



Legislative Assembly Of Manitoba

DEBATES and PROCEEDINGS

Speaker

The Honourable A. W. Harrison



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THE LEGISLATIVE ASSEMBLY OF MANITOBA  
9.30 A.M., Saturday, March 26th, 1960

Opening Prayer by Mr. Speaker.

MR. SPEAKER: Presenting Petitions  
Reading and Receiving Petitions  
Presenting Reports by Standing and Select Committees  
Notice of Motion  
Introduction of Bills  
Orders of the Day

MR. LAURENT DESJARDINS (St. Boniface): Before the Orders of the Day, Mr. Speaker. (He then spoke in French briefly).

Mr. Speaker, I was just saying that especially after so many words were said about the French radio station during the last session that it is a pleasure for me to bring to the attention of the members of this House, that soon we will have a French station here in Manitoba; together with the French radio station and a French paper it will help the people of the French language in Manitoba to know what is going on and to help them follow the progress of this province. Mr. Speaker, while I am on my feet, I'd like to borrow a page from the Honourable Member from Inkster and say that I hope if I am out of order that I'm not ruled out of order before I bring this point up. Now I don't know if this is proper but there's something that I definitely would like to do. I think that I, for one, have noticed something in this session; a man that has been working very hard and apparently he has been doing that for many years, and we too seldom recognize publicly the work of some of our faithful servants here in the province. I would say that even without the Speaker, we would have been able to go through part of the session, even without the Honourable the First Minister, but I think we'd be at a loss to have a session without Mr. Charland Prud'homme who has been working very hard. I hope I'm not out of order, because I think we should definitely recognize the man. I don't know what would happen to us if Mr. Prud'homme would take sick or decide to go on holiday. And I hope that the Premier will give him a chance to go on a very long holiday.

HON. DUFF ROBLIN (Premier) (Wolseley): Mr. Speaker, I'll break the rule, too, and say that I'm thinking of asking Mr. Prud'homme to take me on a holiday with him because I think the both of us could probably do with it. But I have more reason, perhaps, than most around here to be able to appreciate the value of the services he renders to this House and to the people, and I'm happy to join in what has just been said.

MR. SPEAKER: I should also like to add my words of appreciation in the services the Clerk has rendered to me. Orders of the Day.

MR. MORRIS GRAY (Inkster): Mr. Speaker, before the Orders of the Day, I noticed in the press or on the radio that the South African government has somewhat modified the treatment to the negroes in South Africa. I felt that this is because the Provincial Government have decided not to import any more liquor from South Africa.

HON. GEORGE JOHNSON (Minister of Health and Public Welfare) (Gimli): Mr. Speaker, before the Orders of the Day and before the House may prorogue later today, I wanted to bring to the attention of members of the House, the fact that from May 1st to May 7th, is Operation Friendship across Canada during the Canadian Mental Health Week, and we, in Manitoba, are fortunate in having a very fine Canadian Mental Health Association of about 5,000 volunteer members. I met with the president of the Canadian Mental Health Association the other morning, and one or two of the officers of our Manitoba Chapter and they are very anxious that the department join with them in conducting a campaign during this particular week, emphasizing the importance of mental health in the community and trying to bring greater understanding amongst the people of the province towards these unfortunate people who are mentally ill. In this line, I feel that it would be very well, or a very good thing if members of this House might, during that week, join with me in visiting the Selkirk Mental Hospital, which is the handiest to the city, and on May 4th, if the honourable members would like to leave, I think we should leave about 10:30 in the morning and it would require most of the day to go on a little bit of a tour of one of our mental hospitals, to point out what is meant by the open-door policy and that sort of thing. I also pick Selkirk because I didn't have an opportunity during

(Mr. Johnson (Gimli), cont'd)...estimates to bring to the attention of the House that the Selkirk Mental Hospital this year, the farms manager was awarded the Holstein Friesen award for the finest herd of dairy cattle probably in the west, and apparently this is a very distinguished award in the agricultural field, and members would be able to see their own herd out here at Selkirk on such a visit. Those who may be interested, if you'd just drop me a note to tell me you're coming some time between now and May 4th, we'll try and arrange transportation in the meantime.

While I'm on my feet I would also like to point out that I promised members an individual copy of the Hospital Services Plan report. We've done everything we could but it isn't ready for distribution before today, but I will make an undertaking to pass this out to every member next week.

MR. H. P. SHEWMAN (Morris): Mr. Speaker, my question, is there a definite date for this tour?

MR. JOHNSON (Gimli): I would suggest May 4th, a Wednesday.

MR. T. P. HILLHOUSE, Q.C. (Selkirk): Mr. Speaker, I hope that the members of the House will avail themselves of the kind invitation of the Minister for two reasons; one, that I would like to have them down in Selkirk, and two, I would like to have them go through a mental institution just to show them that the line of demarcation between the sane and the insane is very, very narrow.

MR. KEITH ALEXANDER (Roblin): Mr. Speaker, will you guarantee that we'll all get out of the building?

MR. HILLHOUSE: I can't guarantee that for all members.

MR. RUSSELL PAULLEY (Leader of the CCF) (Radisson): Mr. Speaker, before the Orders of the Day, if the.....doesn't mind, I'd like to express our appreciation of the kind invitation of the Minister of Health and Welfare to go on this tour. I think there will be some of our group interested -- I know that there will be some interested in it. I would appreciate if, rather than getting in touch with the Honourable the Minister though, if we may be able to reverse the trend of him giving us a reminder as to confirming the date, and the time and I'm sure that as I say that there will be some of us there and again I appreciate the kind offer. While we're talking of offers, I trust that the Honourable the Minister of Agriculture still intends or still hopes that we will be able to, during the recess, have the opportunity of visiting the Agricultural College and having a conducted tour there.

HON. GEORGE HUTTON (Minister of Agriculture) (Rockwood-Iberville): Mr. Speaker, in reply to the Honourable Leader of the CCF Party, I have broached the subject to Dean Weir, and he is very receptive to the idea and I have no doubt that you'll be receiving an invitation to visit the university during the recess.

HON. STERLING R. LYON (Attorney-General) (Fort Garry): Mr. Speaker, before the Orders of the Day are called, I should like to lay on the table of the House a Return to an Order of the House No. 24, dated March 4th, 1960, on the motion of the Honourable Member from Emerson.

MR. SPEAKER: Orders of the Day. Committee of the Whole House.

MR. HUTTON: Mr. Speaker, before the Orders of the Day, a question was directed to me yesterday by the Honourable Member for Gladstone in regard to the agents for crop insurance. The first part of his question was, "what procedure was followed in selecting agents for the crop insurance test areas? The answer to that is that the field representatives in the respective areas were charged with recruiting agents. The second question was "Are all agents so appointed required to have hail insurance licenses?" and the answer is "no". 3. What rate of commission is paid to the agents? The answer is \$5.00 per policy and 10% of the premium, to a maximum of \$25.00 for both the initial payment and the commission. No. 4 - the number of agents appointed in each area. Six in the southwest, six in the south-central and five in the northwest.

MR. SPEAKER: Committee of the Whole House.

MR. ROBLIN: Mr. Speaker, I understand from our drafting committee that we set up last night that they have completed their work, and they have a draft ready; it's just being duplicated now so that members can see it, so I suggest that we should perhaps not proceed with Committee but go on with the next item of business which is dealing with the report of the Committee on Rules.

MR. SPEAKER: Proposed resolution standing in the name of the Honourable the Attorney-General and the proposed motion and amendment to it. The Honourable Member for Ethelbert Plains. This motion has been held up pending a decision by Mr. Speaker as to the eligibility of the amendment, and I am now prepared to give a ruling on it, and I would like to quote two or three citations from Beauchesne before I give the ruling. On Page 236 of the Fourth Edition of Beauchesne, Citation No. 286 states as follows: " A Select Special Committee ceases to exist on the moment its final report is presented to the House. The report cannot afterwards be sent back with instruction to amend it in any particular. If further proceedings are desirable, it is necessary to revive the Committee." I would say at this point that that is admitted by the House. I don't think it's under debate at the present time but the reason that the Committee is dead is the fact that it has presented its report to the House.

Well, the next citation I should like to quote is on page 251, the Fourth Edition of Beauchesne, Citation 322: " When a motion to concur is proposed the report may be referred back to the committee for further consideration or with instructions to amend it in any respect. It is not competent for a member to consider or reverse its own decision, but if the House resolves that such reconsideration is necessary, the correct procedure is for the House to give the committee instructions which will enable it to consider the whole question again." I might make an interjection here, that this applies only to standing committees or those committees that are live committees. Interim Report of a special committee which has received authority to report to the House from time to time and sit again. And, in my opinion, it does not apply to the special committee. I have yet a further citation from page 252 of the same book, Clause 4, " When a motion is made for concurrence in Select Committee it is competent for the House to adopt it, to reject it, to refer it back to the committee or decide that consideration of the report will take place this day six months hence." A member cannot move a motion to reconstruct a committee as an amendment to the motion of concurrence. To appoint a committee a substantive motion must be moved with forty-eight hours' notice. Manitoba Rule No. 52 covers this motion, and I'll read it for you. " Two days' notice shall be given of a motion for leave to present a bill, resolution or address, or for the appointment of any committee; or to place a question on the Order Paper, but this rule shall not apply to bills after their introduction or to private bills; or to the time or meeting or adjournment of the House for the day, and be printed in the Votes and Proceedings of the day." It is my considered opinion that two motions would be required. One, to appoint the committee with the usual notice, and another motion to refer it back to the committee after the committee has been duly constituted. And on those grounds I would rule the amendment out of order.

MR. GILDAS MOLGAT (Ste. Rose): Mr. Speaker, may I say I'm not debating your ruling, Sir, but I would just like to ask a question with regard to the citations which you gave us, if I may? You read to us subsection 4 of Rule 325, page 252 of Beauchesne Fourth Edition and then you proceeded, I think, to read another rule that a member cannot move for the appointment of a committee. Was that correct?

MR. SPEAKER:.....to amend a motion of concurrence.

MR. MOLGAT: Yes. Could you tell us what rule that is, because that isn't Rule 4 or subsection 4. Which one is that?

MR. SPEAKER: Subsection 4 of Rule 325.

MR. MOLGAT: But Subsection 4, Mr. Speaker, says nothing about the actions that a member may take. It only says, " When a motion is made for concurrence of a Select Committee report, it is competent for the House to adopt, reject it, refer it back to the committee or decide the consideration of the report will take place "this day six months". And then you proceeded from there to give us a further.....

MR. SPEAKER: Yes, that is the only motions that are permissible to make on concurrence. You cannot make a motion to appoint a committee on an amendment to the motion in concurrence.

MR. MOLGAT: A question, Mr. Speaker. Is your further comment after you read this, where a rule.....

MR. SPEAKER: Rule 52 of the Manitoba Rule Book. Proposed resolution standing in the name of the Honourable the First Minister. The Honourable the First Minister.

MR. ROBLIN: Mr. Speaker, I'm sorry that my colleague was talking to me here and I just lost the thread of our proceedings. What did you.....

MR. SPEAKER: The next motion, the proposed resolution standing in the name of the Honourable the First Minister.

MR. ROBLIN: Are we not prepared to vote now, Sir, on the motion of the Honourable the Attorney-General about the Special Select Committee on.....

MR. SPEAKER: I'm sorry, I neglected to put the motion, the main motion. Are you ready for the question?

MR. D. L. CAMPBELL (Leader of the Opposition) (Lakeside): Mr. Speaker, I have a few remarks that I want to make on this motion. I can concur completely with what has been said by other members of the Committee particularly the Chairman, I think. I shouldn't say the Chairman, Mr. Speaker, you were Chairman of the Committee; I should have said the Honourable the Attorney-General who moved the resolution of concurrence that this Committee did perform useful work. I attended all the meetings as some of the other members did, and I think that we had a useful Committee and that we got a better understanding of the rules ourselves even though it may not show up too often in the House. I think we understand them a little better, and that we got some clarification and a good measure of agreement among the members of the Committee. So I'm one who really feels that the Committee's work was worthwhile. I have, however, a couple of brief comments that I would like to make with regard to the report.

