at any rate; now we have CBC so it doesn't cost us anything. But up until this time we have been paying \$9.45, which increased the cost of living considerably up north, Mr. Speaker.

Under (b) "The establishment of a Ministry of Northern Affairs." Now I think this is an item that a former member who resigned had been talking about for some considerable time. I hope that the government will see fit at this time, due to the rapid development and expansion of the north, that the government will consider setting up such a department. I think it is very important and if we are really serious when we say that the north is the last frontier and we must develop it, and this is where all the wealth lies, it seems to me that this would be the area that the government would consider working and the way they could do this is by setting up this Ministry of Northern Affairs.

(c) "A more equitable return of tax monies and royalties by way of a speedup in road construction." Now this one here is not too clear. It says, "return of tax monies" - it doesn't say from whom. Is this from mining companies or is this from the provincial government - tax money it receives from us - are we asking that they return this in the form of grants or expenditures? It's very unclear and this is unfortunate. I don't know just what it's supposed to mean. If it means tax returns on royalties from the companies, I think it's an excellent resolution. If you're simply talking about the government, you are not really saying very much.

The last part "AND BE IT FURTHER RESOLVED that the Manitoba Government urgently request the Government of Canada to re-establish the joint "Roads to Resources" program." Well there is no argument about this. I think we all agree, all on this side of the House, Mr. Speaker, that this is something that must be done. It's been mentioned on several occasions by myself, by various members in this House that the roads out there are in bad shape. There is a lack of roads. The people of Lynn Lake have been out there for 30 years, they still don't have a road. The people in Churchill, one of the oldest communities in Manitoba, as a matter of fact it's been there long before Manitoba existed, they still don't have a road. Certainly I think this is a resolution that all the members should consider and I hope that the government will find favour with it. Thank you.

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

MR. WALLY McKENZIE (Roblin): Mr. Speaker, I beg to move, seconded by the Honourable Member for Fisher, that the debate be adjourned.

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

MR. SPEAKER: The adjourned debate on the proposed resolution of the Honourable Member for Turtle Mountain. The Honourable Member for Logan.

MR. FOX: Mr. Speaker, in the absence of the member, may we have this question stand?

MR. SPEAKER: (Agreed.) The adjourned debate on the proposed resolution of the Honourable Member for Emerson. The Honourable the Minister of Education.

MR. EVANS: In the absence of the Minister, may we have this item stand?

MR. SPEAKER: (Agreed.) The adjourned debate on the proposed resolution of the Honourable Member for Hamiota. The Honourable the Minister of Finance.

MR. EVANS: Mr. Speaker, I think the Member for Hamiota said something true when he said that this item had been introduced three times and in almost identical terms and that perhaps almost everything has been said. I think that is true and I think almost everything has been said in defence of the present situation as well.

There are one or two comments I might like to make indicating that I cannot support the resolution. The first is that I think Manitoba's exemptions under the sales tax, and particularly with regard to children's clothing, are as broad as any to be found in Canada as they stand now. I need only draw attention to the Province of Saskatchewan next door where there are no exemptions for children's clothing under their sales tax, although we have a broad range of children's clothing already exempt under the sales tax in Manitoba.

(MR. EVANS cont'd.)

In respect to certain other exemptions as well, the Manitoba exemptions are broad. I point to school supplies which have recently been made even broader. They are exempt in Manitoba, not so in Saskatchewan, and altogether the present basis for exemptions are as broad as any in Canada and in some respects are broader.

But perhaps the main reason for not being able to consider a special class of exemption of this kind is administrative. I freely admit that it is not the best way to adjust the law to suit the administrative machine, but at the same time we have to be practical, and it is important if you're going to have a law that it's capable of being enforced and enforced with a reasonable degree of convenience to the public and a reasonable level of cost for the enforcement of it. And it's on very practical grounds that I would like to oppose the suggestion today that certain individuals, because they happen to have children of certain sizes or fall within a certain class, be designated as being exempt from the purchase of children's clothing in Manitoba. It would be difficult indeed, if not impossible, to enforce the Act and the regulations with the degree of certainty that we must insist upon if we're going to have a taxation Act. It's not fair to anyone to have a tax and have it so loosely administered that it can be evaded. For that reason we designed the tax to apply to certain classes of goods, not to certain classes of users or the use to which the goods are put, because at the time of the sale one can recognize a class of goods as either being taxable or not taxable and anybody who buys it, for whatever purpose, pays the tax if it's a taxable item or does not pay the tax if it's an exempt item, and on practical administrative grounds, that is about the only way that the Act can be enforced.

Consider the alternative, that if certain people by presenting a certificate or by otherwise identifying themselves could claim to buy an article for a tax exempt use, it would be necessary either to have documentary proof at the time in the form of an affidavit or otherwise that the goods would be put to a certain use, or indeed it might be necessary to follow the purchaser home and see that the goods were indeed used in the way that they were undertaken to be used when the purchase was made. It was the universal advice that we received from other jurisdictions with sales taxes when we introduced our measure that we should base our enforcement on the kind or class of goods at the time of sale and not on the use to which it was going to be put and try to enforce or to ensure that the goods were in practice used for the purpose for which they were sold.

