

THE LEGISLATIVE ASSEMBLY OF MANITOBA  
2:30 o'clock, Saturday, July 10, 1971

Opening Prayer by Mr. Speaker.

MR. SPEAKER: Presenting Petitions; Reading and Receiving Petitions; Presenting Reports by Standing and Special Committees; The Honourable Member for Riel.

REPORTS BY STANDING AND SPECIAL COMMITTEES

MR. DONALD W. CRAIK (Riel): Mr. Speaker, I'd like to present a report of the Standing Committee on Public Utilities and Natural Resources.

MR. SPEAKER: The Honourable House Leader.

HON. SIDNEY GREEN, Q.C. (Minister of Mines, Resources and Environmental Management) (Inkster): Mr. Speaker, on a point of order, the report of the committee is presented through its chairman and the honourable member is not the chairman.

MR. CRAIK: Mr. Speaker, I would refer you to our own Rule Book and I think you'll find that the report of the committee can be presented by any qualified member of the committee.

MR. SPEAKER: The Honourable First Minister.

HON. EDWARD SCHREYER (Premier) (Rossmere): Mr. Speaker, speaking to the point of order raised by my colleague the House Leader, I don't know if it's your mood, Sir, to entertain amusing and humorous antics on the part of members of the Assembly, but lest there be any inclination to treat the matter seriously, I simply point out that whether or not the report can be moved by a chairman or some other qualified member of the committee, the fact remains that there can be no report from a committee without a motion of that committee to indeed agree on a particular report, which hasn't been done.

MR. SPEAKER: The Honourable Leader of the Opposition.

MR. SIDNEY SPIVAK, Q.C. (Leader of the Opposition) (River Heights): Mr. Speaker, on the point of order, I don't find the motion as amusing as the First Minister. This motion was introduced because the government failed to bring in the report to allow the Legislature to debate it. We have been informed by the House Leader that past practices are not to be followed but that the motion of the tabling report, the motion from the committee will be brought in in the session or it can be brought at the end. And so therefore, Mr. Speaker, we have had to take the same tack as that of the government in applying the legal interpretation of our rules and indicate to you that on Rule No. 72 the report shall be presented by a member standing in his place, and shall be read by the Clerk at the table, and, Mr. Speaker, we present the motion of that Committee as a legitimate play in which we can present what took place in the committee and prevent the government from stifling our opportunity in this House to debate the decision that was reached in the committee on Thursday morning.

MR. SPEAKER: The Honourable Minister of Labour.

HON. RUSSELL PAULLEY (Minister of Labour) (Transcona): Mr. Speaker, may I draw your attention to our Rule No. 73, which states that the report of the committee shall be signed by the Chairman only.

MR. SPEAKER: The Honourable Member for Riel.

MR. CRAIK: Mr. Speaker, the presentation of this report is under Rule 72 and says, "A member of the Standing Committee may present the report." Rule 73 says that if it's going to be signed it has to be signed by the Chairman. -- (Interjection) -- That's right. Well, Mr. Speaker, if the Minister of Labour is implying that I have signed this report, he's wrong. I have not signed it. It is simply a report of the committee and I suggest that it be read and considered.

MR. GREEN: Mr. Chairman, I would suggest to you that the report of a committee is presented by the chairman. The chairman is a member. The rules go beyond the rules of the House, although I would certainly interpret the rules of the House to mean the chairman. I would urge Your Honour to take this matter under advisement, to look at Beuchesne, and to see whether indeed the practice that is attempted to be followed by the Member for Riel is an accurate one.

MR. SPEAKER: The Honourable Member for Rhineland.

MR. JACOB M. FROESE (Rhineland): Mr. Speaker, on the same point of order, I think the Clerk should have read the report before the Speaker takes it under advisement.

MR. SPEAKER: Order please. I have received numerous views on the point of order raised on the matter the Member for Riel introduced. I shall take the matter of advisement off

(MR. SPEAKER cont'd.) . . . . the honourable members, my interpretation of the matter, Ministerial Statements; Tabling of Reports; Notices of Motion; Introduction of Bills; Oral Questions. The Honourable Leader of the Opposition.

#### ORAL QUESTION PERIOD

MR. SPIVAK: Mr. Speaker, my question is for the Attorney-General. I wonder whether he can inform the House whether any request has been made to the RCMP for any report on a member of the provincial Legislative Assembly.

HON. A. H. MACKLING, Q.C. (Attorney-General) (St. James): So far as I'm aware, I have no files indicating whether the former Attorney-General made any request for reports. I have found none. I have requested none.

#### ORDERS OF THE DAY - GOVERNMENT BILLS

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

MR. GREEN: Mr. Speaker, would you please call Bill No. 33?

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

HON. BEN HANUSCHAK (Minister of Consumer, Corporate and Internal Services) (Burrows): Mr. Speaker, in replying, firstly I wish to thank the honourable members for expressing their comments on Bill 33. At the outset I would just like to repeat again that this bill, with a few minor changes, changes which became necessary with the passage of time, is essentially the same bill as the one which appeared on the Order Paper prior to the dissolution of the last Legislature in 1969.

Now there are a number of questions raised by honourable members of the Official Opposition, in particular by the Honourable Member for Brandon West, and questions raised today by the Honourable Member for Assiniboia. The Honourable Member for Brandon West raised one or two questions on points of principle in Bill 33. The first question anticipated the possibility of somewhat frequent changes being made to the regulations and wanted to know what sort of notice the registrants under the Real Estate Brokers, Mortgage Brokers Act rather, would have of such changes, and the honourable member's concern probably stemmed from the fact that this bill stipulates that a violation of the regulation under the Mortgage Brokers and Mortgage Dealers Act would constitute an act of fraud under the Real Estate Brokers Act, so he also wanted to know whether mortgage brokers would receive notice of any change to the Real Estate Brokers Act that may affect them.

But before explaining the type of notice which is given, I should explain to the House that there is a good reason for providing that a breach of the regulations shall constitute an act of fraud, and when I use the word "fraud" I use the word fraud, not in the sense that may be defined elsewhere, as it may be defined in the Criminal Code or in any other piece of legislation, but I use it strictly in the sense as it is defined within this piece of legislation and there's a comparable definition of the word "fraud" contained in the Real Estate Brokers Act. Now, as honourable members will understand, the regulations might well contain a good deal of administrative detail relative to the form of records to be kept and procedures to be followed for the purpose of ensuring proper protection of the client's money. If a registrant were planning to defraud a client, the mechanism used for the fraud might well be a breach of certain provisions of the regulations rather than a direct violation of some section of the Act itself. Under such circumstances, Mr. Speaker, it's essential in the public interest that the breach of the regulations be described as an act of fraud so that the Public Utilities Board could then . . .

MR. SPEAKER: Order please. The Honourable First Minister.

MR. SCHREYER: I apologize to my colleague but, Sir, I find that in this Chamber in recent weeks there's been a problem with respect to either acoustics deteriorating for some unknown reason, or else excessive conversation.

MR. SPEAKER: I can agree with the Honourable First Minister. I possibly put down the fact that I was lax in this regard to that I might have had static in my own earpiece, but I thank him for the attention he has drawn to that fact and I would ask all honourable members to keep their undertones from warring with their overtones or else not to converse in the Assembly but to do it outside. The Honourable Minister of Consumer and Corporate Affairs.

MR. HANUSCHAK: Mr. Speaker, as I had set out to say, that under such circumstances it's essential in the public interest that the breach of the regulations be described as an act of

(MR. HANUSCHAK Cont'd) . . . . fraud so that the Public Utilities Board could then move to forfeit the registrant's bond and with the proceeds therefrom compensate any parties injured by such an unlawful act. Now these provisions relating to the forfeiture of the bond are to be found - there's a section within the Real Estate Brokers Act that outlines that.

Moving on to the point of notice, Mr. Speaker, I believe that I can allay my honourable friend's concern. In the normal course of events, any new regulation and amendments to existing regulations have to be published in the Manitoba Gazette before they take effect, and I would think that there are very few, if any, brokers' offices in Manitoba to which the Manitoba Gazette is not available. In addition, however, the normal practice of the Public Utilities Board is to notify all registrants, not only of impending changes in regulations, but also policy changes of the decisions of the Board that would probably prove of some interest to the industry. But the Public Utilities Board also maintains a good liaison with the Winnipeg Real Estate Board and the Manitoba Loan Association, and I believe that I am safe in assuring my honourable friend that the problem to which he has drawn our attention is more apparent than real.

There was also a question raised of whether there should not be a difference in penalty, that is a lesser penalty for a breach of the regulations than the penalty for the breach of the Act itself. The short answer, Mr. Speaker, is that that point was decided by this House many years ago in a section of the Real Estate Brokers Act and a section of the old Real Estate Agents Act, which goes back probably more than ten years - yes it does. It was enacted, I believe, in 1947 and had remained in the statute books until about '61 or '62 when it was replaced by the present Real Estate Brokers Act. Both pieces of legislation have always treated the two violations as being equally culpable and deserving of identical punishment.

Now this morning, Mr. Speaker, the Honourable Member for Assiniboia raised a question that in introducing the bill I had indicated that at the present time there isn't that much competition, only one firm being in existence, but if others come into being then the need for such legislation may become more necessary. Well, it isn't the fact that competition per se may create the need for such legislation, but rather the fact that more would be involved in the industry and therefore the chances become greater of someone violating some provision within the law, as is common in the practice of any occupation, of any profession. All of us know that.

He also raised the question: will this in any way impede the flow of mortgage money? Well, Mr. Speaker, all I can say in answer to that is that the legislation governing the activities of mortgage brokers has no more effect on the flow of mortgage monies than legislation governing the operations of real estate brokers has on the real estate market. Surely that is not in any sense a factor affecting the real estate market. One does not say that because of the tightening up or the loosening up of the legislation governing the activities of real estate brokers that that either slows down or accelerates the purchase and sale of real estate. So this certainly would not have any effect on the flow of mortgage money.