The first one that I would like -- point I would like to refer to, Mr. Speaker, is that one of the rules that we did not change was that one dealing with the reading of speeches. And I regret that the Committee found it impossible to give any lead to you, Mr. Speaker, as to how we might improve upon our present practice in that regard. I recognize that it's a different -- a difficult matter to deal with, very difficult, and I realize that the narrow line between where reading a speech starts and where close attention to rather complete notes stops, is one that is pretty hard to draw and it's difficult, I think, for you to enforce, Mr. Speaker. I was interested in an article that appeared in The Toronto Globe and Mail, actually the Overseas edition of that paper back more than a year ago, and knowing that this matter came up in the House rather frequently, I had clipped it at that time and had it in my file. I forgot to bring it in when the Committee was sitting. I shall not read all of it; it's in the Overseas edition of January 28th, 1959, and the heading is, "New Commons Move Crack-Down Planned on Speech Reading". It's by Clark Davie, an Ottawa correspondent of that paper. And the beginning of the story is, "A revolution is imminent on Parliament Hill." Mr. Speaker, Mitchener is planning a crackdown on the reading of speeches by members of Parliament. He has written the three party leaders in the Commons seeking their support for the move which he will announce shortly, and after skipping a number of paragraphs, it says, "That the speaker's edict, really only an enforcement of a rule already on the books, is bound to cause consternation in the ranks of the backbenchers. Most of them read from what is known euphemistically on Parliament Hill, as extensive notes, usually propped up high enough on top of several volumes of Hansard or statutes to make easy reading. Often the speeches have not been written by the members themselves but turned out by professional writers in the service of the government," and so on, and so on.

A considerable article along that line. Well I've that -- I've seen comments at different times about the difficulty that appears in Ottawa as well as here, and I may be inclined to be one of those who says, "I told you so", but I can't help recalling that when the very first discussions, maybe not the first but the first that I remember, were held in the House here about a Hansard, that I predicted at that time that if a Hansard was adopted here that we would find that it increased, rather than diminished, the reading of speeches. I think it has. I think a lot of members have inclined in self-defence, because the other kind, those that are delivered extemporaneously, without very full notes, come off the Hansard so much better than the other kind. Well I'm sorry that we couldn't find any way but I have to admit that any proposal that I was able to make was in my own opinion. Certainly difficult of enforcement too, and I think the one that I did manage to come up with, Mr. Speaker, would have placed you in an invidious position and perhaps was better that it wasn't adopted. That was the one that I thought that we might ask Mr. Speaker to see that on Hansard a note was appended saying "this speech was read."

(Mr. Campbell, cont'd) . . . . The Committee didn't agree that that drastic move should be made at this time and so as far as reading of speeches is concerned we're back where we were before.

I would like to say, though, that I think I should express the appreciation to all members of the Committee for the fact that the First Minister and his colleagues were, in my opinion, eminently fair with regard to the closing hour of 11 o'clock. That's something that I had not expected quite frankly, but I think the decision that was made there and, if I may call it, a concession by the government group, was quite fair, that it's a very reasonable one and that inasmuch as that's one that usually the Opposition is inclined to be more anxious about than members of the government's side, that we should express our appreciation of that move.

I have one suggestion to make with regard to Rule 91 where it appears on the second page. I don't know that this will commend itself to the House and quite frankly I forgot to make it in the Committee. I intended to, but just didn't get around to it. The rule reads, "A Chairman of Committees who shall also be Deputy Speaker of the House shall be elected," etcetera. I have no objection at all to the change that was made in that regard. I think it's quite appropriate but it seems to me, Mr. Speaker, that the position of Deputy Speaker is a more important one than the position of Chairman of Committees, and that first and foremost that he should be called "Deputy Speaker". I'd suggest that it be a Deputy Speaker who shall also be Chairman of Committees, be appointed and then the order of the wording is not important but the suggestion that I was going to make was that he be referred to, in the House, as Deputy Speaker, and that when Mr. Speaker calls the Chairman of Committees to the Chair that he calls him as Deputy Speaker rather than the Honourable Member for St. Matthews. I think it's probably -- adds a little bit of prestige to the position and one that is quite reasonable. Now the only other comment I think Mr. Speaker that I have, is in connection with the matter that my honourable friends were going to include in their amendment because it did seem to me in the Committee that shortening the time up to seven days was a little bit short. I felt that -- I'm not objecting at all to having a limitation, but changing from no limit at all to seven days, I think, was going a little too far all at the one time. And I think that the amendment that had been prepared, where a little less time perhaps was given for the discussion of the sub-amendment, a little more time for the amendment and most of all for the main motion, might be an improvement, but if it does not work out, well, we can easily change that later on.

And the final point of course, is on the matter of urgent public importance, and my friends on the committee were, I think, not able to go along with me in believing that there is a distinction between the two parts of that resolution, that is, the urgency of the matter and whether or not it should be discussed now. I was quite willing to go along with Mr. Speaker having the authority to decide whether or not it is a matter of urgent public importance. I wanted it left to the House as at present or with a larger number of members having to support the motion to decide whether it should be discussed now, and the most of the members couldn't agree that there was a distinction in the point of view. I find on looking at the Beuchesne, and it's the third edition rather than the fourth edition, that I was consulting, that there has been a distinction made -- not that I'm trying to argue that Beuchesne supports my argument about a difference in the interpretation as far as Mr. Speaker is concerned -- but at least the point has come up according to Beuchesne that some people in Ottawa held the same view that I do that there is a distinction in those two points. But the matter that I wanted to bring to the attention of the committee, was that I happened to look at the edition, the latest one I believe, of May's parliamentary practice. This is the 1957, that is the 16th edition, and I believe it is the last one because a representative of the publishers was here fairly recently, a couple of years ago, and presented a copy I believe, to the Clerk of the House and another one to myself. And I was just looking through this, and happened on the May's -- actually the House of Commons Standing Orders relative to public business and I find that contrary to what I believe we were told in our committee, that the practice in the House of Commons at Westminster, is I think, quite different to what it is in Ottawa, and let me just read, Mr. Speaker, what the part of this standing order that deals with special adjournment motions says. It says, "No such motion (and this is dealing with the adjournment of the House generally, up to this time) but then it says, "and no such motion (that is adjournment) shall be made unless by a Minister of the Crown before the Orders of the Day or Notices of Motion have been entered up," (then comes this part) "unless a member rising in his place shall propose to move the adjournment for the purpose of discussing

(Mr. Campbell, cont'd.) . . a definite matter of urgent public importance and shall either obtain the leave of the House, or if such leave be refused, the assent of not less than 40 members who shall thereupon rise in their places to support the motion. Or, unless if fewer than 40 members and not less than ten, shall thereupon rise in their places, the House shall, on a division upon question put forthwith, determine that such motion shall be made, which, "if I read it correctly" seems to me to be considerably different from the Ottawa practice and as I interpret that rule, Mr. Speaker, does not leave the matter in the hands of Mr. Speaker at all, but in the hands of the House, and I think that that supports my view at least to some extent that the question of whether it should be discussed now, should still be left up to the House as it is at present. However I'm not going to debate the question any longer. I'm simply putting my own position on record and when we have the opportunity we could after having seen how these rules work out, we could perhaps have a similar committee to discuss the matters once again. Let me close, Mr. Speaker, by saying that even though it is never likely expected that we could please everybody completely, and I'm in that position myself, I think that the committee . . . . found a useful work and I think that every member on it including myself, benefited somewhat by the discussions. We have made some changes and I think that generally they are for the advantage of the conduct of the business here. So I propose to support the motion and I will hope that sometime we can get an opportunity to make some of the other changes that I have suggested.

MR. PAULLEY: Mr. Speaker, may I have the privilege of the House to just say a few words? I believe, and Mr. Clerk could tell me if I'm not correct, I believe that I did have a few words to say at the time that the resolution first became the property of the House.

MR. SPEAKER: Does the Honourable the Leader of the CCF have leave to speak a second time?

MR. ROBLIN: . . . . if he doesn't speak long, Mr. Speaker.

MR. PAULLEY: No, no, not as long as the last speaker. I, certainly, Mr. Speaker, I'll not speak as long as the last speaker.

MR. CAMPBELL: That will be a change.

MR. PAULLEY: It sure will, and all for the better.--(interjection)--I have, but I've just got the permission of the House unless you object, my honourable friend.

Mr. Speaker, I too, want to express my appreciation as a member of the Committee for the debates which took place in the Committee and in general in the manner in which they were conducted. Now I think I've said that before, but there was one occasion during the sittings of the House, I put on my head a toque which I had obtained in that great and progressive City of St. Boniface at the time of the celebration of their 50th anniversary of that city, and at that time it was suggested by the Honourable the Leader of the House, that if and when we were able to resolve our differences as to the time at which the House should end, that I may present him with that hat. Mr. Speaker, I would like the Honourable the First Minister to accept this cap as sort of a memento of the debates of the House and of the Committee of this year and if he hasn't been fortunate enough to already receive one, or didn't receive one at the time of the celebrations of the 50th anniversary of that great and progressive City of St. Boniface--part of which I represent--he may have this now, and if he doesn't wear it himself maybe it'll be just another little souvenir for wee little Andrew, that one day he can say, "Daddy, where did that come from?" And daddy will be able to say, "First of all it came from St. Boniface, on their 50th anniversary and secondly from the Honourable the Leader of the CCF Party in 1960".

MR. EDMOND PREFONTAINE (Carillon): Mr. Speaker, may I ask leave of the House also to say just a few words on this matter?

MR. SPEAKER: Does the Honourable Member for Carillon have leave of the House as he has spoken before?

MR. ROBLIN: Mr. Speaker, I'm afraid maybe we're starting an unfortunate precedent here, but if my honourable friend promises that he will be the last, that he can promise for all of us, that he will be the last that will be speaking twice on this occasion, then I'm sure we'll allow him to do so.

MR. PREFONTAINE: I will certainly be brief.

MR. SPEAKER: I might say as Speaker, that the Honourable Member for Carillon has leave of the House, but I would think that it might be my considered opinion that no other member that has spoken on the debate will be allowed the same privileges.



**MR. PREFONTAINE:** Thank you very much, Mr. Speaker, and thank you members of the House. I just want to say one word and this is it, the fact that I do oppose in principle the major recommendation in the Bill with respect to Rule 34. I figure it is aimed directly at the Opposition; I don't think the Opposition should accept it; I think it's wrong; I want to be registered against this. The Honourable the Premier of the House when he made his speech, protested very loudly that there was nothing there against the Opposition. It seems to me he protested too loudly. He had no argument to present. He just said that he thought the Opposition was doing a good job and it was basically under our system, the right to have a strong Opposition and that it should have all the privileges that we would like to give it. But I would just like to say one thing, that this was no proof and I would like to say this, that do not trust, as the old saying goes—a lady who boasts too loudly of her virtue. The whole trend in this session has been towards making the position of the Opposition more and more difficult.

**MR. ROBLIN:** Mr. Speaker, I hadn't intended to say anything in this debate, except to reply to the friendly gesture of the honourable gentleman opposite who leads the CCF Party, and say that I'll accept this little token as an expression of his confidence in the fairness of the government, and I would like to thank both the Leader of the Opposition and the Leader of the CCF Party for the kind remarks that they have made in respect of this matter because sincerely, we have tried to be fair, in respect of it and I think that by saying those few words there is nothing more for me to say to repute and repute emphatically, the unfounded contention of the gentleman who has just taken his seat for the second time in this debate.

**MR. SPEAKER:** Are you ready for the question?

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

**MR. SPEAKER:** Would those who request a division please stand? Not enough. Motion is carried.

**MR. PREFONTAINE:** . . . . . being opposed in this matter.

**MR. ROBLIN:** Well there's no way in which I know that can be done Sir, without ayes and nays. I think now, Sir, that we're ready to call the Committee of the Whole to take another crack at this Bill 98.

**MR. SPEAKER:** Committee of the Whole House. Would the Attorney-General please move the motion?

**MR. OBIE BAIZLEY (Osborne):** Mr. Speaker, I move, seconded by the Honourable Member for Assiniboia, that Mr. Speaker do now leave the Chair and the House resolve itself into a Committee of the Whole to consider of the following Bill.

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

**MR. SPEAKER:** The House do now resolve itself into a Committee of the Whole House and would the Honourable Member for Roblin please take the Chair?