Much of this comes from the difficulty encountered in having as many I think as 27,000 retail outlets in the province selling goods. Some of these retail outlets have quite a number of sales clerks, many of them are part-time, some even being school children who take Saturday or evening employment in stores, and to be able to acquaint as large a sales force as that with any complicated rules for ensuring either documentary proof or a documentary statement that the goods were being bought for a certain purpose, and to retain sufficient proof for an audit afterwards, becomes an administrative problem so difficult that it would not be wise to undertake it. So on very strong practical grounds I must resist the suggestion that we can designate certain classes of people to buy children's clothing on an exempt basis where others do not buy in that way.

I gathered from the remarks of the Member from Hamiota that he was largely concerned about the buying power of certain classes of people. I think that is a basis for the argument of a number of members who have spoken on this topic from time to time and it's a very proper subject to bring up. I don't think that trying to exempt certain classes of sales from a tax is the right way to repair certain people's buying power. I cannot see how such a suggestion could be taken up without making tax exempt the purchases made by comparatively well off people at the same time that you do people without enough money, and consequently if buying power is lacking, measures could very well be taken and should be taken to improve buying power and not to cut down the exemption on certain classes of goods, because it might very well not have the effect that my honourable friend would hope for. It might well be that if some relief were given in the application of sales tax in the purchase price of goods that the manufacturer and the retailer might move in and occupy that room and the price would remain the same rather than having the price decline, which would be what anybody would hope for in proposing a measure of this kind. It might very well be the opposite effect, that the price charged by the manufacturer and the retailer and wholesaler together might move up and occupy that room instead of the retail price falling. That has been the experience in other lines of goods and might very well be the experience here. There's no guarantee that the

(MR. EVANS cont'd.) opposite would happen.

So for these very practical reasons of administration, and because I think it's the wrong way to go about trying to repair a deficiency in buying power on the part of certain people, I cannot support the measure before us.

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

MR. STEVE PATRICK (Assinibola): Mr. Speaker, I move, seconded by the Honourable Member for Turtle Mountain, that the debate be adjourned.

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

MR. SPEAKER: The proposed resolution of the Honourable Member for Gladstone.

MR. SHOEMAKER: Mr. Speaker, I beg to move, seconded by the Honourable Member for Turtle Mountain, that

WHEREAS Manitoba grain marketing during the 1968-69 season have been seriously curtailed due to the world situation, adverse weather conditions, transportation difficulties and other factors, and

WHEREAS huge quantities of grains have therefore had to be stored on farms, necessitating in many cases the construction of expensive buildings, and

WHEREAS many farmers find it advisable to meet this emergency situation by building structures which can be used for other purposes when not required for grain storage, and

WHEREAS the Provincial Government has recognized the impact of the Sales Tax to the extent that they have rebated the tax on certain steel and prefab grain bins,

THEREFORE BE IT RESOLVED that this House urge the Government to consider the advisability of extending this policy to these multi-purpose granaries which were expressly built for the present grain crisis.

MR. SPEAKER presented the motion.

MR. SPEAKER: The Honourable Member for Gladstone.

MR. SHOEMAKER: Mr. Speaker, so much has been said in the course of the last month on the present grain situation that it is hardly necessary for me to touch on this aspect of the resolution at all. I recall that just about a month ago now, when we were discussing the seriousness of the damp grain problem, the Honourable Minister of Agriculture said in respect to the grain situation and the lack of sales that the condition was "deplorable". He made that comment on the Orders of the Day.

Just about an hour ago the Honourable Member for La Verendrye in speaking on the resolution that called for the government to purchase grain to the extent of \$6,000 maximum, he indeed commented on the very seriousness of the grain situation, and just everybody in the Province of Manitoba, be he farmer or business man, knows that there is a serious situation here. Last Saturday when I was in the office, one of our better farmers in the Eden district said that if he is unable to sell any grain between now and the 26th of this month - I think that's what he said, April 26th - then 12 months has elapsed, and in that 12 months he only sold 400 bushels; that is, he has been unable to market any quantity other than 400 bushels of grain in a 12 month period. So, Mr. Speaker, that I think points up the very seriousness of the grain situation. This particular farmer is fortunate in that he is now residing in the Town of Neepawa and his buildings on the farm have become unoccupied, unoccupied to the extent that he personally is not residing there and his big barn is not being used for livestock anymore, but it is full of grain. Now he is one of the fortunate farmers in that he has storage space available for his grain; many are not in that position.