I believe there were a few other specific questions raised with respect to interpretation of particular sections of the bill and I think, Mr. Speaker, that it may be more appropriate to deal with them in Law Amendments, not only would it be more appropriate but at that time they could also be more effectively dealt with.

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

MR. SPEAKER: The Honourable the House Leader.

MR. GREEN: Could you call Bill No. 50? -- (Interjection) -- We'd better hold that. Bill No. 71.

MR. SPEAKER: The proposed motion of the Honourable Minister of Education. The Honourable Member for . . .

MR. GREEN: Mr. Speaker, I'm sorry. I missed Bill No. 27.

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

MR. FROESE: Mr. Speaker, I would ask the indulgence of the House to have this matter stand.

MR. GREEN: Bill No. 50.

MR. SPEAKER: Are you ready for the question? The Honourable Leader of the Opposition.

MR. SPIVAK: I believe that Bill No. 50 was standing in my -- Oh, I'm sorry . . .

MR. HARRY E. GRAHAM (Birtle-Russell): Mr. Speaker, we're on Bill 27, I presume.

MR. GREEN: Yes, Mr. Speaker. The Honourable Member for Rhineland has asked that that matter stand. We've moved on to Bill No. 50.

MR. SPEAKER: Proposed motion of the Honourable Minister of Consumer and Corporate Affairs. The Honourable Member for Birtle-Russell.

MR. GRAHAM: Mr. Speaker, I stood this for our Leader.

MR. SPEAKER: The Honourable Leader of the Opposition.

MR. SPIVAK: Mr. Speaker, I have a few remarks to make on Bill 50. They are really complementary to the remarks made by the Honourable Member from Brandon West last evening.

With respect to the Consumer Protection Act, I think everyone understood that the nature of the Act and the nature of the legislation would require additional amendments and corrections and changes to be made as the Act was enforced and put into operation. It took approximately four years of intensive study before the Consumer Protection Act came forward, and understandably there were going to be changes that were to be added to it. There are aspects to the Consumer Protection Act amendments that are proposed, that are important and certainly worthy of consideration and worthy of enactment by this Legislature. The clauses relating particularly to credit cards happen to be good clauses. I would point out to the Honourable Minister that I think that there has been an error made in one respect on an onus part, with respect to the loss of a credit card, where the onus has been put on the person who is the issuer rather than the person to whom the card was issued, to prove that in fact notice was given within the Act itself to be able to see to it that the loss did not occur as a result of giving the issuer notice of the loss of the card and not being charged with the unlawful use made of a lost card.

But there is a very fundamental principle involved with respect to the whole issue of pyramid selling, that has been already expressed by the Member for Brandon West, that has to be expressed again, Mr. Speaker. The government is attempting in this Act to do too much within this proposal. Pyramidal legislation, or pyramid selling legislation really requires a separate Act, and we have made this point before. We are aware of the fact that Alberta has introduced such an Act, and it would seem that it would be important to take from these sections, sections that were concerned with pyramid selling and to frame it into another Act, because what has been attempted here is a proposition in which a very broad, broad cut has been made in order to be able to cover the potential problems with respect to pyramid selling, and in doing this because it's been brought into an Act which is a consumer protection Act and which was involved with other things, there are many areas that are not defined properly, many interpretations that can be given to sections which are much wider than I think it was intended by the government, and unless they're going to be prepared to do this, our problem will be to deal with the specifics and to try and interpret some of the statements that are used and some of the language used which appear ambiguous in relation to the total, the total bill, and which appear not to be defined in the present Act and therefore would require additional information.

There are other areas in which it would appear that what the government is proposing is in fact to codify existing law, existing common law practices, and in addition to the problems of interpretation that always come from codifying common law practice, as a general rule it is better not to in fact codify, because the restrictions that are forthcoming can in fact damage the ability for the common law to be flexible to be able to meet those situations. It's my belief, Mr. Speaker, and I would want the Minister to indicate this, that in fact the government did not, before introducing this legislation, sit down with the credit grantors who are involved in the day to day practical application of the Act, and discuss with them the changes that were to be forthcoming, and if I'm incorrect on this I would hope that the Minister would indicate this. But my suspicion is that they have not, because if they would have, they would have realized that some of the proposals that they are making will cause reasonably expensive changes to them and costs to them which could have been corrected by some understanding without the necessity of the legislation being introduced in this way. And I think if this is the case, Mr. Speaker, if in fact this kind of dialogue has not taken place, that if we're going to be dealing as we will be dealing in this and in sessions to come, whether the present government is in power or another government, with a continual involvement of the legislation dealing in the consumer protection field, that it's necessary for the kind of liaison to take place with those people who are the practical people in the field, to be able to work out and rationalize the way in which the desire of the government to ensure that the consumer is protected wholly can be effectively carried out at the same time without affecting the basic day to day activities of those

(MR. SPIVAK Cont'd) . . . . . people who earn in the field, in this particular area of activity, and who at the same time by their actions affect the consumers and where, who are affected by any additional costs, the government may in fact put on them and then therefore must then pass it off to the consumer itself.

This leads us then to a couple of very important functions, or a couple of very important proposals in this Act that need very serious scrutiny, and this is the investigation and inspection by the Director. There are powers given into the inspection and investigation by the Director that appear quite unnecessary. I understand that this may not have been the intention of the government; that the intention may have been to have the complainant in an investigation swear an affidavit indicating the cause for the action. If this is the case, then the clauses that have been produced and have been put in front of us are incorrect. If this was not the case and the legislation that is being presented by the government is one in which those people who are under investigation are to be put in a position that an affidavit is to be handed to them and they're asked to swear that affidavit with respect to an investigation that is semi-criminal in nature, then we are violating a very fundamental principle of our common law and of our criminal practice, which says and which indicates that no one should have to be put in the position, without proper warning, without information being presented to him, of in any way self-incriminating himself with respect to a criminal action that could take place. So therefore the sections that deal with the investigation and inspection by the Director in our opinion will have to be amended, and it will be our proposal to amend it. If the intention was for the government to say that a person coming in to complain of a particular situation in order to start the investigation would have to swear an affidavit as to the facts as he understood them, then I don't think the objection would be as strong on our part, but the way the legislation is worded now, it would appear that, on inspection, an affidavit can be asked to be sworn by the person who is being examined, and if this is the case, then that legislation is wrong and it goes against again the basic tradition in which we've operated with respect to criminal matters in our country. Now we must understand that in many respects we are talking in a semi-criminal area as opposed to -- and therefore it can be interpreted as also a semi-civil area -- as opposed to an outright criminal area, and the question of the necessity for this kind of action becomes important. Now, Mr. Speaker, as well, there is discretion given to the Director with respect to the granting of a licence that seriously must be questioned, because the discretion that's given is given on the basis where the Director can exercise his own opinion based on nothing but based on his impression, and the right of appeal that is provided under the present Act would not allow an individual who in fact has not been permitted to have a licence because of the discretion of the Director from being heard. I can visualize a situation where in this particular situation a Director can refuse someone a licence because he thinks he's a rude person, and he can exercise that discretion, and based on the appeal sections that now exist within the present Act, there would be no right of appeal that could be successfully carried. Now again, I do not think that this was the intention of the government but I think that when we get into the area of discretion and in attempting to try and again protect the consumer, the checks and balances that have to be put in, the manner in which this Act has to dovetail with the other sections of the Act, have to be seriously examined, and therefore in effect they will have to be corrected, in our opinion, so as to be able to provide the degree of protection that is required.

There is another provision, which is an unusual one, and this would give the Director the opportunity to determine the aggregate number of direct sellers who may be licensed for and on behalf of a vendor. Now I wonder, really, whether at this stage the government really wants to enter into the field of telling people exactly how many people can sell their product and who can be licensed for a particular vendor. I wonder really whether we want to get to the stage where the government control is going to direct this. We are talking about protection of the consumer; we are talking about the protection of society; we are talking about laying down the rules of the game that people will play by; but are we putting ourselves into the position, as government, to say who can play and who can't play? Who can play and who can't play, not based on the question of a person's record, but based on a judgment to be made by a Director as to how many people should be playing the game in this respect.

Now, in a franchise situation in which government by legislation has taken over an area of responsibility and has in fact limited the number of franchises, we know that the rules are controlled, but the government is not taking over the direct selling field, at least I hope not, and the government is not becoming involved in this area, and therefore what is being proposed

(MR. SPIVAK Cont'd) . . . . here has to again be seriously examined.

Now the other thing is that there are certain sections which appear to be in principle directly opposite to some of the proposals in The Personal Investigation Act, and it will be our intention to point them out in detail. I can't deal with this clause by clause, Mr. Speaker, but they do deal with the question of people who may not be allowed to become direct sellers who have been convicted of criminal offenses in which there is no specific time limit given as to how far back the Director may go in exercising a discretion with respect to someone who has been convicted, and as I indicated to you, it is really in opposition to some of the sections as proposed in The Personal Investigation Act.

Well therefore, Mr. Speaker, let me say this. We accept that the consumer legislation will require constant revision. We are not objecting to the concept of presenting pyramid selling legislation to protect the consumer. We think it would be far wiser and better for those sections to be taken out of the present amendments that are proposed and to be set up in a separate Act, to give us an opportunity to be able to legislate properly in all respects with this particular item. We have no objection to the legislation with respect to credit cards; we think there are some sections that can be amended, particularly with the onus section referred to. We reject the inspection and investigation act which gives the right for the government to go in, again basically under this umbrella of snooping which we referred to, and go ahead and proceed and be in a position to demand, to demand a statutory declaration, and we will propose a series of amendments in connection with that. We also object to the discretion being given to the Director so that he is in a position to effectively prevent someone from being licensed and who will not have any legitimate right of appeal based on the sections of the Act as they now exist, and we object to the concept that the government, that the government should control the number of people who should play the game, based on their judgment and based on their understanding, rather than in fact following the procedure of setting what the rules of the game are to be and allowing those people who want to play it to be able to play it.