**MR. LYON:** Mr. Chairman, while copies of the submission of the Committee are being distributed, I must say it's highly presumptuous of me to stand up and speak on behalf of the Committee because we have no Chairman, and I'm not presuming to speak on behalf of the Committee; I'm speaking for myself and I would hope that my confreres on the committee which was appointed by the House last night would also speak if they have further views to express from those that I am about to give. I don't think that what we have brought in before you Sir, can be considered as a compromise which will meet the approval of all sides of the House or of all shades of opinion on this question because I don't think it is that. I've expressed the view before, and I'm expressing it again, as a personal view that to be realistic about this matter you cannot—to the best of my ability—you cannot define what an amateur person is in this day and age, because we have so many gradations of them, so many shades of amateurism in Manitoba and in Canada that it's practically an impossible job for a draftsman or anyone else, to put this on to paper in a form which is enforceable. Remember, we are dealing with two things, (a) a definition and (b) a definition that is enforceable.

Now what do we have before us? We, in effect, say that the section as it stands in the Bill, not with the amendment that was moved last night, but the section as it stands in the Bill should become subsection 1 with the minor change of (1) making the performance a musical performance only. And that subsection 2 should be added, the effect of which would be to prohibit persons from playing in games or sports who, either directly or indirectly derive more than half of their annual income from playing or engaging in games or contests of that identical

(Mr. Lyon, cont'd.) . . kind--of that identical kind. Now I think some word of explanation is needed on that word "identical kind". We've heard from the Honourable Member from Souris-Lansdowne, from honourable members opposite about the ball leagues which play in rural Manitoba on Sunday afternoon. These things have been going on for years. They've been playing some of them for fee; some of them have been charging admission and so on and so forth. A number of these pitchers or catchers or outfielders have been receiving remuneration for doing this type of work or engaging in this type of sport. Now I, for one, Sir, can see nothing wrong with that, whether, quite frankly whether it's within or without the law--because I don't see that there's anything immoral in taking \$25 for pitching a ball on Sunday. But that's my view, and I'm not trying to impress that upon the House. Now what I do say is this, that this type of activity, whether we like it or not is going to continue, so I think in the legislation we might just as well acknowledge that fact and that is why we say here--keeping in mind the particular example of say, a national hockey league player from Manitoba. He comes home; in the summer he may want to pitch ball in what we would choose to call an amateur league, but for those services he may be paid \$50 a week or some such sum. We would say in this definition that he is not a professional in that respect because he is receiving \$50 a week for pitching ball--one of the games of which happens to be on a Sunday and because the bulk of his income is received from playing hockey. While he may be a professional in the true sense of the word, he's not a professional ball player; he's a professional hockey player. That's true. That is the main reason for specifying a game or contest of that "identical kind".

Again, in clause (b) of this suggested amendment, we say that each of the persons, if so required by the Attorney-General, makes or files with him a statutory declaration stating that not more than half of his annual income is derived either directly or indirectly from playing or engaging in games or contests of that "identical kind". That is a nod in the direction of enforcement because, of course, a person can say he is not earning more than half of his income from a game or contest which he participates in during a season or during the year, but unless you have something in writing on paper in which he takes his oath or makes his affirmation, then you've got no way of enforcing it really at all. This proposed subsection would give us the power--would give the enforcement authorities through my office, the power at least to demand a statutory declaration from these persons and the presumption is, of course, is that a man will not take his oath on something that is a falsehood, merely to allow him to participate in the game on a Sunday. And if he does, why he takes it at his own peril because if subsequently evidence is brought forward that this is a false affidavit, he could then be prosecuted under the relevant provisions of the Criminal Code for that.

Now, again I stress that this is not--I'm sure it will not meet with the whole-hearted approval in the House--I'm sure there will be objections to it, but I do again restate this proposition that in my humble opinion, I think this opinion, is shared by at least a majority of those who were on the committee with me, and if not they can certainly speak up and say so--in my humble opinion, you set us to a task which is practically impossible, but we have come back with something which we feel is enforceable. As it stands it will not meet the wishes of all of the members of the House but I commend it to the House for their consideration. If in the wisdom of the House, they see fit to reject this suggestion, surprisingly enough my suggestion to the committee then is that we go back to the Bill as it presently stands and leave it that way. Leave it the way it is now as they have in Ontario and as they have in Vancouver, but for Heaven's sake, either have the Bill as it is now without any amendments at all, or except this amendment, but don't try to get it wound up into some complicated definition which nobody can enforce; which is not practical; which is not realistic.

MR. ELMAN GUTTORMSON (St. George): Mr. Chairman, I'd like to agree with the Attorney-General when he suggested perhaps we go back to the original Bill. Looking at this amendment, if the members will stop to think for a moment, I think it's going to be almost impossible for the Attorney-General to enforce this. I would like the Attorney-General if he can, to tell me what happens in instances where you have high school boys who go to school all year and play ball around the tournament circuit in the summer months for a nominal sum, and that is, perhaps is their only income; would they be banned from playing ball because that perhaps is their only earning? What would happen in cases of junior clubs where the boys are attending school and some of them are getting paid--the monies they earn would be more than half, and in

(Mr. Guttormson, cont'd.) . . many instances it wouldn't be half; what would happen in a case like that? Would half the team be allowed to play and the other half not allowed to play?

Mr. Chairman, I would like to impress upon this committee that those that are concerned about allowing what they call professional sport--last winter the Winnipeg Warriors played, and they played on Sunday afternoon and the number of games they played was eight--they played eight Sunday games--and if this Bill was to go through, I'd suggest that they're not going to increase the number of Sunday games because, as far as they were concerned, they were within the law, and that is all the games they could have. In the summer months we have the Winnipeg Goldeyes. These for the most part are a bunch of our high school boys. The Goldeyes are treated, from the opinion of many in this House, as being out and out pros. What are they in fact? They are the junior hockey players; they're the equivalent of junior hockey players, members of the Winnipeg Monarchs, the Brandon Wheat Kings, the Rangers, the St. Boniface Canadians. These boys are aspiring to be professional hockey players, and the Winnipeg Goldeyes are aspiring to reach the major leagues, and they are in the same category, many of these boys are for the most part, are high school or university students who come out and play ball during the summer months, and go back to school in the fall of the year. I don't know how we can--why we should differentiate between those ball players and the boys that are playing junior hockey. Actually, if the Goldeyes played ball, as a rough estimate, they would probably require about ten Sundays from April 'till September; and the Warriors during the winter season, from October 'till the end of March they played ten, no pardon me, eight games. So we're quibbling for roughly 18 Sundays during the whole year. I think for purposes of enforcing the law we'd be far better off to let the Bill go as it is, restrictive to only the afternoons, and also each area would have to vote whether they wanted to permit the sport in their particular areas.

MR. PAULLEY: Mr. Chairman, on a point of order, I didn't want to interrupt my honourable friend when he was talking but is it not a fact that the only question before the House or before the Committee should be in respect of this definition. It's my understanding that last night the Committee by a majority vote, approved an amendment to the Bill itself which set out that it should be amateur and now the only question that we should be dealing with is the question of the definition of an "amateur" and insofar as the argument pro and con between professionalism and amateurism or both had been resolved, I thought, last night.

MR. ROBLIN: Unfortunately, Mr. Chairman, our Committee seems to have brought in a recommendation which implicitly asks us to repeal the amendment that we put through last night, and substitute this one for it. And I think that although no motion has been made, I think that is the force and effect recommendation to us. So I think someone should move on that so that we could have the matter properly before the House.

MR. A. J. REID (Kildonan): . . . . . that Committee; did they appoint a Chairman last night? I thought this morning the Committee would give a report on what transpired but it's just what the Attorney-General gave, but outside of that and he spoke on the last amendment, I figured that the Chairman this morning would get up and give a report and say we received the report. That's what I had figured.

MR. LYON: Mr. Chairman, that's what--I didn't move the amendment but I can, and in so doing, I should speak to what the Honourable Member from Radisson in that capacity has just said. This would have to be treated as a further amendment to the whole section. We considered that last night. This would have to be treated as a further amendment to the whole section. We thought that we had before us--we thought the Committee of the Whole had instructed us to look at the whole matter again and that's the way we looked at it. I would suggest that we would have to amend the whole section again and if necessary, wipe out. This might be treated in the sense as the subamendments to what was passed last night or it could be treated as a new amendment on the face of it. But if I may say a word just about what the Honourable Member from St. George has raised, the point about youngsters, 17 and 18 years old and so on. That point was considered by the Committee. And I think he has a very valid point. In fact, at one stage, the suggestion in the Committee and I think we were called in by the division bell at the time before we had a chance to pursue it--the one suggestion was that we should perhaps deem everyone under the age of 18 or 19 to be a non-professional because the point raised by the member for St. George is a very valid one. Some of the hockey players, whether they be minor or junior, or whatever they are playing, have no other source of income except what they may receive--the pittance they may receive for playing say, junior hockey. That is their total income,

(Mr. Lyon, cont'd.) . . . 100% of it. And then, of course, under this definition they would automatically become professionals unless there was a saving clause saying that persons under 18 or 19 in any case are deemed to be non-professionals. Now, there again you see, you're getting into the troubles of definitions. The minute you begin to particularize, as the Honourable the Leader of the Opposition has told us so many times, and it's so true, the minute you begin to particularize then you run into troubles, because one point that was raised by the member for St. George, a very valid one, if we sit around here long enough, I'm sure other members can raise points which will poke a hole in this type of definition. And so, while I move this amendment before the Committee at this time, I move that the amendment brought in by the Committee be placed before the House. I do so with the warning that it is capable of having holes punched in it. If this amendment is rejected by the House, I do most sincerely suggest that we go back to the Bill as it was originally brought into the House, and leave it that way; leave it the way it is in Ontario; let the word non-profit wipe out the commercial connotation where it applies and let the Bill stand on that basis. But I suggest that we have at least narrowed it down to two alternatives, one that I am just moving--the one that I have just moved or going back to the Bill as it originally stood.

MR. ALEXANDER: Mr. Chairman, it might be better if we could consider the subsection 1 with the minor amendments and then possibly get through the debate on the new subsection 2 when we arrive at it. Would that be more orderly?

MR. HILLHOUSE: Mr. Chairman, my question in connection with that and I realize that the point raised by the Honourable Member for St. George is valid, that we took it under consideration last night and when the division bell did ring we were suggesting that people under 18 be considered as amateurs. But I do believe that his point would be met, when we reached this subsection 2 by deleting that "more than half of his annual income" and substituting "his chief source of livelihood is the income". Now a high school boy going to high school and living at home may be playing the odd game of ball during the summertime. It couldn't be construed that his chief source of livelihood was from that sport. His chief source of livelihood was from what he got at home.

HON. GURNEY EVANS (Minister of Industry & Commerce): I shall try to be brief, because I do not want to see enacted a definition of "amateurism" which in my opinion, is completely unrealistic. In my view this is a travesty. My definition of an "amateur" is someone who plays games for the love of it, such as described to us in Committee, of the minor hockey leagues in Winnipeg where the players even pay to get in. That is rather too simon-pure. I would be willing to see expenses met; I would be glad to see equipment provided, possibly even skates and such equipment which the player might keep, provided; I would be willing to see other items of that kind. But to enact a definition which no one else anywhere has been able to define satisfactorily at this time and in this hurry, I think would be wrong. I point out only one illustration of this, that anyone who played baseball in the summertime and made that his full occupation, and his only source of income, followed by hockey in the winter under similar circumstances and football or some other game in another season of the year, could be covered by this definition. And this, in my opinion, opens the door to full professionalism on Sundays; I couldn't support this in any way and I object to it strenuously. If we were not at this stage of the session, I would try to amplify my remarks but I do want to report at least that summary of them.

MR. E. R. SCHREYER (Brokenhead): Mr. Chairman, I rise to speak because of the very remarks of the Honourable Minister of Industry and Commerce. When the Committee met last night, we were considering that very point. We did not want to make this too restrictive because it is true that a lot of men who play professional hockey, for example, come back home for the summer. They do play in baseball tournaments and so on, but in that particular sport which they are not professional at, they are participating as amateurs and we worded this amendment deliberately so that these people could be accommodated. Go out to the rural baseball circuits, tournaments in the summer and I dare say you will find quite a few professional hockey players taking part in baseball tournaments. In that particular sport of baseball they are amateurs. I don't see how you could call them professionals. And we deliberately worded it so that we could accommodate such a situation.