Now the government of the day, when they made certain exemptions for building material, that is the tax on building material for granaries a year or so ago, they recognized the impact of the sales tax to the degree that they said, Well listen, if you build a portable granary or a steel granary, then we will exempt it from the sales tax. Now most of the farmers know in this day and age that a steel granary that will hold a thousand bushels or thirteen hundred bushels, or a good prefab granary of any material, whether it's plywood or whether you buy the material yourself and put a roof on it, will cost you in the neighbourhood of \$400 - and more perhaps - but in the neighbourhood of \$400. So if a farmer wants to put up a multi-purpose building - and that's what I have referred to in the resolution - that will hold 10 times that amount, or 4,000 bushels, and we'll suppose that that multi-purpose granary would cost \$4,000, that is the same dollar value per storage space, then what is wrong with exempting that material from the provincial sales tax?

I think it is absolutely ridiculous, as I said on speaking on the Throne Speech I think it

(MR. SHOEMAKER cont'd.)... was, to say to a farmer: Yes, we recognize on the one hand that you have a real problem with your grain storage - we recognize that, we recognize it to the extent that we will throw off the \$20.00 if you build a \$400 portable granary; and then say on the other hand, but if you build 10 portable granaries, yes, we will knock off - what would - that would be \$200.00 in sales tax, but if you build a big granary that will hold 4,000 bushels or 5,000 bushels or 10,000 bushels, you won't get a nickel off. So what you're doing in effect is telling the farmer that he must, if he wants to store 10,000 bushels of grain, he must build 10 portable granaries or equivalent to that. Now, I think this is absolutely ridiculous, because most of the farmers in this day and age are building a quonset type building that can be used for the storing of grain, or the storing of implements if he's lucky enough to get rid of his grain.

The Honourable Member for Souris-Lansdowne who is now sitting over in the front bench, aspiring to the position over there I guess, he told me the other day that he was one of those that built a multi-purpose building, if you want to call it that, for the express purpose of storing some 7,000 bushels of oats - I think it was 7,000, maybe more -- (Interjection) -- 10,000 was it? Ten thousand. Well, he is a striking example of what the farmers are doing in Manitoba. I asked my honourable friend if he was going to convince the Minister of Finance to make a rebate on this building, and he said there would be "H" to pay or something if he didn't.

-- (Interjection) -- My gosh, I think he's right. I know that on farms that I have a mutual interest in - one or two - this is the type of building that they're putting up to house their grain. One of the best and biggest farmers in Lakeside constituency, Dave Patterson - and he's known by everyone in this House as the owner of Perry Park - I guess that he has a half a dozen of these multi-purpose buildings on his farm now, and when they're pouring the cement they put a twobyfour or a timber in the cement so that they can develop bins for the various kinds of grain.

I know that my honourable friend the Member for Turtle Mountain has an Order for a Return in that was put in on Monday, April 7, asking the House to issue an Order for Return showing from October 31, 1968 to March 31, 1969 the number of applications for sales tax rebate on materials for granaries and the amount of money claimed, and (2.) the number of applications rejected and the amount of money. We have not as yet, Mr. Speaker, received that Order. I'm sure that it will be interesting to members of the House when we do.

My guess is that there isn't a member in this House - not a rural member anyway - that is not in receipt of a letter or a telephone call or a personal call from one or more of his constituents on this subject matter. I have one before me here and it's a very short letter from Gladstone. "Dear Mr. Shoemaker: I was wondering if you could call in to see us sometime soon." This is the reason why. "We built a multi-purpose building last year and put in a claim for a rebate of the provincial tax. We have been informed that we are not eligible and I'm sure we are. You see, we made it to store grain in and we have over 7,000 bushels of wheat in it at the present time. They claim" - and she's talking about the government - "They claim it is a multi-purpose building and so no rebate. Therefore, I wonder if you would be good enough to help us get the rebate as I believe we are entitled to it. Hoping to hear from you soon, we are usually home in the mornings. Sincerely, Mrs. Edgar Poersch." I called to see them and said that I would do what I could for them. My guess is that just every member over there, as I said, has a letter of this kind, a personal call, or a telephone call in regard to the same matter.

To me, this resolution does make a lot of sense. I don't know why Earl McKellar, the Honourable Member for Souris-Lansdowne, should be told by this government: Listen Earl, if you had built 10 portable granaries you'd have got your rebate, but if you build a multi-purpose building that will hold 10,000 bushel of oats or wheat or whatever it was, no dice. It doesn't make sense. So I hope that Mr. McKellar, the Honourable Member for Souris-Lansdowne, will get back in his seat now and vote with us on this resolution that means a lot to the farmers of Manitoba and makes some sense in my estimation. Probably my honourable friend the Member for Souris-Lansdowne would like to make a contribution to the debate because he can really do it with feeling and in depth, because it's the one who wears the shoe that pinches that knows exactly the toe that's being pinched, and so I look forward with a great deal of interest to hear what my honourable friend has to say on this resolution.

MR. SPEAKER: The Honourable Member for Brokenhead.

MR. SAMUEL USKIW (Brokenhead): Mr. Speaker, I move, seconded by the Honourable Member for Churchill, that the debate be adjourned.

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

MR. EVANS: Mr. Speaker, I wonder if you would call it 5:30.

MR. SPEAKER: It is now 5:30: I'm leaving the Chair to return again at 8:00 this evening.