For this reason, Mr. Speaker, we are going to allow the Act to be advanced towards Law Amendments and support the Act. We intend to bring in the amendments. If in fact the government is not going to be prepared to acquiesce to our demands and to work out a reasonable approach to the problems that we've presented, we will then determine our position on third reading as to whether we will be prepared to support this bill or not.

MR. SPEAKER: Are you ready for the question? The Honourable Minister of Consumer and Corporate Affairs.

MR. HANUSCHAK: Mr. Speaker, I wish to move, seconded by the Honourable Minister of Agriculture, that debate be adjourned.

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

MR. SPEAKER: The Honourable House Leader.

MR. GREEN: Bill No. 71, Mr. Speaker.

MR. SPEAKER: On the proposed motion of the Honourable Minister of Education. The Honourable Member for Rhineland.

MR. FROESE: Mr. Speaker, Bill 71 is an Act to amend The Public Schools Act and, after checking the many amendments that are contained in the bill, I would like to make some comments. Before I do so, however, I would like to make a comment in connection with the bills in general, and I wish the House Leader would take note of this. In previous years, at least the previous government, quite a number of the bills, if not all of them in a given session, received explanatory notes on the opposite side of a sheet, of the amendments proposed. This certainly assisted members of the House very much and I for one appreciated this very greatly. I feel that this certainly would speed up matters when considering bills in the House, especially at the tail end of the session as we are doing now, and I do hope that this government gives consideration to this matter that explanatory notes are provided in the bills so that we don't all have to go through and do the same work over and again in checking the various amendments before us.

Mr. Speaker, a number of the amendments before us deal with the matter of deletions in connection with the Boundaries Commission. However, there is a new provision in here for boards of trustees of school divisions and school districts, to authorize certain people to be in charge of the students instead of teachers during certain hours. Personally I don't take any objection to this. However, I think the teachers are getting out from under again in another area and that this means less responsibility for the teachers, and I'm sure that they will not

(MR. FROESE Cont'd) . . . . . want to accept less in payment even though they don't have to have this charge and responsibility upon them. I think this has been an issue for the last couple of years in certain places and no doubt will receive further consideration, and now that we are going to pass legislation in connection with it, no doubt that will settle the matter in many cases.

The matter of used textbooks is being eliminated from the Act. Certainly this is, I think, welcome because it no longer applies. The expropriation proceedings in connection with districts, I'm not sure whether districts are no longer acquiring any land where proceedings do take place. I find in the bill later on that the Minister will now have the right to establish school districts in northern Manitoba, and whether he will require any of these powers we're deleting from the bill, I'm not sure. If he wishes to comment on that he may do so.

The matter of compensation for expropriation is in the same category, which is also being deleted.

The matter of school attendance, certainly I don't think there's any change except that the age of majority has been reduced and therefore we're now bringing a new expression into the Act.

The matter of reference to forming or enlarging consolidated school districts now will be completely in the hands of the Minister, and I find that there are other sections which are delegating powers to the Minister now which formerly did make reference to the Boundaries Commission, and I think to the Reference Board as well, for recommendation. These are being eliminated.

There's a certain provision here giving the Lieutenant-Governor-in-Council powers, and this is where I would take objection to. When they take on themselves the power to consolidate one or more school divisions, I feel that this is a matter of the Legislature, that these propositions should come forward to the House so that we can debate them, we can assess the situation and pass judgment on them before the action is taken, and I feel that we're giving too much power to the Lieutenant-Governor-in-Council in this case without giving the House a chance to consider it. The same provision also deals with other matters but I think the one of consolidating more than one school division, I think is the objectionable one; the other ones I think are not that important.

While some of the matters in the bill do not concern my local areas in southern Manitoba but concern areas such as the Interlake, I still feel that I as a member should concern myself with this as well, and that I'm here representing not only my area but the province as a whole, and take a broader view in certain connections. The Interlake area certainly here comes into consideration, so that these divisions can be enlarged and consolidated or dissolved under a certain provision in the Act.

The Minister will also have power to establish school districts up in northern Manitoba under his own judgment and his own decision. I certainly have no objection of establishing school districts. None whatever. I'm just wondering whether the responsibility that is put on them, whether this is of his own choosing or whether this is a matter that Cabinet or the Lieutenant-Governor-in-Council desired to have it this way. I will have some further comments when I conclude the discussion on the bill on general terms in this matter.

There are other sections dealing with the appeals, the county courts. I certainly go along with some of the provisions there. We now find that the matter of students attending schools in other divisions will now become a matter of right. I think this is quite in order and I welcome it. I feel that if certain divisions are not offering courses or subjects or special courses that a student wishes to take, they should be entitled to take it in another division and give him the opportunity. Before this, it was a matter of agreement between the divisions; now it becomes a matter of right for the student to take advantage of this. The matter of determining costs will in the final end be determined by the Minister and I hope that he uses good judgment in this case as well.

Coming back once more to the matter of creating school districts in northern Manitoba, I just wonder, are the increased grants going to be available to these districts? If so, why do they not grant the same grants to districts in southern Manitoba? I feel that if we're going to give grants to school districts in northern Manitoba, the districts in southern Manitoba are just as entitled to the same treatment. Certainly I think this is what the Northern Task Force recommended. I haven't checked it too recently but I recall too well when discussing it last year and earlier in the session on one occasion, that the request was made in the report that

(MR. FROESE Cont'd) . . . . . the people up north should have more self-determination in connection with education, and this is I think the right direction to take. Certainly I welcome this section as well.

What about the administration of these districts? Does this come under the Official Trustee or is this going to be administered by the adjoining division? I would like to know a little more about this. I didn't have the time to check this out completely with the Act, but no doubt the Minister can probably give that information when closing debate.

There's one other matter that deals with the Public School Finance Board, and it refers to the levies outstanding. I just wonder how much money is outstanding, or was outstanding at the end of the year, and are we going to give these areas special treatment by putting this provision into the bill?

As pointed out, the Minister responsible takes on more responsibility and decisions and is receiving greater authority, increasing authority, under this legislation, and so much, Mr. Speaker, will depend on his good judgment, how he exercises judgment in so many cases. Here again is a question mark, because if I were to go by past records I should oppose the bill, because with the recent grant that was brought in, the \$18.00 per student grant, which is only being given to students in unitary divisions, certainly in my opinion he did not offer positive and good judgment, and on the record of that I certainly should not be supporting the bill. I feel, too, that we should not be discriminating against minorities here in Manitoba and I think it is being practiced and done especially by the Department of Education -- yes, it is. The Attorney-General thinks it's not so, but it is; and I'm sure if he lived in southern Manitoba he would say they were, because this has been the experience and I really had figured when this new government came in that this would be rectified. On the other hand, we see that instead of rectifying the situation they're increasing it, making it worse than ever, and this is a sorry state of affairs to have happen here in Manitoba. If this were not the case -- and I'm almost finished -- if this were not the case, then certainly the Minister would warrant my confidence and I would have full confidence. This is the thing that I think brings about non-confidence in the Minister and giving him these wide powers. Otherwise I would have no objection. So this is a matter of trust, and I feel that the Minister should show better judgment in order to warrant the trust and confidence of the members of the Opposition and the House.

MR. MACKLING: Would the honourable member submit to a question? I'm wondering whether or not, Mr. Speaker, the honourable member who has just spoken would indicate whether or not the minority, or minorities which he refers to, do not have the democratic right to join with the majority by the democratic process of electing to join with the majority in various programs which you say they're being discriminated against by not having joined.

MR. FROESE: This is all a matter of interpretation. Certainly I don't feel that the minorities should be penalized because they do not go along with the majority. I'm sure the member would not agree that all people should vote Conservative or Social Credit in Manitoba. Surely he would object to that. So he'd better leave room for the minorities in Manitoba.

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

MR. GRAHAM: Thank you, Mr. Speaker. In rising at this time, Mr. Speaker, I feel that there are some points that have been raised and there are some points that I feel have also been by-passed in the look at the amendments that are proposed here by the Minister to the Public Schools Act. My colleague from Emerson dealt at great length with one of the first subjects in the bill, Mr. Speaker, and that was the question of the care and the charge of pupils, and he expressed a great reservation about the use of non-professional teachers and the allocation of pupils to the care of non-professional people in that respect, much of which I agree with. However, the degree of concern that he has and the degree of concern that I have might be somewhat different, and this is to be expected because he has had far more experience than I in the actual day to day operation and the looking after of students in a classroom.

However, Mr. Speaker, when we go on and look at little things in the bill further down, we find that while the Minister has taken the cost of textbooks out of the hands of the school board, he has also taken something as well as the actual cost of textbooks when he has deleted a section from the Act, Mr. Speaker, and I believe that -- some wording in that bothered me, one section which states that "to ensure that no unauthorized textbooks are used," which used to be in the Act as being a responsibility of the school board, is now being deleted, and I'm just wondering if the school board will now have any authority at all or any jurisdiction in having a decision in the use of textbooks in a school, or will that decision rest entirely with the



(MR. GRAHAM Cont'd) . . . . Minister, because I don't believe that this is the intention of the Minister; I think this is probably just an oversight. I'm sure that he wants to leave that decision with the school board so that they can ensure that no unauthorized textbooks are used in the schools and that they have the power to do that, so I don't think he really intended to delete that section from the Act; I think it was just an oversight.