Now then, it's been said before and I'd just like to briefly say it again that today there

(Mr. Schreyer, cont'd.) . . is almost no one who is an amateur in the strictest sense of the word. But for all practical purposes they are amateurs, so if they play in baseball tournaments and let us say the team in which they play manages to win first prize at the tournaments, there's \$400 to split 12 or 14 ways; say that they do this nine or ten times in the baseball season during the summer, so I suppose that their income from baseball as such would be somewhere in the neighbourhood of \$150 to \$200. To my mind, this is not putting them in the category of a professional and consequently we wanted to have this broad enough so that such a situation as the Minister has just protested against, could in fact be made room for. And I appeal to all members of this Committee to accept this amendment as moved by the Attorney-General because it's a compromise quite frankly, and judging by the opinions voiced here last night that is the only way and perhaps the only sensible way, that we can get out of this impasse. The Attorney-General, I think, feels that this is enforceable to a fairly satisfactory degree; while there can be some holes punched in it, I think he's satisfied that it's enforceable to a fairly satisfactory degree. Consequently I think that I would appeal to members to support it.

MR. RICHARD SEABORN (Wellington): So far we've just been engaged with the consideration of sport and the definition of what is an "amateur". I'd like to refer to this subsection in the amendment, (ii) a performance that is a concert, recital or other musical performance of an artistic or cultural nature. And I would just like to ask a few questions regarding these. First of all I would like to ask this House to define what is "culture". What is it? When we refer to cultural performances, to what do we actually refer? It's all very well to point to the ballet and to the symphony but I played in both organizations when they have presented performances that could definitely be said not to be within the classical field. And again I say, and I would like to ask, what is a recital. If you're considering that a recital is a performance given by a solo performer, I would point out to you that there are chamber groups from four to eight persons that give recitals also. And there is much music written for these groups that is definitely not within the classics; and a small jazz group would consider its music very creative and feel it had a right to present recitals also which it has done and would consider its performance quite artistic. As I pointed out yesterday, you can not say one group can play a certain arrangements of hit tunes from a Broadway play, and another smaller group should be prevented from doing the same thing because it's not considered cultural. And I'm speaking of so-called "pop" concerts in which we definitely do play selections from the top tunes of Broadway musicals. I ask again: What is culture? What is a recital? What is a musical performance of an artistic or cultural nature as we are trying to define in this Bill? I must agree with the Leader of the Opposition and say that we're not ready for this Bill. There are too many odds and ends left to chance. And I might say that I'm unalterably opposed to it. No matter how palatable you may try to make it, I'm going to oppose it to the very end. I say again that Sunday is the Lord's day, and have no right to trample underfoot the principles that have been tangible evidence of our Christian way of life.

MR. DESJARDINS: Mr. Speaker, it has been said by the Leader of the Opposition that we're not ready for this Bill and the last speaker repeated the same remark. I think that we could look at it this way also that we are ready, but that we cannot compromise; that we cannot play around with this Bill. We have to make up our minds. This is supposed to modify--this Bill was brought in to try to modify; to lift certain restrictions of this day. Now most of us are trying to compromise; trying to satisfy ourselves; to give a bit and I don't think you get anywhere like that. That's when we get the kind of legislation that cannot be enforced, but does not please anybody I think that we should realize that this is important. It's the field of sports in general, and I think maybe that we should make up our mind. Are we going to agree with Sunday sports? Are we going to be against Sunday sports? It's been obvious after listening to some of the people here today, that they're thinking of only part of the program. I still say that we're approaching this in the wrong way. I still say we're just thinking of the participant. Nobody has refuted my objection, my point; nobody has said anything on that. Everybody agrees that participating sports are fine, but what about spectator sports? I still say that this has been approached the wrong way. There's a lot of people that aren't too well. There's a lot of people that are too old. There's a couple of gentlemen right in front of me -I don't think that they can do much but watch these games, and there's some that enjoy watching their children play. What is wrong with this? Some of us have been trying--I mean let's be honest, some of

(Mr. Desjardins, cont'd.) . . us have been trying to find a loophole for what the long-hair would like, for something else. They want to define amateur for one class or not the other. And now many of us, aren't we a little selfish? Many of us are in the country and we're not affected by that at all. What are we trying to do, dictate to another group because we're in the country and we're worried if we're in a certain place the big six, well what can I do to let this thing go? That's fine. Well, that's what I want. I mean let's be honest. It's not going to affect the country points at all. There's been some points brought up that say, "Well if you have professional sports, amateur sports will suffer a bit. There'll be less people there". Well definitely, because they can't be in both places the same time. Some people are fanatics on this and they'll take the best entertainment and if a team--certain people will go, will always stay with the kids. They like it better. And others will say, "well this is the best that's offered; this is number one; I'll go". And if this is not offered, they'll go to number two, but that doesn't make it wrong. What actually--if you leave this non-profit like the Attorney-General suggested you won't have all this trouble. Look what happened on this Bill we had yesterday--the Denturists. It will be the same thing. You can find excuses. You can break this thing if you do it like that. Either we shouldn't have--either let's say, "All right this is wrong; we don't believe in Sunday sports, or we do". And let's not discriminate against the people that would like to attend a game. What is wrong? I tell you what is wrong in going to the park with the family and watching a baseball game? What is wrong? What are those people that are always talking about the Lord and about what Sunday is? It's a day more special than others, and we're all going to hell if we play sports or watch a game. That's ridiculous. --(interjection)--Well, that's what, practically what has been said. It's either right or it's wrong. And the City, the Aldermen of the City of Winnipeg have asked for it in their Bill. We're trying to be clear. We told them that hockey should be treated like the others, and I agree with it, but what--we're aiming at three different sports and there's a few Sundays. There's just a few Sundays that that is played. Nobody forces--most of the people from Manitoba, or a good portion of the people in Manitoba are too far; they won't come in. How can they honestly say we don't want that for those people when the people of Winnipeg want it; when the people of Winnipeg want it as long as their big six team or their stock car racing or any of those things are going on? We're not forcing the people. Sure we're ready. But we should have enough confidence to do it the right way, not do it in steps. We all know that if we give this we'll come back. I'll agree with this. I know that probably certain members will get up and say, "see, he admits it". I admit it, that the people, until a certain thing is done right, they'll come back. They'll come back every year. So let's do it right. And if sports is good; if there's nothing wrong with sport why don't we let it go? There's three teams--all right, there's certain teams--the Blue Bombers are not interested in playing on Sundays. They probably won't play, and if there's enough season tickets . . . . . will tell them that they will not watch a game. They will not renew their tickets. They're not interested. They won't play. Saturday has been a good day. Friday has been a good day. Now because of the geography set-up of Winnipeg, we're miles away from towns. Sunday does help. It does help. Is it a sin because it helps? Then I still repeat the same thing. We're looking just as a participant. We're looking at the players who are providing entertainment. Those professional players will be paid the same. They're not going to make more money. They're paid on a salary. They play 70 games and that's it. It doesn't change. We're not helping them. We're providing--we're providing entertainment for the people. We're providing entertainment for the people. The people want it or they wouldn't go. That's the proof, that the people want it. They say, "Well look at that; they won't go somewhere else but they're packing those things on Sunday". And that's why, because the people want it. The others that want to stay home can stay home. I mean, what is religion? Is religion forced? Is it certain religions that are afraid that they have to stand there with a whip and say, "this is religion; you won't do this; you won't do that"? If the people aren't interested in that, are they going to have religion? It's all inside of you and certainly if some people figure it's wrong; if some people who think it's wrong to go to a hockey game or a baseball game, they don't have to go. And some of the people think that they don't want to see that in the country; they don't have to force that. What is the difference now that the--if they just leave the word "non-profit" as has been suggested, what is going to be so bad? As I said before, we don't say, we won't call the doctor on Sunday because he's going to make some money. We're not worried about the doctor making anything, any money. We don't say we'll leave--we won't go to the restaurant; they're going to

(Mr. Desjardins, cont'd.) . . make some money. We're not worried about that. We're not saying, well this clergyman, oh, no, he can't--we won't go to church; he's making money. That would be ridiculous. Wouldn't it? Well the other thing is just as ridiculous. The people want it. They're entitled to it. Nobody has answered that. What about the thousands of people that can not play; the older people? Have you seen that? How many people in the old folks' home will go to see one of those--they can go out for a couple of hours on a Sunday; I've seen it; and they're sitting in the outfield and watching that game. Is that wrong? Are they second class citizens or are we going to give them a ball and say, OK you can start playing dodge ball; here's another cane in case you fall? I don't think we're doing this in the right way and I'm sure it's going to come back here. Let's--all right some of you, nobody can tell others what to do but let's face it. Are we against sports or are we for sports? And let's vote on that and forget all this thing of trying to cover up a loophole here to satisfy our own constituency. The people of Winnipeg have asked for it. The City Council--they're ready. We want to give them responsible government. We're against this; we're against that; the city has asked for that; we can modify it; give everybody the same chance; but let all you people that come from the country that don't give a darn about Winnipeg--think for a minute what you're doing. Would you be ready to do the same thing if you lived here especially if you liked sports? Would you be ready if we say, let this big six team, this Dauphin team will be out and the Gimli fishermen--(interjection) --Beg pardon? All right, were you happy to see them go out of existence? Maybe if they would have kept on with Sunday sports they'd still be going. You've got another point there. It might be a terrific idea to have that team. There's nothing wrong there. Maybe that killed them. I still say let's make up our mind. Sports--is it wrong? Is it bad? If it's good, all right, let us have sports. We restrict it in the hours and if it's bad, well throw it out, but let's not pussy-foot around.

MR. D. ORLIKOW (St. John's): Mr. Chairman, the only thing in which the Honourable Leader of the Opposition said with which I agree is the few words in which he said, "We're not ready". We're not ready only to the extent that we are divided, but this is not true just about this Bill. The House was divided yesterday about denturists and while I wasn't here when the Honourable the Leader of the Opposition brought in the changes in the liquor regulations, I'm quite sure that it's safe to say that the House was divided at that time, and the House is divided because the people of this province are divided. People's concepts of various ideas change over the years and when they change enough the people ask for a change in the legislation. Now why are we discussing this particular Bill? We're discussing this Bill because the Lord's Day Act (Canada) which was passed some 50 or more years ago, no longer meets the needs of the people of this province. Now to listen to the Honourable Member from St. Boniface, one would think that it's only the people of Winnipeg who want a change. I think this is completely wrong. We have heard from members on that side and from members on this side, that the law is in fact not being lived up to in other parts of the province; that baseball players play in tournaments on Sunday and are paid; that hockey players play in Flin Flon to mention just one city in this province on Sunday and are paid and so on. Now, Mr. Chairman, I take the same attitude about this question as I did about the denturists, I think, and as I would have taken if I had been here when the liquor laws were changed. I do not believe that it is good for the people to have laws which a large part--I'm not going to say a majority or a minority because I think we only speculate if we try to guess who was for and who was against, but if a large part of the people of this province do not believe in the principles which are enunciated in a particular bill and if they believe so little in them that they will break the law, then I think that this is bad, not only with regard to this particular law, but it is bad in terms of the enforcement of law in general and it's bad in terms of the whole moral climate in the community. Now I suggest there isn't a single member in this House who can get up and say that the present law is not being broken all the time. I won't say that it's being broken as often as the old liquor laws were broken, but it's being broken, I would suggest, every Sunday of the week. And I think that this is bad, and I think that what we have to do if we are realistic is to change the law so that the people can--in such a way that the law will be acceptable to the people and that the people will try to live within the scope of the law. And I also think we have, in fairness to the police and to the Attorney-General's department, that we have to get a law which we think can be enforced. I know and I think I--I can't remember the exact quotation, but I'm sure if we go back to the discussion

(Mr. Orlikow, cont'd.) . . of the liquor laws that the Chief of Police in the City of Winnipeg and other enforcement officers said very frequently that it was impossible to even try to enforce the old laws because the people of this province simply wouldn't accept them. And I think the same is true about this law as it is. Now the fact that the amendment which is proposed is brought here on the last day of the session; the fact that--(interjection)--well, I'm hoping; I'm sure not hoping anymore than the First Minister--the fact that it's being brought here in the dying days, shall we say, of the session, the fact that members can pick holes in it, can find flaws in it, doesn't bother me; the fact that we will have to amend it doesn't bother me too much. How many laws--the Highway Traffic Act, we had two major revisions this session; the liquor laws have been revised; all the laws are revised, as we work with them, as we live with them, as we find what's good in them, as we find what's bad in them.