There was at the same time, while the school boards do not have to charge pupils or no longer have the right to charge pupils for the use of school books, I'm wondering if this also applies to a sort of fee or penalty that can be assessed against pupils for abuse of textbooks, or lost textbooks, or something like that. I wonder if the school boards will be able to do that or if that has completely been eliminated now too. Here again, I don't think the Minister had that intention. I still believe there should be some type of penalty system whereby a school board can levy a fine for the improper use of textbooks and the students should have to pay some fee, whether it be a conscience thing or a caution fee. I've heard both terms used and I think it's quite justified that this be retained in the Act. After all, we are giving our students more and more and I feel there should be a degree of responsibility still remaining for the students to take reasonable care and precaution in the use of the expensive textbooks which are provided to him at no cost to himself directly, although no doubt there is a cost to his parents through the taxation system that we have in effect.

Further on down, Mr. Speaker, we find that throughout this whole series of amendments, we find that there is an increasing tendency on the part of the Minister to have the decision-making powers rest with the Lieutenant-Governor-in-Council, and another thing that disturbs me is that there seems to be cases where the right of appeal is being withdrawn from people, and I refer in particular, Mr. Speaker, to one part of the Act, or the amendment to the Act, where the Minister has the final decision which is without appeal in the process of acquiring land for a school property or something of that nature. And it appears that where there has been protection for the landowner, and the right of appeal before, that that now seems to be disappearing. I wonder if the Minister did this by an oversight or whether it is the intention of the government to have the power to expropriate land and not give the landowner the right of appeal, or the proper courts of reference to take the case, and it is a concern of mine at this time. I am sure that when the Minister makes his final presentation he will be answering some of these questions, and this is one of the questions that I want him to answer.

However, Mr. Speaker, there is one section which the Minister had to amend, where the Local Boundaries Commission had been disbanded, and there was legislation in the Public Schools Act which provided for action by the Local Government Boundaries Commission, and in its place the Minister has put in the, Appeals Board I believe the correct wording is, -- (Interjection) — Board of Reference. However, Mr. Speaker, the terms of reference for the Board of Reference are rather vague. I looked rather diligently through the Act to find out what the exact duties of this Board of Reference were and I fail to see any significant place in the Act which spells out what the duties are of the Board of Reference. I would hope that the Minister would explain to us exactly what is the work of the Board of Reference, what their terms of reference are, and what their actions will be, and their activities in the future. Because, Mr. Speaker, with the advice of the Board of Reference the Minister now may be able to alter boundaries, consolidate one or more school divisions, designate the number of wards and the number of trustees for each ward, fix the number of trustees who will represent the electors of the school division, or he can do any or all of them; he does this by -- under the certain terms of another section of the Act which he has changed somewhat which in essence, Mr. Speaker, takes away from the people the referendum and the intention of the Public School Act that had been expressed by various sections formerly where the people were always consulted.

I do not believe that the Board of Arbitration is forced to consult with the people, although I know in some cases they do. Now if the terms of reference that the Minister has given to the Board is such that they must consult with the people and the people's wishes will be expressed and abided by, then I think that much of my fears are unfounded. However, I see nothing in the Act which says that this must be done, and it is of concern to the people in my area as well as to those in other areas because basically, Mr. Speaker, what we find here is, I believe, an attempt by the Minister of Education, as stated in his remarks when he brought forward this Bill, an attempt to basically do the same thing to the school system as what the Minister or Urban Affairs has done to the municipal system in the Greater Winnipeg area.

(MR. GRAHAM Cont'd)

Now maybe he didn't say it in those words but the machinery is here, Mr. Speaker, and I think that with the amendments that he has here it is not only in this part of the city but it applies all over the province and there has to be a great deal of concern by the School Division people, and the parents and the teachers and all those people in the educational process. Because if the Minister is heading towards larger school divisions, then I would suggest that he study the report of the Manitoba Association of School Trustees, who presented a, or completed a comprehensive study of educational finance in Manitoba in June of this past year. They have made a few observations -- while much of the report is statistical they have come up with some interesting observations, Mr. Speaker, and I would like to quote one or two of them. On Page 75, "after the 151 to 200 authorized teacher groups, the percentage of teachers' non-grantable rises at a rapid rate, leading to the observation that in terms of teaching staff the larger divisions have not been able to capitalize on economies of scale in relation to their size." Turning over to Page 78 dealing with operational expenditure, they state that the group cost pattern in this category indicates that after the 151 to 200 authorized teacher mark "the larger the division the higher the cost." Then turning to Page 82 of the report -- and this is dealing with the ratepayer costs; and this is the cost to each and every taxpayer in the Province of Manitoba -- and it says, "once the 201 to 300 authorized teacher group is reached" -- (Interjection) -- Page 82, "the remaining two strata described rather sharp increases which, although possibly accounted for in part by the increased size of the foundation levy, offers further evidence to the necessity of program measurements as discussed in earlier points in this analysis." And if you go to the actual tables, Mr. Speaker, in the total expenditure . . .

MR. SPEAKER: The Honourable Minister of Education.

HON. SAUL A. MILLER (Minister of Youth and Education) (Seven Oaks): I wonder if I could ask how the items the things mentioned by the honourable member in any way relate to Bill 71.

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

MR. GRAHAM: And I go on further, Mr. Speaker, -- I want to take the Minister into the cost study analysis of the cost of education and the size grouping, and in the 100 authorized teacher divisions, or less, the average cost per pupil on total expenditure was \$398.32; and the cost per authorized teacher was \$8,719.00. And as expressed in an analysis of operating expenditure, cost per pupil was \$503.66; and the cost per authorized teacher was \$11,025.00.

Now if you go into the 101 to 150 authorized teacher group you find the total expenditure grouping cost per pupil was \$391.16, and the cost per authorized teacher was \$8,668.00; as expressed in operational expenditure it comes out at \$493.15 cost per pupil, and the cost per authorized teacher of \$10,928.00.

Then you get into the 151 to 200 class. You find the cost per pupil of total expenditure still decreasing, it's \$382.71 and the cost per authorized teacher is \$8,621.00, still decreasing. As expressed in operating expenditure it's \$485.50 per pupil, against \$10,936.00 per authorized teacher.

Now if you want me to skip I'll go up to the 300 class, or do you want the whole works read. -- (Interjection) -- You've all got copies of the report; it was distributed in the Legislature.

When you get into the 201 to the 300 authorized teacher group, you find that the cost per pupil of total expenditure is now starting to rise and it's, instead of being \$382.71, it's now climbed to \$439.66, and the cost per authorized teacher is \$10,139.00 as against 8,621.00 in the . . . And as expressed as a percentage of operational expenditure, it's \$554.47 and the cost per authorized teacher is \$12,787.00.

And in the 301 and over class, and these are your larger school divisions, you find that your cost per pupil of total expenditure has now climbed to \$470.73 and the cost per authorized teacher has now climbed to \$10,956.00. And as an analysis of operational expenditure, -- (Interjection) -- Page 55. I told you already when I started. The Manitoba Association of School Trustees a Study of Educational Finance, June, 1971 . . .

MR. SPEAKER: Order please. I've listened with patience to the honourable member and I was waiting for him to make an argument out of the tables he was reading. After the first two or three I waited a little longer but at the present time the Chair finds itself in a dilemma to understand the logic of the conclusion that the Honourable Member is making by reading the whole report and the statistical data. I am sure that he can find the words that

(MR. SPEAKER Cont'd) . . . . . will give the Chair some guidance as to where he is going. We are on Bill No. 71. The Honourable Member for Birtle-Russell.

MR. GRAHAM: Thank you very much, Mr. Speaker. I was just coming to the last one, or the second last one, and the final comparison as an analysis of operational expenditures the cost per authorized teacher has now risen to \$14,218.00.

Mr. Speaker, the reason I bring this up is because of amendments that the Minister is proposing to Section 334 of the Act which will give him or the Lieutenant-Governor-in-Council on the advice of the Board of Reference, the authority to consolidate one or more school divisions, one or more, Mr. Speaker, and I say this that bigness for the sake of bigness is not good, and change for the sake of change again is not good.

If the Minister can assure us that the changes that he intends to bring forward in the Public Schools Act are for the benefit of the people of Manitoba, and will be to their interest, then I am sure that the words I have said are uttered in vain. However, sometimes, Mr. Speaker, it's quite appropriate to bring forward some points to the Minister, whether he accepts the advice or not, it is his decision to make. I feel that the right of appeal, and the methods of appeal that have been protective in the Public Schools Act should be maintained at all costs. Any action on the part of the Minister to remove some of those rights, I think, is not in the interests of the people of Manitoba, and I would ask him to consider again those points.

Finally, Mr. Speaker, we find a point which was raised by others, and this is a point where the School Finance Board and the Board of the School Division will have the power to charge interest rates, and this brings to mind a newspaper story I read not too long ago, Mr. Speaker, where the Farmers Union at a meeting in southwestern Manitoba had voted to withhold payment of school taxes as a means of protest against the actions of this government in their efforts in relieving the burden of taxation of school costs from property. I would ask the Minister to consider carefully whether this is his method of retaliation to the Farmers Union, because I don't think they would appreciate that, and the interest while I agree is quite valid, I think that he should with all conscientiousness listen quite carefully to the pleas of some groups anyway, whether it be the Farmers Union or other groups, who are complaining about the high cost of education on the landholder.

I'm sure the Minister will have some very enlightening words to give us when he closes debate and I look forward to his remarks at this time.

MR. SPEAKER: Are you ready for the question? The Honourable Minister of Youth and Education.

MR. MILLER: Mr. Speaker, I feel bound to reply to these questions but I can assure you I will not take the time that the honourable member did a few minutes ago except to, except that I feel that I have to say this. I've sat through many question periods dealing with bills and frankly I don't remember hearing one which was so far removed from the bill being discussed, so unrelated to what the subject matter was.

He did however bring -- he did finally get around to one item that was in the bill and that had to do with the interest rates which the Finance Board could be able to charge on outstanding amounts that should be payable by the municipalities to the school board or the finance board and he asked me the question: am I retaliating against the farmers who are hard pressed, and who have suggested that perhaps they would take steps to withhold property taxes?

Now surely the honourable member, if he'd read the bill and if he knew what he was talking about, would know that this is completely unrelated, they're not even talking about the same thing at all. The fact is that the school boards because they're not getting the money from the council have to go to the bank, raise the money, pay interest to the bank, and then have to levy for it next year on the same farmers that he's so concerned about. So if he knew what he was talking about I don't think he would ask this kind of question. Or maybe what I witnessed just now is, the member has been sitting silent for a couple of days and he just can't stand it anymore and he felt that he had to say something, and if that's his reasoning then good luck to him. I have read the MAST Report as have most other people.

Mr. Speaker, there is one point I do want to mention, and it was mentioned by a number of people, the question of expropriation. This has been -- there have been changes within this bill here which seem to alter the procedures with regard to expropriation. But the only reason for that is this: there's no attempt to take away any powers that the boards now have, or to deny them the right to expropriate. It doesn't in any way impinge upon citizens' rights, if anything it broadens them, because the fact is the Expropriation Act which was proclaimed in

(MR. MILLER Cont'd) . . . . . January of this year supersedes all other methods of expropriation, and for all public authority. And so any reference to special expropriation procedures from The Public Schools Act had to be eliminated because the new Expropriation Act is the overriding authority. Now that's all it is, there's nothing hidden, there was nothing in there. The suggestion that the Minister is trying to take on himself some great powers - absolute nonsense.

I explained in this bill that the Boundaries Commission had the power to make recommendations and the government could accept, or reject, or refer back. Since the Boundaries Commission is no longer in existence there's no one to refer back to, but we could accept, and we could accept everything that the Boundaries Commission did without reference to anybody and legislate them all. And if the member doesn't know that, he should learn that. So I'm not asking for any more than that, in fact, I am suggesting that there be a Board of Reference. This Board of Reference in its normal way holds hearings, is required to hold hearings. Those hearings are there so that people can make their views known.

But one area which was mentioned last night, and I feel I must respond to, and this is the area that the Member for Emerson chose to question or attack, and he did it in a way that I regret frankly. The suggestion that in this bill a step is being taken to take us back to the dark ages, as he put it, with regard to teachers in Manitoba or education in Manitoba. We in Manitoba like elsewhere have a dilemma. We have a dilemma, and the Member for Birtle-Russell pointed it out. The costs of education are escalating. Every study made, every projection made indicates a very steady and increasing incline in the spiral of this education cost and if we're going to be realistic and come to grips with it, we can't do it within a rigid structure and with a rigid inflexible framework and a system. If we are going to be realistic, we just can't say piously, yes, we'll do something about it and just shrug our shoulders and walk away from it. Either we look at the problem and try to contain this cost factor in a sensible manner, or it will run away from us and there's no way to stop it. And we can't do it, and we can't contain this, we can't alter the rigidity of the structure simply by adding, excepting all existing costs, all existing structures as being inviolate, and being unquestionable, as being something that can't be examined and simply do -- anything else that we want to do, simply then will be imposed upon the present structure. To do this I say will lead to a kind of cost factor which the Honourable Member from Birtle-Russell certainly will agree is fairly severe now. He made that point very strongly.

So we must find new ways; we must seek innovative ways, experimental ways, new approaches to rationalize and therefore in rationalizing to maximize and find the most effective system to deliver at a reasonable cost the kind of educational system that's required in the latter part of this century. And we can't do it by staying with archaic and traditional methods. And there's nothing that's revolutionary about the proposal here because all this simply suggests is that others than certified teachers be permitted to take charge of students, and that students may be left in their care. This can only be done if it's authorized by the school board in the first case and then only as assigned by the principal.

I don't have the fears, the exaggerated fears that are expressed by the Member for Emerson. I feel that in this day and age school trustees are not idiots; they represent the community; people today want an education for their children; they will not accept second rate; they want the best, and they're not going to allow abuses to creep into this. And if there are abuses then I can assure you these abuses can be corrected. There was not the intention in any way to deny the fact that the teacher is the professional person; to deny the fact that in the final analysis it is the teacher that has the responsibility for evaluation, for diagnosing, for prescribing, all the functions that a teacher does. What we're trying to do here, and what I think has to be done if we're going to tackle head on the question of the costs of education and improve the system without just pricing ourselves completely out of the market, is make it possible for the system to be more flexible and I think this is a step in the direction. It's controllable, the staffs are involved, the principal is involved. It can only be done, as I say, through authorization and in doing so I think we can achieve the kind of flexibility in the system which has been lacking in the last while and if we don't face up to it, it's going to, I'm afraid, drown us.

We have to recognize, as other groups are recognizing, that we must bring in para-professionals into the schools far more than has been in the past, that within our community there are people in every walk of life who if welcomed into the school, if they are made comfortable, if they are made to feel that they have something to contribute, would come into the

(MR. MILLER cont'd.) . . . . schools, would give of their knowledge, give of their ability, would gladly volunteer in many cases, and in that way would enhance and enrich the programs for our students without placing cost on top of cost and making the matter prohibitive that we just can't live with it.

And this is the idea and this, I hope, is the beginning of what I hope is an attempt to really look at the problem and recognize that we have to live within a certain cost constraint and at the same time not deny the children of Manitoba an educational experience to which they are entitled.

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

MR. GREEN: Bill No. 75, Mr. Speaker.

MR. SPEAKER: The proposed motion of the Honourable Member for Charleswood.

MR. ARTHUR MOUG (Charleswood): Thank you, Mr. Speaker. I had an opportunity to look at the bill. It seems to me basically it's housekeeping, getting rid of some discarded ballots, change in forms, and we're satisfied to let the bill pass for second reading.

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

MR. GREEN: No. 78, Mr. Speaker.

MR. SPEAKER: The Honourable Member for Charleswood.

MR. MOUG: Mr. Speaker, I adjourned this bill for the Member from Sturgeon Creek.

MR. SPEAKER: The Honourable Member for Sturgeon Creek.

MR. FRANK JOHNSTON (Sturgeon Creek): No -- (Interjections) -- Mr. Speaker, the comments of lay it on the table and let it go, I don't intend to do that. The only opportunity I had -- unfortunately I wasn't here last night -- but the opportunity I had of reading the comments regarding this bill made by the Minister of Municipal Affairs in the paper today. Sir, I am fully aware that the Minister of Municipal Affairs is an attorney and very knowledgeable on the law, and I can assure you that in presenting this bill I know that he spent a lot of time and thought before making his decision. I firmly believe that. And I am not in disagreement with his decision regarding the fact that if a man in elected office in civic affairs is accused, or found guilty, of an offense he is then not able to carry on his duties. The situations that he mentions, probably in Winnipeg and in other areas, is such that a council could be rendered very useless if three or four men were not able to continue. The weight of the law on the side of the voters is a very very wonderful thing and there's no question about it. We intend to let this bill pass, but we intend to have some discussion to find some way, and I am sure the Minister is perfectly willing to enter discussion, or suggestion, or working together in discussion, to find maybe a better way. It seems rather hard to say that an elected member who is found guilty of clauses that are mentioned in the bill has to quit and if he appeals it to a higher court and is found innocent, that he cannot return to his office.

Now again I say I understand the Minister's reasons for the bill but here again if I was an employer and had the opportunity or had the occasion to let an employee go for something he had done wrong and he in turn was found innocent, if I wouldn't re-employ him I would have union, or I would have the Human Committees on my back; I would have all of these people saying this man should be rehired, he was found innocent.

Now it is unfortunate that the man in civic life if he decides to appeal, and there is nothing in this bill, Sir, that says he can't appeal, but if he is found innocent he can't return. And, Sir, the reasons are there. I know he could be having a court case for a year or two years, I realize this, and I know the Minister realizes this, on appeal, but I think we should very definitely try to discuss some way, or work out some way, that men in public life if they choose to appeal their case and they are found innocent, that they should be able to take their seat again in their public life. I know the Minister in his comments said that the public could decide by by-election and what have you, and I don't argue with this.

Sir, I am not here arguing with the Minister's reasoning but I am saying that possibly there is some way, and I know the Minister has done a lot of thinking before presenting this bill, and I know the reasons for it, and I can understand the logic for it, but we have to be very careful that the right of appeal for everybody, even men in public life, has to be regarded as something that is sacred to all of us.

So, Sir, we have no objections to the bill but we would say that when it gets to committee -- and I even say in committee that I don't really want to be there debating the subject of this bill. What I would really like to be doing in committee is possibly finding some way where we could accommodate this thing, having the elected members have the right of appeal and still protect the people. Thank you.

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

MR. SPEAKER: The Honourable House Leader.

MR. GREEN: Bill No. 91, Mr. Speaker.

MR. SPEAKER: The proposed motion of the Honourable Minister of Labour. The Honourable Member for Emerson.

MR. GREEN: Mr. Speaker, perhaps we could call Bill No. 90 since the Member for Brandon is in his seat with the understanding we would come back to that -- oh here he is now.

MR. SPEAKER: The Honourable Member for Emerson.

MR. GABRIEL GIRARD (Emerson): Mr. Speaker, I adjourned this debate for my colleague, the Member for Riel.

MR. SPEAKER: The Honourable Member for Riel.

MR. CRAIK: Mr. Speaker, as I was very busy working on my research on this bill it kept me very occupied, and I'll be very brief. Having examined the bill there is really only two questions about it. One is how many people would be affected by the main section of it, which provides portability I guess, if you like, between the superannuation fund for the government, the teachers, the Hydro and Telephones, and so on, and the person moving over into a position with one of the unions or organization of those firms. That was the main question regarding that, how many are affected.