I am not an expert, but if the Attorney-General of this province says that he thinks he can live with this amendment and that he thinks that he can enforce it, I'm willing to give him a chance to try to do it. If he finds that he can't or if we find that it's not being lived up to, I think we'll come here next session or the session after and say let's change it. If this isn't good, if the Attorney-General says he thinks he can live with the Bill as it was originally proposed, I'm willing to take it--to try it. What I'm not willing to do, as far as I'm . . . . . and I'm only speaking for myself, Mr. Chairman, what I'm not prepared to do is to say that because we haven't got an amendment which will satisfy everybody, that we should continue with the status quo, because I am satisfied and I'm sure that nobody in this House, if they're honest--and I think all members try to be honest--if they are realistic there isn't a single member here who will not admit the fact that the present law simply is not being lived up to. And that being the case I think it's time to change it, and I'm going to vote first for this amendment, and if the amendment should not be agreed to, then I will vote for the Bill as first brought in, because I think it's time, Mr. Chairman, to get on; to try to get something with which the people of this province will agree and with which they will try to live with legally.

MR. ROBLIN: On a point of order, Sir, I think it may be described as a point of order at any rate, and I hope members won't think I'm being offensive, and I'm not referring to anyone in particular, but it seems to me we have come to the stage where we are repeating ourselves. And if that would be the general conclusion of the Committee, I would ask members to exercise a measure of self-discipline; to refrain from speaking more than once though they have the right to speak as often as they like; to try to introduce new points into the discussion and perhaps be brief. And I think that if we do those things that we can come to a vote on this matter fairly soon. Now I have no right to give instructions to anybody here. Members will do what they like. But I merely say that in view of the very extensive discussions that we've had, I think my points are fairly well taken and I would ask for the co-operation of the Committee in that matter.

MR. JAMES COWAN (Winnipeg Centre): Mr. Chairman, like the Honourable Minister of Industry and Commerce, I was impressed by the brief from the Greater Winnipeg Minor Hockey Association and I think that we should encourage physical fitness in this province. We should encourage participation by as many as possible and we should encourage what we generally consider as amateur sport. In that line I would suggest that we amend this 3 (a)(1) by adding after the words "a public game or contest", the words "each of the participants in which is an amateur; and that we define the word "amateur" in this section to mean "a person who plays in a public game or contest, and does not directly or indirectly receive any remuneration or other compensation for playing in such game or contest, not including the supplying of equipment that may be used for taking part in such game or contest". Now that would permit the giving of equipment to those who take part; that would permit the payment of an umpire or referee, and that would permit the professional hockey player who comes home in the summer to play ball for free. And I suggest that that is something that we should use. If it doesn't work out just as we would like, we can amend it next year, but that is my idea of an amateur and I think that is the idea that quite a few of us thought that the committee was going to work on last night.

MR. CHAIRMAN: The Honourable Member from Brandon.

MR. R. O. LISSAMAN (Brandon): All this difficulty, I think, in all of our minds has arisen from the definition of "amateur". Now certainly all of us want to encourage sports,



(Mr. Lissaman, cont'd.) . . especially for our young people, and in the existing Act, in my opinion, we have the most wonderful definition of amateur right there in the matter of 'a collection may be taken'. That ensures that they are amateurs. Now we've heard representations say that a collection isn't enough. Well if that is so, then these people don't want Sunday sports very much, if they won't support it with a silver collection to the extent that it will carry these sports. We've arrived at this difficulty because we're trying to doctor this definition up where we can let a little more money in. It's not a Sunday problem. It's a matter of support. And the matter matter of support to these sports is another problem altogether from the matter of Sunday, in my opinion. I think we have the most workable definition possible, in that we say a "silver collection may be taken". Then we can have all the amateur sports that we want, and we have that right now. And when we fool around trying to melt this down or widen it, then we get into this trouble. I think I must agree with the Honourable Leader of the Opposition that if we want to go this extra step, we can't agree, then that's proof we aren't ready for it, and it's also proof that the people aren't ready for it when they're not willing to support, by collection, these sports to the extent that they can operate.

MR. CHAIRMAN: The Honourable Minister of Agriculture.

MR. HUTTON: Mr. Chairman, I'd just like to say a very few words to this Bill. It was said earlier in the debate that we were trying to define "amateurism" and that our definition was a travesty. We made no attempt to define amateurism at all. At least this was not the case in my own personal approach to the problem that we face, and I don't think that it was attempted by any other member on the Committee to define amateurism. We merely tried to define the terms under which sport could be played in such a way that it would make provision for the circumstances that exist in the province today, and so there is no attempt here--and I don't think that the word "amateur" either in the amendment or in the Bill as it stands and to which the amendment would be made--I don't think there is any reference to the term "amateur". And I'd like to make that point clear. That we are in no way endeavouring to define the term amateur. The second thing I would like to point out is this, that I think that we're going to have a great deal of difficulty. In fact I think it will be impossible to arrive at any conclusion if we continue to introduce amendments. I think there's a clear choice before us that either we accept the amendment and consider the amendment that the Committee brought in, or else we'll have to go back to the Bill itself. And I suggest there are three alternatives for us to make a decision upon here today, that is the amendment that was submitted by the Committee. If you are not satisfied with that, throw it out. Go back to the Bill as it stands. If you're not satisfied with that, throw it out and we'll go back to the status quo. And I think if we follow that procedure that we may arrive at some solution, however satisfactory it is to the individuals of this Assembly. But I feel that it is very important if we reach any decision at all, that we start with the amendment; decide whether we want it or not; if we don't want it, I think the only alternative is to go back to the Bill and decide whether we want that or not.

MR. W. B. SCARTH, Q. C. (River Heights): Mr. Chairman, last evening we struck off a Committee to get a definition, two experienced lawyers and two very common sense laymen assisted by the Legislative Counsel. Now I'm willing to bet that their amendment has a lot of common sense and is pretty close to what will be required.

MR. PREFONTAINE: Mr. Chairman, I would like to make just one plea and that is to those of us who would like to see Sundays wide open; those of us who prefer the Bill as it is, but I would like to make an appeal to the member for St. Boniface and others who feel that way, that judging by the temper of this House, this will not be done and that we will have the status quo, which is bad. Let us agree to get half a loaf rather than no loaf at all. And I think that's the only way that we'll get something on the statute books is by agreeing to half a loaf because we can't get, with the House divided as it is, the full loaf at this present time.

MR. J. M. FROESE (Rhineland): Mr. Chairman, it seems to me that we're very inconsistent in our thinking. Last night the Honourable Member for Fort Garry indicated or considered it wrong when considering the Dental Association Bill to change the law to accommodate the dental technicians known as denturists under that Bill. This morning the member for St. John's raises the same question and the same point, and it seems that when a large enough number of people or group of people contravening the Act then we're supposed to change the law to accommodate them. I think this is wrong in principle, and being opposed to the Bill

(Mr. Froese, cont'd.) . . before us in principle I think that we should further consider what the Member for Wellington said on Section 3 (ii) and that this matter will not be able to be policed the way the proposal stands. And therefore, I would move that Section 3 (ii) be deleted.

MR. CHAIRMAN: I think it would be wrong to accept any motions at this time, because I think we've been having a general discussion on Section 3 as a whole to try and resolve any difficulties that we might have. I think the Chair will start calling--Order please.

The Chair will start calling Section 3 item by item and any motions or amendments that anybody wants to have at that time will be presented when the proper item is called.

MR. DESJARDINS: Well, Mr. Chairman, that motion came from the Attorney-General and I think we should--I think the Minister of Agriculture explained that.

MR. ROBLIN: Mr. Chairman, I think we should vote on the amendment the Attorney-General has presented; if that carries and anyone wants to amend it further they should have the chance to do so. But first of all we should vote on that.

MR. CHAIRMAN: Those in favour of the motion--the member for St. George.

MR. GUTTORMSON: I just want to tell the Committee that I'm going to vote against the amendment because it's unrealistic and it's unenforceable and we should go back to the main section.

MR. FROESE: Mr. Chairman, if we are going to vote on the motion made by the Honourable the Attorney-General then my amendment is in order and it should be voted on.

MR. CHAIRMAN: I think the motion of the Attorney-General was on the floor first, and we're having a general discussion on the item so we'll have to dispose of his first.

MR. CHAIRMAN: Would you read the amendment again?

MR. LYON: The amendment, Mr. Chairman, is as follows--I think everybody has it before them--it covers the whole of Section 3 and it would be treated if passed as the sub-amendment to the motion moved last night by the Leader of the CCF Party, and this would end up as the Bill originally stood with this amendment added to it would be the final result. In other words the amendment moved last night by the Leader of the CCF would be wiped out if this amendment is carried.

MR. CHAIRMAN: Just one moment please. We have a couple of minor amendments brought up on 3 (1)(a) that will have to be passed first which are necessitated by a new subsection 2. The question is this, that Section 3, subsection (1), clause (a) subject to Subsection (2), any non-profit organization may provide or produce. --passed.

The question on the amendment as proposed by the Attorney-General.

A standing vote was taken, the result being:

Yeas, 35; nays, 16.

MR. ROBLIN: It would be in order now, Sir, if the Honourable Member for Rhineland wants to move his sub-amendment because we now have an amendment before us that's carried. It's in order for him to do so. It was not in order before.

MR. CHAIRMAN: . . . . that Section 3 (ii) be deleted.

MR. FROESE: Well, that's of the amendment that we just voted on.

MR. CHAIRMAN: Section 1, clause (a)(ii).

MR. FROESE: That's right--read it.

MR. CHAIRMAN: A performance that is a concert, recital or other musical performance of an artistic or cultural nature. The motion is before the House that that be deleted. Those in favour? I declare the motion lost.

MR. LYON: Mr. Chairman, now that this amendment has been passed, I think there are two situations that might be dealt with. One that was raised by the Honourable Member from Selkirk concerning the substitution of the word "income" with the word "livelihood". I know that the Legislative Counsel will cringe on that one what is livelihood, but I think there is some merit to it. And the second one is the question about deeming persons under the age of 18 years to be non-professional, no matter what their earnings may be. Now I haven't the phraseology of these amendments at all. I know the Legislative Counsel though is within my hearing, and perhaps if something, a saving clause making persons under the age of 18 years exempt from the provisions of 2 (a) and (b), if that would meet with the wishes of the House to accommodate those juveniles who are in that field. The question about livelihood for income is another one, I'm not--(interjection)--if the Honourable Member from Selkirk says we don't need it I'm

(Mr. Lyon, cont'd.) .. satisfied. I think the saving clause can be worded quite easily and I think the Legislative Counsel is on his way here--he's here.

HON. STEWART E. McLEAN (Minister of Education)(Dauphin): ..... on the amendment or anything. I do have a question. As I understand it, as I read this, the requirements of being an amateur as laid down by this subsection 2 would apply only to those--to the cases of a public game or contest, but would not be applicable in the case of the concert recital or musical performance. What is the reason for allowing, shall I say, non-amateur people in one instance like that?

MR. LYON: I think, Mr. Chairman, that this amendment can be safely defended as being non-discriminatory in that regard, because when we placed in the definition the question of engaging in games or contests, when we used the words of that identical kind that was meant to permit, for instance, a hockey player to play baseball in summer and be deemed to be a non-professional insofar as baseball is concerned. Now when you come to the question of a musician, and certainly I speak from a wealth of ignorance in this field, and I stand subject to correction by the member from Wellington and others, most of the musicians to whom you or I or members of the House would like to go and listen on a Sunday are by the very nature of their profession, professionals in the field. Some of them may play for the Symphony Orchestra and at the same time they may play for the CBC. They may play for a dance band and so on and so forth. Now these people certainly are professional, but when you start to define what portion of their income is received from the sponsoring group which puts on a Sunday concert then again you get into a morass of legal entanglements and difficulties out of which I for one could see no path. Now that is the main reason that it's not in. The Honourable Member from Wellington has told us in Law Amendments Committee that the members of the Winnipeg Symphony Orchestra, as an example, with the exception of the conductor, do not derive the main source of their income from the Symphony Orchestra; but, they do derive practically all of their income from playing a violin or an oboe in some other connection. And so it was felt by the Committee, and I'm presuming again to speak on behalf of my colleagues on that Committee, it was felt that the only feasible and realistic way to deal with the situation was not to deal with it all, just to leave it the way it is.

MR. D. M. STANES (St. James): Mr. Chairman, I would just like to say a word here. Surely we're not trying to define an amateur; we're trying to define those people who we wish to include and exclude. I think it's a mistake to assume that the people we are including are necessarily amateurs.

MR. LYON: Mr. Chairman, I would make the following motion, that a new Subsection 3 be added to Section 3 as we have just passed it in the amended form. The new Subsection 3 would read simply as follows: "clauses (a) and (b) of subsection 2 do not apply to a person under the age of 18 years." I think that would meet the point raised by the Honourable Member from St. George and the points that the Committee discussed.