The second question I think is much bigger, Mr. Speaker, is why the government -- or is it possible at this point to consider at the Law Amendments Committee introducing portability which would be of more far-reaching effect to include the University of Manitoba and the Provincial Government. Since there are a significant -- (Interjection) -- I'm having a little trouble too. There has been a lot of difficulty over the years with people moving from the university to the Provincial Government and back again, in the loss of their pension rights, and if a change in the regulations warrants bringing an Act into the House, I would think that we should at the same time give consideration to providing that portability.

Now going the next step further, another common problem is the portability between the Provincial Government and the Federal Government and the other provincial governments, but primarily the Federal Government, because again there are a significant number of people that move back and forth between the two jurisdictions, between the Canadian government and the Manitoba Government, and would it be possible at this time to introduce into this bill a change such as that which would allow for portability for those people as well? Other than that, since we're talking about the principle here of extending portability, why restrict it to someone who is moving over into a position as head of a union or employee organization and not include the other agencies of the Provincial Government or the one step further, which is the Federal Government. I think most of the other provinces have it; Manitoba doesn't have it and I think it would be valuable to bring it in as soon as possible.

MR. SPEAKER: The Honourable Minister of Labour, will be closing debate.

MR. PAULLEY: Mr. Speaker, I'll be very brief. As far as I am aware at the present time, there is only one employee affected in respect of the clause of leave of absence for union personnel, and I might say, Mr. Speaker, he is not leaving, he's just being granted leave of absence; he can be changed at any time at the will of the organization that he represents.

As far as the other more important point raised by my honourable friend the Member for Riel, I'd like to inform him that I'm at the present time having documentation presented to me in an endeavour to bring about uniformity or portability on a uniform basis with other jurisdictions, federal and other provinces as well. He is perfectly correct, Mr. Speaker, when he says that Manitoba is about the last one of all the jurisdictions in this Dominion of ours to bring about a system of portability with other jurisdictions, and I hope that during my responsibilities to the Civil Service Commission, or the Minister responsible for that, that this will be done, and I assure him of it. I do suggest, Mr. Speaker, however, that it would be not opportune at Law Amendments Committee to attempt to bring in any precise amendment because I haven't got it documented in order that it would be properly framed at this particular time. I want to assure my honourable friend that this is of concern with us.

As far as the portability internal, there may be some problems, and I'm thinking internally within the province between the university and the province, and also I believe the Workmen's Compensation Board have a pension scheme that's with the Great West Life. There's slightly different provisions in the Teachers Retirement provisions and those of the Civil Service, but I think they're relatively insignificant, and it's for this reason that I suggest,

(MR. PAULLEY cont'd.) . . . . Mr. Speaker, to my honourable friend that we're carrying on an assessment to try and arrive at some basis by which there can be transfer of pension rights in a truly portable manner. So I appreciate the remarks of my honourable friend and I indicate to him that we're not unmindful, and I hope before too long to bring into being a measure that will grant portability, within the Civil Services to start with possibly, and other jurisdictions, provincial and federal, and we're taking a close look at the possibility of portability between the university personnel and our own teaching staff, particularly in the province, but I might say to my honourable friend he may be aware of it, but there are some of the provisions under the University Pension Plan that far exceed those of the Civil Service Superannuation Fund but we're considering it.

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

MR. GREEN: Bill No. 90, Mr. Speaker.

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

MR. EDWARD MCGILL (Brandon West): Mr. Speaker, the Minister has explained that the purpose, the general intent of Bill No. 90, is to amend The Companies Act in order that there will be some greater control of foreign participation in the ownership of trust and loan companies in the Province of Manitoba, and in taking this direction he's pretty much in tune with what is being indicated now as rather a growing interest and enthusiasm on the part of the public for some restrictions on the participation of non-resident persons and corporations in the ownership and the control of the operations of trust companies and the assets which they control. He has pointed out that steps have already been taken in Ontario and in Alberta to restrict foreign takeovers, and that this Act, this amendment to the Act, will bring our regulations more in line with the federal statutes in this connection.

Mr. Speaker, the bill, as I understand it, will limit foreign ownership to 25 percent of the issued capital in any particular company in total and to ten percent in the case of individuals. The bill will define a non-resident corporation as one not incorporated under the laws of Manitoba, were it controlled directly or indirectly by non-residents as defined in the Act, and the voting rights would cease on shares owned by a resident when he becomes non-resident. I think this is a useful kind of legislation at this time. The Minister has had his staff, in a sense, carpenter up a strong box for the shares of our Manitoba trust and loan companies and he has them under scrutiny now and in a position where it's more difficult for non-residents to reach into this supply control fund and to in any way take over a majority interest without the knowledge and the consent of the Manitoba Government. I think in doing this of course there is always the danger that the enthusiasm of a new group to establish in Manitoba might be somewhat dampened by the thought that there might be some difficulty in sale of shares subsequently if this should become necessary, so while it is desirable, I think, to insist on more resident control of our corporations, our trust companies, at the same time we should be mindful of the danger of perhaps limiting the formation of future companies because we would be infringing somewhat in the market place for shares of that company. But in the general thrust and intent, I think we would be in support.

There are a few comments that I would like to make, and these are very brief. The amendments, as I said, do bring the Manitoba Act more substantially in line with the federal Act, but the amendments don't differentiate between common and preferred shares and, while this might not be a problem at the moment, confusion might arise as to the percentages of shares you're talking about if there were preferred shares involved.

In another sense, the control of non-resident share ownership and voting might introduce a possible problem, and I wonder if the architects here have considered this as a possibility. For instance, if three shareholders each holding 20 percent of the ownership became non-residents, to what extent would their respective exercise of voting rights be limited? They cannot exercise more than 10 percent individually, nor 25 percent in aggregate; hence would they be then restricted to 8.33 percent each, or could two claim 10 percent each and leave the third with five percent? What I am saying is, in order to make up 25 percent in total, how would these people arrive at or how would it be arrived at what their individual percentage was? Now this might be an unlikely situation to arise, but in the case of a trust company, for instance, where there were two or three people in a family who over the years had gradually phased out of the business and they might choose to become non-residents, and you might have a situation like this that would become rather confusing and might be very difficult to resolve

(MR. MCGILL cont'd.) . . . . . If it was not anticipated.

Another of the amendments appears to state that if aggregate holdings of non-residents exceed ten percent, then they shall have no voting rights. They don't simply lose the rights to the votes in excess of ten percent, they seem to lose their complete voting rights. I think this should certainly be more clearly defined because I don't think perhaps that was the intent, that they would lose their complete voting rights if their total holdings exceeded ten percent.

These are briefly the comments we have on the bill. We have no objection to the general intent. We think there are some areas of confusion which might be cleared up before the bill is passed for third reading.

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

### GOVERNMENT RESOLUTIONS

MR. SPEAKER: The Honourable the House Leader.

MR. GREEN: Mr. Speaker, the resolution on Page 4 of the Order Paper, standing in the name of the Attorney-General.

MR. SPEAKER: The proposed resolution of the Honourable the Attorney-General. The Honourable the Attorney-General.

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

WHEREAS the Special Committee of the Legislature on Professional Associations was reconstituted at the Second Session of the 29th Legislature to examine the statutes and regulations governing professional associations and their licensing, provision of standards and disciplining of professions in the Province of Manitoba, and to examine any Bills respecting professional associations introduced in the previous three Sessions of the Legislature and not passed, and to consider the advisability of enacting uniform legislation wherever practical and applicable;

AND WHEREAS this Special Committee of the Legislature submitted its report to the Legislature on Tuesday, May 4, 1971;

AND WHEREAS this Special Committee of the Legislature has not completed its work and has requested in its Report, tabled in the House on Tuesday, May 4, 1971, that it be reconstituted to investigate the role of professionals, professionalization and self-governing bodies and make recommendations thereto;

THEREFORE BE IT RESOLVED that the Special Committee of the Legislature on Professional Associations be reconstituted and composed of Hon. Messrs. Mackling, Toupin, Messrs. Bilton, Boyce, Craik, Johannson, Johnston (Portage la Prairie), McBryde, Shafransky, Spivak, Mrs. Trueman and Mr. Turnbull:

1. to investigate the role of professionals, professionalization and self-governing bodies and make recommendations thereto.
2. that it be authorized to hire persons required to perform duties assigned to them.
3. that the Committee have power to sit during the Session, during recess or after prorogation, and to hold such public hearings as it may deem advisable and to report to this House on matters referred to it at the next Session of the Legislature.

MR. SPEAKER presented the motion.

MR. SPEAKER: The Honourable Leader of the Opposition.

MR. SPIVAK: I have only one contribution to make. We have before us a Private Members' bill dealing with the Optometry Act, if I'm correct - the Optometry Act, Private Members' bill dealing with the Optometry Act. That bill has been before the Professional Committee now for three years and I would hope that it wouldn't be the government's intention to follow this long-standing procedure of the Honourable Member for St. Boniface who has seen to it that this bill could not be dealt with by having it referred to Committee of Public Utilities where it has been . . .

MR. SPEAKER: Order please. The Honourable the Attorney-General on a matter of privilege.

MR. MACKLING: I think that the Honourable House Leader would not like to impute motives to any member of the House, and I think there was a suggestion that there was a motive in an honourable member's determination of a bill for legislation.

MR. SPEAKER: The point is well taken and the question was not to the House Leader but to the Leader of the Opposition. Is that the point you're rising to?

MR. GREEN: Mr. Speaker, on the same point, I'd just like to indicate that all the votes



(MR. GREEN cont'd.) . . . . . on that question last year, as I assume it will be this year - I assume - were divided between all members of the House. Different people took different positions. So I don't think that the honourable member should say that it's the government who -- he said it's the government's intention to have this sloughed off again.