MR. GUTTORMSON: Mr. Chairman, first of all there are some items that come in between the two amendments which haven't been called and passed as yet, and I think we should settle those before we get down to Subsection 2. And that is Section (3), Subsection 1, clause (b) (i), (ii), (b)--passed; (c) (i) (ii)--passed; Section 3 (i)--passed. Now we come to Subsection 2--passed;--(a) and (b). Now we have a new 3.

MR. LYON: Just in connection with that amendment that I have proposed to the Committee, we run here into the question of the anniversary date when a person reaches 18 or 19, I think "eighteen years or younger" or some such wording. I think we want to include everybody who is in their 18th year. Anyone who has not reached their 19th year--is that the way of putting it? Nineteenth birthday, or, how do we phrase that? I'm looking for suggestions.

MR. GUTTORMSON: ..... hockey team base it on a certain month of the year, because if they reach their birthdays after that particular date then they're allowed to play in that particular league. I'm not just sure what the date is, but I would suggest that he increase it from 18 because he's excluding all the junior hockey players if he leaves it at 18. Make it 21 and you can have these boys that are playing hockey, the junior hockey players--those boys that are going to high school and university.

MR. PAULLEY: Mr. Chairman, I would offer this suggestion that the saving clause should be that these sections should not apply to any minor participating in a recognized amateur

(Mr. Paulley, cont'd.) . . sport or league. Now I don't know how that goes down with the legal minds but the point raised, I think, is a valid one insofar as junior is concerned. The trouble is that if we don't define it as being amateur, we can have a purely professional team that's under 21, and that was the reason that I suggested therefore, the consideration of a minor which is a person under the age of 21 years as I understand the law, would include them.

MR. LYON: . . . . . point of course that's raised by the leader of the CCF, that a number of NHL hockey players are under the age of 21, and I don't think at the expense of the committee that they should be allowed to play and receive the good remuneration that they do. Perhaps the words--clause (a) and (b) do not apply to a person--actually you've got to put it in terms of a birthday.

MR. CHAIRMAN: . . . . . as is applicable and as is used by our recognized junior leagues in Winnipeg at the present time. It's 20 I believe. Is it not?

MR. LYON: 21--"do not apply to a person who has not reached his 19th birthday". I think that would cover what we're trying to get at.

MR. W. G. MARTIN (St. Matthews): Well, Mr. Chairman, . . . . . for the teams such as the Winnipeg Warriors and that. Could they engage a player under 19?

MR. GUTTORMSON: There's an odd exception. Maybe one or two players that might be, but for the most part, all the members of the Warrior Hockey Club are in their 20's; and the point is raised about a professional hockey player maybe in the National Hockey League. That's true, there are exceptions. We have one in Bobby Hull who is 18 or 19, but this may be one percent, and he wouldn't be playing with a local junior team anyway, so I don't think it applies. I think we should leave it at 21 so that these junior boys and the boys going to university would be qualified.

MR. LYON: Well they would be qualified so long as they weren't receiving more than half of their remuneration from this particular source, so I would, to clarify it again, Mr. Chairman, I would move that subsection 3 to read clauses (a) and (b) of subsection 2 do not apply to a person under the age of 19 years. Which means a person who has not reached his 19th birthday.

MR. SCHREYER: Mr. Chairman, before the question is put, I'm just wondering whether or not we aren't making a little bit of a mistake here in that we are cutting it off at 19 years. And if we moved it up one year then we would be in fact making provision for all junior league hockey players. Now if we put it at 19 we will be excluding some--part of the team, so why not have it at the age limit which applies to junior hockey. Yes, I think we should do that.

MR. CHAIRMAN: . . . . . as at 19. We'll take the question on that first,--on the amendment that you proposed which was 19.

Mr. Chairman put the question and after a voice vote declared the motion lost.

MR. CHAIRMAN: Now does the member from Brokenhead wish to make a further motion?  
MR. ROBLIN: I think in order to clarify the matter, Mr. Chairman, that we should have a standing vote and see how the votes actually did go.

A standing vote was taken the result being as follows: Yeas, 24; nays, 24.

MR. CHAIRMAN: I think I'll follow the good example of the Speaker and vote in the negative and call the amendment lost.

MR. SCHREYER: Mr. Chairman, in order to expedite matters I would now move that an amendment reading as follows: "clauses (a) and (b) of subsection 2 do not apply to persons under the age of 20".

MR. CHAIRMAN: I think we should call a standing vote to start. Those in favour of the motion please rise. The motion is "20". Those in favour of the motion please rise.--(interjection)--

MR. SCHREYER: . . . . . to clarify this vote; what I wanted to do, and I was told that the age limit--the maximum age limit applying to junior hockey is 20, I was told and now it's 21; Now which is it? That's the one I want to move.

MR. DESJARDINS: . . . . . a boy can be 21 after September 15th, I think, or somewhere around that and still play junior hockey.

MR. SCHREYER: By leave of the committee, Mr. Chairman, I would withdraw my first amendment, and make this amendment. I move that clause (a) and (b) of subsection 2 do not apply to persons under the age of 21.

A standing vote was taken the result being: Ayes, 30; nays, 5.

MR. CHAIRMAN: I declare the motion carried. Subsection 3--passed.

MR. ARTHUR E. WRIGHT (Seven Oaks): Mr. Chairman, I would just like to draw something to the attention of the committee. I think that those of us who heard the presentation by the minor hockey league were quite impressed; and I would like to remind this committee that they summarized their case by saying that they would rather see the bill not passed than to have the hours included from 1:30 to 5:30. They said that unless the hours were extended, nothing but harm could come about as a result. I just wanted to draw that to the attention of those of us who were much in sympathy with their brief.

MR. CHAIRMAN: Subsection 3--passed; order please; Section 3--passed; Section 4, subsection 1--passed; subsection 2 (a)--passed; (b)--passed; (c)--passed.

MR. McLEAN: Mr. Chairman, I have an amendment I wish to move in reference to Section 4, subsection 2, clause (c): that this be amended by inserting in line 12 the words "three-fifths" which would mean that the sub-clause would read "the by-law as herein provided submitted to the resident electors and approved by the votes of a majority of three-fifths of the resident electors voting thereon". I do so--I think the best speech in favour of this amendment has been made by the Honourable the Member for St. John's who pointed out of course that this is a very serious issue; it's one on which perhaps our opinions of our people are changing and that we should not have any change in a particular community unless we are assured that it is something that is desired by something more than a simple majority of the people concerned.

MR. HUTTON: Mr. Chairman, I indicated in the very early stages of the debate on Bill 98 that I would insist upon a 60% vote in favour of this Bill in any municipality concerned before I could support the Bill at all. I think that in the first place we must give the municipalities realistic legislation to consider; and in the second place we want to make very sure that the municipality concerned really wants this, and I don't think that there's any contradiction in the stand that I've taken at all. But for a long time, for a long, long time the people in Canada, in Manitoba in particular have had a traditional Sunday and there may be some who want it, who want to change it--as the Honourable Member for St. Boniface--and I respect the wishes of those people who want to change it, and if they can get enough support for their point of view then I say more power to them and let them change it, but let's make sure that they have the support they say they have, and if Sunday sport, commercial Sunday sport is as popular as they say it is, they shouldn't have any trouble in the world in getting a 60% vote. And so I reserve the right to vote against this Bill unless this provision is made.

MR. McLEAN: Mr. Chairman, the Legislative Counsel asked me if I would be willing to change that to "60%" instead of "three-fifths" and that's quite acceptable.

MR. LYON: Mr. Chairman, I certainly can't say that I made the best speech against this proposal in the Law Amendments Committee, and if I can patch up some of the remarks that I made, then I'll attempt to do so now, and do so very briefly and in capital form. I'm opposed to the amendment; I think that 50% of majority vote is all that's required as I've said before to elect us, and I think that's a slightly more important issue with all deference, than this issue; and I think that we should not load the scales one way or the other in this matter, but should have a straight free majority vote. If the people by a majority vote determine that they want Sunday sports of the kind--the limited kind that we provide in this Bill, I think the majority should rule in that case. I think it's a very simple issue, but a fundamental issue that the majority should rule, and that not two-fifths of the people should rule. Because that is in effect what this amendment proposes and I'm against that; whether you find in the Lord's Day Bill, a money by-law vote or wherever you find it, I think the majority should always rule.

MR. ORLIKOW: Mr. Chairman, I only speak and briefly, because the Honourable the Minister referred to me. I believe in democracy. Yes, I did say that this divides people, but neither the Minister nor anyone else can convince me that it's democratic that 41% of the people shall make the rules by which 59% of the people will have to live by. That's what he's suggesting; he's suggesting that a minority of 41 can void this question. I believe in democracy, and in my definition of democracy, a majority rules. I think it's as simple as that. If the majority is for this, then I think the majority should have its way.

MR. FROESE: Mr. Chairman, I would submit a further amendment to the amendment, by deleting the words "voting thereon" in Section 4 (c)--the last two words.

Mr. Chairman presented the motions and following voice votes, declared sub-amendment and main amendment lost. A standing vote was taken on main amendment, the result being as follows: Ayes, 21; nays, 20.

MR. MARTIN: Mr. Chairman, I have just been, in my mind, wondering whether perhaps some of the members thought that 60% is quite a margin over the straight majority, and I would sometimes believe in a sort of a compromise, if it's worthwhile. I believe that this changing what has been an established way of life in our province for so long is something of very vital importance. I would be prepared to move that it be 55%.

Mr. Chairman presented the motion and following a voice vote declared the amendment lost. Result of standing vote: Ayes, 21; nays, 27.

MR. CHAIRMAN: (c), passed; subsection 2 to 10, passed; 11(a)--

MR. McLEAN: Mr. Chairman, here I wish to move that subsection 11 be struck out of this Bill. I make that motion because I am of the strong opinion that if we believe that a petition should precede any by-law that that should be applicable at all times. If it is as suggested that there is such an overwhelming desire and need for what is provided for, what is proposed to be provided for by this Bill, then I am sure that there'll be no problem in obtaining the petition. I think the principle of a petition is sound and that it should apply in all cases.

MR. LYON: Mr. Chairman, I'm not going to make again, the same speech that I made in Committee except to say this, that I don't feel that there's any more substance to this amendment than there was to the last one. This is put in merely for the first year to accommodate those municipalities, and I'm thinking particularly of the City of Winnipeg who have indicated to us that they want to go ahead and have a vote, and I think the very least we can do is to accommodate those municipalities in this way; it imposes nothing on anyone; any council can continue to demand a petition during the first year if they so desire. So it imposes nothing on them; those councils who wish to initiate the referendum without the necessity of a 20% petition can do so as they did under the Liquor Act. I think it's a good idea; I think it enables the municipality to know where it's going in this field long before the municipal election which happens way on sometimes in October or November, sometimes after different leagues have started. So I would be opposed to the amendment of my colleague the Minister of Education.

MR. PAULLEY: . . . . ., Mr. Chairman, if I may. I don't think that we followed the procedure as suggested by the Honourable the Minister of Education in respect of the Schools Divisions. There was no petition required for the initial vote as I recall it, and I think the same principle should hold true with this.

Mr. Chairman presented the question and following a voice vote declared the motion lost. 11 (a) to Section 4 was read and passed.

MR. DESJARDINS: Mr. Chairman, on five here, I would like to make an amendment that "games or contests will be permitted on Sundays from 5:30 to 10:30 PM when the participants are less than 19 years of age and receive no compensation in any way, directly or indirectly, for participating in such games or contest"--(interjection)--Then they could get old age pensions. That's what I thought. Now, Mr. Chairman, I think that the main thing, this is in answer to this brief that was presented to us. That also was discussed in Committee yesterday and it was defeated by a very close vote; I think that even some of people that are definitely against the whole principle of the Bill do not object to this. I think that if we want to at least accomplish something that will not have to be changed too soon, I think that we should do that. In effect all that we're doing, we're giving a chance to many, many boys to play on Sunday. There are only two covered rinks--I don't even say artificial rinks--but two covered rinks where the boys can play hockey, and during the week, most of the time during the week they have to worry about their studies and many of them on Sunday, would sooner not play in the afternoon because they would sooner go to Sunday school and I certainly don't think that that is asking too much. The game doesn't last too long; it's 30 minutes straight time and then five minutes rest and then another 15 minutes, and I think that that's certainly not against the principle of this Bill. We've allowed certain things--it's just physically impossible for those people to find any other time--and certainly if we want to help this group at all, they said themselves that if this wasn't passed, if the Bill went out in any other way, it would be worse than ever for them, and if we want to help somebody on Sunday, I think we should start with the kids, and I certainly hope that we'll--that the meeting will support me.