MR. SPEAKER: The Honourable Leader of the Opposition.

MR. SPIVAK: Withdraw what? Mr. Speaker -- yeah. Let's talk about the suggestion so we can have it clear, so there's no misunderstanding. The Professional Committee has met for, how many? - five years. So far they haven't been able to resolve their work. We have an Optometry bill again before us; the likelihood is that there'll be a resolution referring it back to the Professional Committee, and I suggest, in dealing with this resolution, that the Professional Committee not having been able to resolve the issues before it, that there should not be a question at this point, and I hope that there's no thought that the reason that we are now going back into the Professional Committee is a means or a way in which we can refer back a bill that we do not want to deal with in the House; and I suggest at this point that we should deal with the bill in the House and if it's rejected this is fine, but at the same -- (Interjection) -- I suggested, if the Honourable Member for St. Boniface is not prepared to debate this, and I suspect he is, that the matter was referred to Law Amendments I think last year, and then it came back to Law Amendments in the House and he saw to it that it was referred then back to the Professional Committee, and the Professional Committee was not capable of dealing with it because they could not resolve the particular matter -- it's not affecting this bill but the whole general area of basically resolving legislation in the rules with respect to the Professional Committee, of Professional Associations, and it would seem to me that it would be unfair at this time, this bill having been before the House by way of a Private Members' bill on so many occasions, not to deal with it in the House and to resolve it, and not to have this committee used as a means, Mr. Speaker, to . . .

MR. SPEAKER: Order please. The Honourable Minister Without Portfolio on a point of order.

HON. RUSSELL DOERN (Minister Without Portfolio) (Elmwood): Mr. Speaker, I would like to know whether it's possible for the Leader of the Official Opposition to specifically single out one of the bills that's referred to this committee and start dealing with it with detail. It seems to me that what he is doing in effect is he's going to initiate a debate on that bill which should not take place at this time.

MR. SPEAKER: I don't see the point of order at the moment. The Honourable the Attorney-General on a point of order.

MR. MACKLING: On a question of privilege again, Mr. Speaker. I thought I'd made it clear when I rose earlier that I thought that the honourable member was imputing motives to another honourable member of the House. You recognized that there was a suggestion that there were improper motives being used by a member of the House and indicated your agreement, but the honourable member, instead of withdrawing, has reasserted some indication of motive of an honourable member referring to a committee because that committee couldn't do anything with it; in other words, frustrating a piece of legislation that was brought before this House; and in saying that, he questions the motives of an honourable member, and I ask him to withdraw it.

MR. SPEAKER: On the matter of privilege, I was listening to the debate very closely. I would agree with the Honourable the Attorney-General when he first rose on the matter of privilege. I ask the Honourable House Leader, I indicated that there was a point there. But since then I've been listening closely to his remarks and I would interpret that he was describing the procedure that had taken place in respect to a bill and not imputing anything. Should he impute, should I have missed it, I would hope the honourable members will help me. The Honourable Leader of the Opposition.

MR. SPIVAK: My point, Mr. Speaker, is that in effect the Professional Committee has really not been able to resolve the work that's been before it for several years. I'm not sure necessarily that it will be able to resolve it in the period of time that we'll be sitting in this session or in the next, but I do believe that it's important, and I simply suggested this by way of my statement, and that because it has basic problems or basic issues which are going to have to be resolved, basic principles which are going to have to be determined that the private Act that I've referred to, which has been in this House before, should not in fact be again referred to Committee to be left sort of in abeyance to die as it has in the past. Rather we

(MR. SPIVAK cont'd.) . . . . should deal with it and see whether it's the will of the majority here to have that proposal put forward or not.

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

MR. GREEN: Mr. Speaker, I wish to affirm that many of the possibilities that my honourable friend referred to are indeed again possible. The resolution is being put forward because the committee has asked that it be reconstituted. There is a bill before the House respecting Optometrists which will be debated. It is quite likely that one can predict things, and the honourable member does predict that someone will get up and move that this bill be referred to the Professional Associations Committee. When that motion is moved, the points that the honourable member is making now about the fact that it's been referred for four years and should not be frustrated would be directly in order on that debate, and I would urge honourable members not to have that debate take place now. All that is happening is the committee is being re-established at the request of the committee, and for people to start calling each other names on a resolution of this kind is -- (Interjection) -- Well, Mr. Speaker, the Honourable Leader of the Opposition gets up and says that on this resolution we should not refer the Optometry Bill, and all I'm saying is that his whole speech, his whole speech, it is likely that someone will come up before the House, which every member has a right to do on either side, and the Honourable the Leader of the Opposition knows full well that the views of members on both sides of the House were divided on this question. It could be coming from the Member from Riel; it could come from the Member for Assiniboia, a motion to refer which he has a perfect right to do. The Honourable Leader of the Opposition would not want to take that right away from an honourable member.

What he says is that when that motion is made we should debate the fact that it should not be referred to this committee because the committee was frustrated for three years, or whatever number of years he wants to call it, and all of the things he said would be in order on that debate. I urge honourable members in this House to know if they can -- they have some experience and they can predict that debate is going to take place. Let's not have that debate on this question which sets up the committee at the request of the committee, and I urge that the resolution be passed without going into another debate on that question.

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

MR. LAURENT L. DESJARDINS (St. Boniface): Mr. Speaker, I rise to take part in this debate, and I'll restrict myself to debating what should be debated under what was read -- the resolution read by the Attorney-General.

But I resent very much, not the insinuation, but the out and out accusation of the Leader of the Opposition who thought, I guess, that I wasn't sitting in the House although I was behind him. I think it is most unfair that he should make accusation such as he did. Because first of all this is only a resolution, as the House Leader said, that was unanimously approved by every member of the committee, my friend included. And this is the only thing that should be debated. This was approved. Now if there was any improper -- I guess my conduct as chairman of this . . . committee is under question, and my honourable friend would remember that I stated before one of the meetings that I would hope that they would decide once and for all this question what they wanted done with the Optometry Bill. At the meeting -- and I made that quite clear that I thought that we should have something done. But this wasn't done because the chairman doesn't run, as my honourable friend knows, run the committee, it is the committee themselves, and everybody has a chance to vote, and we were divided on this question and not divided as to our party at all. I think that this is an important thing to do.

Now if a certain bill was brought in two or three times, why should we blame the committee for this. There are many other professional associations who know that there's a committee at work and they had refrained from bringing anything new until this committee was ready. And this is why, I submit, that this is why this committee is being bogged down because we had one or two or three bills that somebody's tried to push through. First it was the Vet's Bill and this committee hasn't had a chance to do what it was set out to do. So I, as I say, resent this very much, this motion, this comes after a recommendation, a unanimous recommendation of the committee, all the members, and I certainly will not accept and sit here idly while I'm told that I was responsible for using committee to try to kill the bill which is not the case at all.

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

MR. GREEN: Mr. Speaker, there remains some government business on the Order

(MR. GREEN cont'd.) . . . . Paper but we have called Private Bills Committee to sit on Monday afternoon at 2:30, and I would like to yield government business to those bills which I know are being waited for by municipalities or who are going to appear before Private Bills Committee on Monday and I would, accordingly, Mr. Speaker, if I have the concurrence of the House to do that, like to call Bill No. 87 to start with.

PUBLIC BILLS

MR. SPEAKER: The Honourable Member for The Pas.

MR. RON McBRYDE (The Pas) presented Bill No. 87, an Act to amend an Act respecting The Town of The Pas, for second reading.

MR. SPEAKER presented the motion.

MR. SPEAKER: The Honourable Member for The Pas.

MR. McBRYDE: Mr. Speaker, this bill is a simple amendment to the bill that I - Bill No. 44 that was passed last session, a bill that changed the boundaries of The Pas. That bill, Mr. Speaker, was made retroactive to January 1st, 1970, but in spite of this taxes had already been levied and services were performed on the basis of the old boundaries. The purpose of this bill is to make the effective date of the transfer of lands January 1st, 1971, which is in keeping with that which actually happened.

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

MR. GREEN: Bill No. 79, Mr. Speaker.

MR. SPEAKER: The Honourable Member for Morris.

MR. WARNER H. JORGENSEN (Morris) presented Bill No. 79, an Act respecting The Town of Morris, for second reading.

MR. SPEAKER presented the motion.

MR. SPEAKER: The Honourable Member for Morris.

MR. JORGENSEN: Mr. Speaker, the purpose of this bill is to incorporate certain lands within the Town of Morris that currently belong to the Municipality of Morris. After the flood of 1966 when temporary dikes were thrown around the Town of Morris, it was discovered that they were able to hold back the flood waters therefore permanent dikes were erected in 1967. The dikes to a large extent were erected on property owned or located within the Municipality of Morris, and the purpose of this bill is simply to turn over whatever land that belongs to the Municipality of Morris presently inside the dike, over to the Town of Morris. There has been continuous co-operation between the municipality and the town on this matter, and they both agreed to have this bill brought into the House and passed, in order to give effect to the transfer of this property.

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

MR. DEPUTY SPEAKER: The House Leader.

MR. GREEN: Bill No. 81, Mr. Speaker.

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

MR. PETER ADAM (Ste. Rose) presented Bill No. 81, an Act to amend an Act to authorize The Town of Dauphin to construct and operate a system, or systems, of Waterworks, Main Trunk Sewers and Outlets and Sewage Disposal Works in said Town, for second reading.

MR. DEPUTY SPEAKER presented the motion.

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

MR. ADAM: Thank you, Mr. Speaker. The intent of this bill is not contentious. All it does is allow the Town of Dauphin to borrow money at different rates than 7 percent. The intent of this bill is to allow more latitude to the Town of Dauphin to borrow finances.

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

MR. GREEN: Bill No. 64, Mr. Speaker.