MR. SCHREYER: Mr. Chairman, I would ask you or the member to repeat that amendment—would you repeat it please?—(interjection)—Would the member then please repeat the amendment?

MR. DESJARDINS: Games or contests will be permitted on Sundays from 5:30 to 10:30 PM when the participants are less than 19 years of age and receive no compensation in any way, directly or indirectly for participating in such games or contest. In other words it's for bantams, midgets and juvenile hockey.

MR. ROBLIN: Would the honourable member please give a copy in writing to the Chairman? I think that's one of the rules that we have not been paying much attention to. When people make amendments they should give the Chair a copy.

MR. McLEAN: Mr. Chairman, this amendment, in my opinion, emphasizes the problem that this whole idea imposes. As I indicated on an earlier occasion, one of the reasons that people want this type of legislation is because they think they can make money under it; and then of course, the group referred to by the Honourable Member for St. Boniface feel that in order for them to hold their own, they're going to need extra hours on Sunday, and it illustrates the fact that under the type of thing that is proposed, unless it is very carefully guarded and restricted, no one will get any advantage and everyone will be in exactly the same position when the whole thing is over, as they are in now.

MR. DESJARDINS: Mr. Chairman, there is a correction I would like to make. I did not say or mean that the only way to hold their own was to give them extra time. That wasn't the case at all. It's not extra time—(interjection)—and it isn't—when it is restricted to them at all—it isn't that at all. But there are only the Olympic Rink and the Arena, and you can only play one game at a time and that is only a certain number of boys as everyone of us know, and that rink—during the week they have a couple of days, and on Sunday there's nobody else that is even now, although there was nothing—restriction on the hours at that time was kept for those kids—but there are hundreds and hundreds of those kids. And there's only one game that can be played at a time and it has nothing to do with making money at all. It is more chance that they can all play together in the afternoon. Some teams play, but to complete their schedule, to have any kind of a schedule, they go at night and I think that it is a good thing. They can go to Sunday school in the afternoon—there's certainly nothing wrong in that. And they're not making money on that at all. I want to correct that. —(interjection)—They're interested in being able to complete their schedule. (Well, did I have the floor?)

MR. CHAIRMAN: I want to clarify one point and that is this, are you deleting Section 5 and submitting this as a new Section 5? This is being added on?

MR. DESJARDINS: No, I am not. I'm adding this as another section.

No, it is not the wish to change and distort this Bill all over again. It is something, and if the Committee wants to restrict this to hockey, I'll be glad to go along with that because I think that the main thing is because they cannot find the place and the time to play. And that is the only thing! And they're not interested in money. To say that they are interested in money is wrong. They're interested to get enough to finance, to be able to pay for the ice and that's all. My goodness, if any of you here have been mixed up with kids, you'll see that there's no money to be made. Everybody is afraid of somebody making a cent.

MR. EVANS: Mr. Chairman, we have today done amateur sports and amateurism a great disservice in the action that we are about to take and that has passed the Committee. Here is something we can do for clean amateur sport which is doing a very great deal of good, and I strongly endorse the amendment in whatever form it is finally put, proposed by the Honourable Member for St. Boniface. In my opinion, Sir, my honourable colleague, the Minister of Education is wrong in his interpretation of the facts as I know them; that there is no intention, in my opinion, no possibility of anyone promoting this as a business enterprise and making money from it. I do urge that we give some support to something approaching amateur sport where boys can learn to play the game for the game's sake and not have money in view. I do urge support for this motion.

MR. DESJARDINS: Well, Mr. Chairman, could we have this motion that's been suggested changed? Could you read that as suggested by me?

MR. CHAIRMAN: Well, we're having some discussion now as to—

MR. DESJARDINS: Would you read the motion the way it has been suggested by counsel,

(Mr. Desjardins, cont'd.) . . if you don't mind?

MR. CHAIRMAN: Adding at the end of Section 5--or correction, make that subsection 1 --add subsection 2, notwithstanding Section 3, for all the persons who play or engage in a public game or contest to which a by-law enacted under Section 4 applies are under the age of 19 years and receive no compensation directly or indirectly for playing or engaging in the game or contest the by-law may provide that the public game or contest may be played, provided or produced between the hours of half past one o'clock and half past ten o'clock in the afternoon of the Lord's day or during such shorter periods as may be specified in the by-laws.

MR. G. W. JOHNSON (Assiniboia): Mr. Chairman, I want to register a protest against this 10:30 Saturday night for juveniles--Sunday night; excuse me--because of this: We're talking about keeping young people off the streets. Well all right, you'll have them in the rinks and it means midnight Sunday night before many of these kids will be home. Don't forget they're around 12, 13, or 14. I'm 100% behind the original Bill as far as that goes and voted for the amendment from 1:30 to 5:30 with a curfew at 5:30, but definitely I would reserve the right to oppose the whole Bill if this sport is allowed to go 'till 10:30 Sunday night.

.....(continued on next page.)



MR. LYON: Mr. C. chairman, if I could just say a word on this point, and I don't think that what I'm about to say augurs against anything that I have said before. I'm in favour of this Bill and have said so all the way through because it permits some activities between the hours of 1:30 and 5:30 on a Sunday. I'm opposed to any extension no matter how good that extension may be put before us. I'm opposed to any extension at all because I think that any group, whether it be the Greater Winnipeg Minor Hockey League or whatever group they may be, can accommodate themselves within the hours of 1:30 to 5:30 on a paying basis. I'm sure that these people can arrange if they insist on having Sunday night games and, quite frankly, it rankles me on a Sunday night because I know that there are church activities on a Sunday night which juveniles can and in some cases should be going to. And while I may be thought by some to be pretty broad-minded when it comes to this Act, I do draw the line at 5:30, I do draw the line at 5:30 and I say that if these people want to conduct their activities after 5:30 they must do so under the general provisions of the law as they exist at the present time. They've only had this privilege, and it is a privilege, for the past three years — or two years since the amendment to the City by-law of City Charter went through. I don't think that it's become so binding a precedent on them now to charge at night. If they can't accommodate themselves in some other way, I think a silver collection or something like that would work. But I certainly am opposed to this amendment because, not for the same reasons as my colleague the Minister of Education, but because I think it is an unwarranted extension of the time. No useful purpose will be served by it. People can accommodate themselves within the hours of 1:30 to 5:30 and after that they should not charge for any reason at all.

MR. CAMPBELL: Mr. Chairman, I think that so far as this Bill is concerned and so far as today is concerned, no one can accuse me of having taken up much of the time of the Committee, and I don't need to tell the Committee that I was not in favour of the Bill to start with. That is well known. But it is the judgment of this House that we're going to have some extension, to me a considerable extension, in the activities that are allowed on the Lord's Day. I couldn't phrase my support of this motion any better than the Honourable the Minister of Industry and Commerce has already done. I don't know that he will agree with my premise, and my premise is this, that inasmuch as we have decided to make certain extensions to the activities that can be undertaken on the Lord's Day, inasmuch as we've decided to do that, then I wholeheartedly agree that we should do the one thing that's possible for us to help the one sport that we know is amateur. Now I'm not trying to define amateur, but here's the one group of people that are amateurs and I think we should try and help them out. I think we've circumscribed them and their activities in some other ways; I think we have hurt the amateur position by what we've done up to date. For goodness sake, let's help the amateurs, the real amateurs, who happen to be the young people, by passing this amendment. Now I've been against every other extension. I don't apologize for that but when it comes to this one I'm heartily in favour of it.

MR. McLEAN: Mr. Chairman, this would be a terrible thing to do. What in the name of thunder are we thinking about, for because there are two rinks in the City of Winnipeg, if that's all there are, and I don't know that that's the case, are we going to create a situation where obviously, obviously every amateur, whatever you call it, club or group sponsoring these young children playing hockey would schedule their games between 5:30 and 10:30 Sunday night because that would be the time they could charge an admission, and they wouldn't avail themselves anywhere of the facilities that would be available earlier in the day. And here we would be trying to upgrade and provide good educational services for the boys and girls of this province and, at the same time, saying you can play hockey until 10:30 on Sunday night, get home when you may and go to school the next morning. It would be unacceptable, Mr. Chairman.

MR. PAULLEY: Mr. Chairman, I haven't taken much part either in this debate but I do oppose the amendment. And the reason that I oppose the amendment, in addition to the reasons as stated by the Attorney-General, are these, that when the Minor Hockey League was before us, and I'm a great supporter of minor hockey and any minor sport, but when they were before the Committee we had before us then a bill which would have, if passed, in my opinion, allowed wide open commercialized and professionalized sport in the Province of Manitoba. Now then, in my opinion, there has been restrictive measures placed insofar as that is concerned. The Honourable the Minister of Industry and Commerce may not agree that that is so. We will

(Mr. Pauley, cont'd.)...have our answer after the Bill has been in vogue for some particular time. So I say I agree with the contention that that being done, it meets with one of the main reasons for the extension of the hours, the fear of the encroachment of purely professionalism on the Sunday afternoon. Now I want to say, too, that in addition to the Winnipeg Arena and the Olympic that we in Transcona have a closed-in hockey rink that is used, and I feel sure that the destiny of minor hockey insofar as Transcona will be met between the hours permissive under the Act. So I merely rise to say, Mr. Chairman, that I figure that they are going to be taken care of, they can be taken care of in the afternoon to meet what they were only able to do in the evenings, and I'm going to oppose the amendment.

MR. PREFONTAINE: Mr. Chairman, we seem to forget that this is permissive legislation. The Town of Transcona can very well pass a by-law allowing this only in the afternoon, but why should we impose this on Winnipeg where it's not possible, where there is no space in an enclosed rink to practise this activity by the young folks? Why we seem to forget the fundamental principles, that if in Dauphin they don't want to have it at 10:30, well they pass a by-law and have it only till 5. The same thing applies all over. Let's not forget that this is permissive legislation. Let's think of the situation in Winnipeg. These kids have no place to play hockey on Sunday. There's no time between 12 o'clock and 5 to have their games. Let's give a chance to the people of Winnipeg to pass a by-law that will fit the situation.

MR. SCHREYER: Mr. Chairman, members know that I voted against this Bill in second reading. I did so, not so much because of the moral question as because of the fact that I felt that this Bill as it first came in would be harmful to amateur sport. Now I am willing to go along with any provision here that will help amateur sport. That is my main concern, and I feel that the amendment will be helpful to amateur sport so I'm going to support it. Now that is my main concern. At the same time I'm quite aware of the objections raised by the Minister of Education and I think that they are valid in that young people in their early teens shouldn't be playing at 10:30. I think that the choice of hours there is perhaps unfortunate. An hour means quite a bit, especially on a Sunday evening before the school week begins, and I'm not going to suggest it because it might seem as too wishy-washy a compromise, but I think that if the honourable member had moved an amendment which would read "9:30" instead of "10:30" that it would be acceptable to several more members of this Assembly. I'm going to vote for the amendment because I think it will help amateur sport, and that's my main concern.

MR. DESJARDINS: Mr. Chairman, I think that some of these things aren't understood here. First of all, right now we have hockey because of a technicality, and if you remember right in committee I was the first one to try to have that rectified, but we had hockey and they were playing to complete their schedule. Now let's -- especially to the Honourable the Minister of Education, we've just finished passing and even going up to 21 to provide junior hockey in the afternoon -- (Interjection) -- Maybe you didn't but the rest of them -- the majority did and that's what I'm trying to say, but I'm directing this directly to you, Sir, you will remember that -- or I should address the Chairman, I'm sorry -- you will remember that they cannot play. It's not a question they'd sooner play at night and they figured we have no competition at night, it isn't that at all. It's not going to be always the same teams; there's hundreds of teams. You were told that there's hundreds of teams. They can't play in the afternoon because the juniors are playing most of the time. Whenever any ice they can get, they take it. They're glad to get it. Now a big thing is being made about going at 12 o'clock. I don't know why you stopped there, you could say at 1 o'clock. Two of the games are completed long before that. Now the member representing that association told us that most of the time they were finished around 10 o'clock. There might be the odd time they might have a playoff game, and instead of mixing all the schedule up they might have to go a little further, but if that is the only thing I'd sooner let it go at 10:30. I think that those people are certainly, certainly as much interested in the youth as we are. It's easy to talk from far but those people are with them all the time. They know what's going on and they're certainly well supervised. But if it helps, if it's going to help I'd hate to see this through without helping these kids. If it's going to help I would suggest 10 o'clock, 9:30 is not enough. They won't have time to finish that third game. And if it's the will I'd sooner leave it at 10:30 and give those people a little -- a little confidence in those people but if it must be 10 o'clock, I'll be glad to go 10 o'clock.