MR. DEPUTY SPEAKER: The Member for Wellington.

MR. PHILIP M. PETURSSON (Wellington) presented Bill No. 64, an Act to Validate By-laws No. 70-72 and 71-15 of The Rural Municipality of East St. Paul, for second reading.

MR. DEPUTY SPEAKER presented the motion.

MR. DEPUTY SPEAKER: The Member for Wellington.

MR. DEPUTY SPEAKER declared the motion carried.

MR. DEPUTY SPEAKER: The House Leader.

MR. GREEN: Bill No. 93.

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

MR. ADAM presented Bill 93, an Act respecting the Town of Dauphin, for second reading.

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

MR. DEPUTY SPEAKER: The House Leader.

MR. GREEN: Bill No. 88, Mr. Speaker.

MR. DEPUTY SPEAKER: The Member from Brandon West.

MR. MCGILL presented Bill No. 88, an Act respecting the City of Brandon, for second reading.

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

MR. DEPUTY SPEAKER: The House Leader.

MR. GREEN: Bill No. 10, Mr. Speaker.

MR. DEPUTY SPEAKER: The Member for Assiniboia.

MR. STEVE PATRICK (Assiniboia) presented Bill No. 10, an Act to amend The Legislative Assembly Act, for second reading.

MR. DEPUTY SPEAKER presented the motion.

MR. DEPUTY SPEAKER: The Member for Assiniboia.

MR. PATRICK: Mr. Speaker, I will not be long but it will take me five minutes.

This is the similar bill that was moved in this Legislature last session. I feel that the most important step in here is to allow the Legislature to reject any specific piece of legislation that is put forward by the government which would allow the backbenchers to vote as they please. The mechanics are quite simple. If the government legislation is defeated, the legislation would be thrown out but the government does not necessarily fall. Rather, the government must within 24 hours under those circumstances submit to a vote of confidence, which if it survives is permitted to carry on without that particular piece of legislation that the government fell on. So the intent of the legislation, Mr. Speaker, is to permit the backbenchers to exercise their responsibilities to their constituencies -- that's right -- and to vote in the best interest of their constituents without jeopardizing the life of the government of the day.

I understand that one of the young progressive leaders in one of our western provinces, Peter Lougheed of the Conservative Party who is making some strides in the Province of Alberta has introduced similar legislation in that House, in that Legislature. I'm not sure if it passed or not but what it really means, Mr. Speaker, that we place people before the Party, Legislature before caucus and the voter ahead of the bureaucrat. -- (Interjection) -- I'd say let's look at our first theme, "people before party," how would it work, what does it mean to the individual citizen. It would work this way. First the MLA would in my opinion make more than just apologies to the constituency for the government in action. The MLA would be encouraged to propose his or her legislation to make amendments on the floor, not merely to vote as the government House Leader may want him to indicate or on the signal. What does it mean to the individual voter -- this theme, Mr. Speaker, of the people is, what it is "the people before the party." Instead of hearing from your MLA after the session offering apologies to the constituency for the government, -- (Interjection) -- that's right. And I haven't ducked any votes in this House, Mr. Speaker. On the other hand, the MLA would report what he had fought for in the House on behalf of his constituents. I see the Leader of the Conservative Party is here. I just mentioned that I understand that young leader in Alberta, Peter Lougheed, has introduced similar legislation in that province as well. So, Mr. Speaker, I feel that this would be meaningful because MLA's, they can substantiate that they can propose any legislation contrary to the Cabinet, and they can vote any way they please, so I feel in my opinion the results would be stronger representation, a more significant Legislature, and I commend this change to all the members of this Legislature.

MR. DEPUTY SPEAKER: The House Leader.

MR. GREEN: Mr. Speaker, I move, seconded by the Honourable Minister of Labour, that debate be adjourned.

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

MR. DEPUTY SPEAKER: The House Leader. -- (Interjection) --

MR. GREEN: We intend to call it on Monday morning.

MR. DEPUTY SPEAKER: Order, please.

MR. GREEN: Bill No. 61, Mr. Speaker.

MR. DEPUTY SPEAKER: The Member for Osborne.

MR. IAN TURNBULL (Osborne) presented Bill No. 61, the Dental Association Act, for second reading.

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

MR. DEPUTY SPEAKER: The House Leader.

MR. GREEN: Bill No. 92, Mr. Speaker.

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

MR. DESJARDINS presented Bill No. 92, an Act to amend The Law of Property Act, for second reading.

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

MR. GREEN: Bill 100, Mr. Speaker.

MR. DEPUTY SPEAKER: The Member for St. Matthews.

MR. WALLY JOHANNSON (St. Matthews) presented Bill No. 100, an Act to amend The White Cane Act, for second reading.

MR. DEPUTY SPEAKER presented the motion.

MR. DEPUTY SPEAKER: The Member for St. Matthews. -- (Interjection) -- Order, please. Order, please. -- (Interjection) -- Order, please. The Member for St. Matthews.

MR. JOHANNSON: Mr. Speaker, I will try to be brief. I realize some members would like to get out of here. I was asked to introduce this bill by a number of blind people who happen to have seeing eye dogs or what are known as guide dogs. There is not a very large number of these people in the province now but it's a rapidly increasing number so I think there is a real necessity for this legislation.

Up to the present there has been virtually no legislation in this field. There has been one regulation under The Public Health Act which deals with the question of guide dogs, nothing else. There are a large number of American states that have legislation on this subject and I think it's pretty essential that we do have some legislation on the books here. The people who have approached me -- (Interjection) -- Mr. Speaker, I'm having trouble with my own colleagues here -- (Interjection) -- Free vote, oh. The blind people who have approached me feel that they should have a right in statute to enter public places when accompanied by a guide dog and I would like to cite you very briefly just a few experiences of some of these people in Britain -- (Interjection) -- Okay I'll cut it down to one example. One example. This gentleman writes: "Situations have come up when I have needed a good argument before my dog was admitted to the premises I wanted to enter. I tend to usually take the path of least resistance and rather than create a scene I will enlist the aid of a sighted friend when I wish to attend certain functions rather than take my dog. This should not be necessary. I feel very strongly that if I wish to eat a meal at any dining room in this city or province I should be able to do so with my dog in attendance; I shouldn't have to phone ahead to see if the manager will allow my dog to enter the premises with me. I certainly have no intention of abusing the privilege of taking my guide dog with me wherever I wish to go but I should have the right to go anywhere with my dog." -- (Interjection) -- Mr. Speaker, just . . .

MR. SPEAKER: Order, please.

MR. JOHANNSON: We have a very unruly group here. Very simply and quickly, this legislation will allow blind people accompanied by guide dogs to enter any place of public accommodation, public eating, drinking or amusement, public conveyance under provincial jurisdiction, and there are a few conditions which you can read in the bill. Thank you.

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

MR. JAMES H. BILTON (Swan River): I move, seconded by the Honourable Member for Riel, that the debate be adjourned.

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

MR. SPEAKER: The House Leader.

MR. GREEN: Mr. Speaker, I move, seconded by -- excuse me. I'm calling Bill No.

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

MR. JOHANNSSON presented Bill No. 101, an Act to amend The Teachers' Society Act, for second reading.

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

MR. SPEAKER: The Honourable House Leader.

MR. GREEN: Mr. Speaker, maybe I should announce it again to see if there is a chance of getting some public co-operation from the media, that the Private Bills Committee will meet on Monday at 2:30; that Industrial Relations Committee to which all of the bills introduced by the Minister of Labour have been referred will meet on Monday evening at 8:00 o'clock; that Law Amendments Committee to which all the other, or many of the other bills have been referred will meet on Tuesday at 9:30; that it is likely, but not certain, that Municipal Affairs Committee to whom Bill 36 and other bills have been referred, will meet on Wednesday at 9:30. The Clerk advises me that anybody whom he has had notice of will be advised of all of the committee meetings of course which is the standard practice. I would urge honourable members to advise anybody that they know of who would be interested in these bills as to the committee meetings.

MR. SPEAKER: The Honourable Leader of the Opposition.

MR. SPIVAK: I wonder if I can make a request of the House Leader with respect to the procedure. The Minister of Finance has indicated already that we will have on Monday the government amendments to the uni-city act before the Municipal Affairs Committee on Wednesday, but I wonder whether it would be possible for the assembling of the amendments to be introduced by the government on all the bills that we'll be dealing with in Law Amendments so that we have the opportunity of reviewing them in advance, and preferably on Monday.

MR. SPEAKER: The Honourable House Leader.

MR. GREEN: Mr. Speaker, that is certainly a reasonable request and all of the Ministers who are here will certainly have notice of it and we'll try and get to the others. I did just discuss with the House Leader of the Conservative Party the effect of the new ruling with regard to amendments that come back to the House and I think that the discussion I had would indicate that where the 48 hours is a problem that will certainly be waived, but all of the amendments that would be brought back at the report stage of the committee to the House, which probably would be earliest on Thursday, should be formulated and also distributed as quickly as possible so that all members of the House would have notice of them.

MR. SPEAKER: The Honourable Member for Rhineland.

MR. FROESE: Mr. Speaker, on a point of order. Why was Bill 36 referred to Municipal Affairs Committee, because this certainly deters many members from making proper amendments in Committee.

MR. SPEAKER: The Honourable House Leader.

MR. GREEN: Mr. Speaker, just let me say that any member of the House is welcome to be at Committee to participate and to ask questions. As to the reason why, that is in the judgment of the Minister who introduced the bill and I'm not going to go beyond that. I would move — (Interjection) — Mr. Speaker, the other, the companion bill. Mr. Speaker, I move, seconded by the Minister of Labour, that the House do now adjourn.

MR. SPEAKER presented the motion and after a voice vote declared the motion carried and the House adjourned until 9:30 o'clock, Monday morning.