MR. CHAIRMAN: The question is that present Section 5 (b) subsection (1) and subsection (2) be added.

Mr. Chairman put the question and after a voice vote declared the amendment lost. A standing vote was taken, the result being: YEAS, 21; NAYS, 28.

MR. DESJARDINS: Mr. Chairman, I would like to move another amendment, the same amendment except 10:00 instead of 10:30.

Mr. Chairman put the question and after a voice vote declared the amendment lost. A standing vote was taken, the result being: YEAS, 22; NAYS, 27.

MR. LYON: On a point of order, Mr. Chairman, now I think the committee has been dealing with a principle here, and there may be a ruling from the Chair that this is not the case, but I think that the opposition to it is against the principle of extending it beyond 5:30 and I don't care if you reduce it down to 7:30, I think...

MR. CHAIRMAN: Order. Order please. I think this is beginning to be like a dutch auction, but to settle the matter we can take one vote at 9:00 and the Chair would accept that as a final decision on principle.

MR. SCHREYER: Mr. Chairman, I would like to speak to that amendment. Is it 9:30?

MR. CHAIRMAN: 9:00.

MR. SCHREYER: 9:00. Now, Mr. Chairman, I merely wish to say this, that I can well see the objection of those who agree with the Honourable the Minister of Education, and I can agree with him up to a point. But what these men fail to see -- I believe they are worried about the participants not getting home until late hours Sunday night. If the participants are children of parents who exercise considerable authority and control over them, they'll be home at a reasonable hour, and if the children happen to be children of parents who are a little more lenient or lax, there needn't even be any sport and they won't be home until 11:00. If there's no Sunday sport allowed, that is to say no sport allowed in the evening, then these same children, if they're not at the rink they'll be at the corner chip stand or somewhere else, and so I think that up to a considerable degree the objection raised by the Minister of Education is not too valid. If he's that concerned about them getting in at a late hour, and the Honourable the Member for Assiniboia seems to think that way too, they'll still be out late at night; and I think that if they are allowed to participate in sport till 9:30 the chances are that they'll get home -- or 9:00 -- they'll get home sooner. That's all I wish to say, Mr. Chairman.

MR. MARTIN: I don't know why or what has prompted this. I think that there's ample time for the Bill as it stands at 5:30, and I'm quite sure if we approach the executive of the minor hockey association and said that there were the six days of the week and up to 5:30 on Sunday afternoon, can you work your schedule in at that time, and I'm quite sure the answer would be "yes". I'm satisfied that there's another motive back of the evening and that is where they can pay to go in, and in reply to the Honourable Member for Brokenhead, I would like to say it's not an alternative of Sunday night hockey or the drug store corner or the chip stand. These youngsters have a home and sometime in the week and on that particular day there is something very worthwhile to be said in favour of the fact that Sunday evening for these youngsters of tender years should be within the confines of their home.

MR. BAIZLEY: Mr. Chairman, I believe that I'm going to have to take part in this particular debate on a very personal ground. I would suggest to you that this submission has been a very fair and realistic submission by the Greater Winnipeg Minor Hockey Association. I am one of the parents who attended Sunday night hockey for juveniles, that is youngsters up to 19 years of age, at the Olympic rink on Sunday evening. I would also suggest to you that there isn't an athletic event in this city where there are as many parents and families attend these games to see these boys, who are of men's size, play hockey. I can tell you this, that every Sunday father is asked for another 50¢ to the allowance so that the participants can pay their way in. The remarks that have been made on behalf of this submission are very accurate and true, and I think that we would be doing an injustice to minor hockey if we defeated this.

Mr. Chairman put the question and after a voice vote declared the amendment lost.

A standing vote was taken, the result being: YEAS, 24; NAYS, 27.

MR. CHAIRMAN: Section 5 passed. Section 6....

MR. GUTTORMSON: Mr. Chairman, before we deal with this section, I'd like to direct a question to the Attorney-General for purposes of clarification. If in a municipality

(Mr. Guttormson, cont'd.)...they vote in favour of the Bill as it will be passed, will they be permitted under the law to hold a sports day, their annual sports day on a Sunday, legally? That is to hold a ball tournament -- there's no professional athletes or anything. They have their ball tournament, they have their races and track and field events, and they put up a prize for the winning ball team. Would they be able to hold this on a Sunday -- for the full day that is. One day during the year. Could he tell me that please?

MR. LYON: I think it's all governed by section 3, Mr. Chairman. If they charge admission to it, the hours would be between 1:30 and 5:30. If they charged no admission, pay no attendants, pay no participants and so on after the hour of 5:30, they can do what they want so long as there's no commercial aspect to it -- but I think they would have to gauge all of their activities between 1:30 and 5:30.

MR. GUTTORMSON: Mr. Chairman, all throughout the province, each community holds what is known as an Annual Sports Day. There is one day in the year they hold a day where the family get together; they have a ball tournament; they have races for the children; they have high jumps; different sorts of track and field. I know that in my area the people-- there was one sports day held on a Sunday and it was greeted with enthusiasm everywhere, and I think in the strict sense of the word they were breaking the law, but everybody approved of it. It's only one day during the year and I would suggest that we should give those communities that opportunity on one day during the year to hold their annual sports day if they so choose. Therefore -- (Interjection) -- they only hold one during the year, therefore, Mr. Chairman, I would like to move a new clause; subject as herein produced, the council of any municipality may enact a bylaw declaring that on one annual community sports day, which shall be fixed in the bylaw and may be on the Lord's Day, any non-profit organization may provide or produce public games or contests of the same kind that may be authorized in a bylaw enacted under Section 4.

MR. LYON: Mr. Chairman, I haven't had a chance to digest the proposed amendment, but basically I would make this plea to the committee. I think we should try the Act as it is. Try the Act as it is for the present time and let's just see how it's going to work. Now I don't like making too many last-minute tinkerings with legislation of this sort because you can get yourself sometimes into much more trouble than you ever contemplated. I think that the basic premises of this Act have been pretty well thought out and pretty well discussed, and I don't like to see appendages and so on added on to it, the full import and effect of which we can't really judge without looking at them and considering them for some time. I can't see this Act working too great a hardship on anybody. Certainly the law enforcement personnel of the Province of Manitoba are going to use their discretion in the enforcement of this Act. Certainly they're not going to be filling up the gaols of the province with people who have committed perhaps even technical breaches. But I think we have to try this on for size, because let's fact it, the next year if this Act passes committee and if this Act passes the House and gets third reading today, the next year is going to be a trial period for all provisions of this Act. A trial period, and we're going to find that there are some loopholes in it and we're going to find that perhaps we haven't gone far enough in some cases or we've gone too far in other cases. So I would merely make the plea to the Honourable Member from St. George that he withhold his amendment for a year. Let's try the Act out as it is. It may be that he can put much more force behind his argument next year for the necessity of this type of amendment. At the present time, I really can't see too much need for it and I would suggest that we just leave the Act as it is. Try to work it out for a year and see how we get along with it.

MR. GUTTORMSON: In view of the remarks made by the Attorney-General with the permission of the committee I'll withdraw my motion.

MR. CHAIRMAN: Section 6

MR. COWAN: In connection with Section 6, Mr. Chairman, I move that Section 6 be amended by inserting the following words after the word "meetings" in the third line: "automobile races or motorcycle races".

Mr. Chairman put the question and after a voice vote declared the amendment carried.

Sections 6 to 11 were read and passed.

MR. CHAIRMAN: Section 12 -- (Interjection) -- Section 11 was the daylight saving time provision and old Section 11 become now Section 12.

MR. GROVES: Would you just read the daylight saving one, Mr. Chairman?

MR. CHAIRMAN: Section 11 -- where daylight saving time is commonly observed during any part of the year in a municipality in which a bylaw enacted under Section 4 is in force, the time mentioned in section 3 and in any such bylaw shall, during that time of the year, be reckoned in accordance with daylight saving time and not central standard time.

Shall the Bill be reported? Committee rise...

MR. MARTIN: Before we pass that motion, I for one and others as well, I believe, are opposed to the reporting of this Bill. Something has been said here today; and during the debate, two things. One, something along the line of wide open commercialized sport in Manitoba on Sunday; and another remark has been that we must do everything to help amateur sport. With the first I'm in thorough agreement. Nobody can say that I don't believe in amateur sport and have made it my business through the years to give every encouragement to it because I believe it's of great importance. But the thing that we are unalterably opposed to is commercialized sport in Manitoba. There are several reasons why I am opposed to the reporting of the Bill. The first, I would suggest, is because there has been no widespread demand for it throughout the province. After all, it's not just Winnipeg that's concerned, it's the whole Province of Manitoba. There've been other pieces of legislation that have come before this House and we have been swamped with letters and overtures that we should give support to these things -- very controversial things -- contentious pieces of legislation, and so contentious that in the case of two of these Bills yesterday, it was decided that the Bill should not be proceeded with at the present time; the thought being that throughout the year there could be some better understanding and things could be worked out.

I am also convinced of the fact, Mr. Speaker, that those who are anxious for the Sunday sports are, in the main, inspired by the dollar motive. That was, I'm quite confident, one reason back of having the sports for the juveniles in the evening, to charge admission. I'm not going to be long, Mr. Speaker, but just mention two or three things. Another reason why I don't think the Bill should be reported is because I consider that 50% is not a sufficient majority. One percent could change the whole thing. Forty-nine percent of the people could vote against it, 51% could vote for it; and as we said a little while ago, on a matter of this importance concerning the life of the people, and which is a rather dramatic and radical change of a way of life, that just a straight majority is not sufficient.

Then in the third place, Mr. Chairman, I don't think that this House is ready to pass this legislation at the present time. The issue before us is the commercialization of Sunday sports and that is why amateurism has taken such a large place in our debate and in our discussion. I don't know whether in the years, Sir, there has been any word that has been, in our language, so much discussed and so much bandied about as the word "amateurism", as it has echoed around the room of the Law Amendments Committee and this Chamber in the last two days. Even the press referred last night to a sort of a stalemate that there was in the Committee on the question of the definition of amateurism, and then we spent weary hours last night mostly on that one question, what do we mean by amateurism? A committee was set up and a committee has brought in its report, which has been adopted here this morning, defining what they consider to be amateurism within the confines of this Bill. We don't agree with that because -- that's one reason why I would oppose the passing of this Bill. To say that less than half of the total income -- you know I can see, Mr. Chairman, that if this Bill becomes law there's going to be a great headache for those who are going to interpret the legislation, and what will happen in and out of the courts and so forth isn't just going to be funny. Less than half -- a man plays for the Goldeyes or a hockey team and he gets \$4,000 for doing that; he gets \$4,100 for his income from other sources during the year so the \$4,000 he gets from this professional team for whom he plays is less than half of his income and, therefore, he is not classed as an amateur.

Well that, Mr. Chairman, is not at all according to what is reality. We've got to be realistic, we've been told again and again, and I think, Mr. Chairman, we've got to be realistic. What is amateurism? Well my Honourable Member the Member for St. George says, in effect, there's no amateurism, they're all professionals. The Brandon Wheat Kings and the

(Mr. Martin, cont'd.)...others that are in the Manitoba Junior Hockey League are, in effect, the farm teams of the National Hockey League and they are not amateurs according to his presentation of it, and I thoroughly agree that they aren't. They're all paid for the work they do and therefore they belong in the professional ranks. So who are the amateurs and so forth? The juvenile teams, of course, they are, as was pointed out by the Minor Hockey Association, they are unsponsored. To my mind it was rather an important thing that knowing when amateurism comes into this picture, that they were trying to impress upon us so thoroughly that these were not sponsored teams; and what they were in reality saying, these are pure-bred amateur teams; and I have no quarrel about that aspect of that. But there is altogether a grim uncertainty as to what amateurism really means. When it comes to the boys playing on Sundays, I am very glad that the proposed amendment was voted down; but I think that this Act here, the Bill here provides up to 5:30. I think we're not giving enough emphasis and attention to the moral training and character development of our boys. They'll be spending a lot of Sunday at the rink. Had my friend's amendment gone through, they'd have been spending all day at the rink. Now we've got to see to it that the home has its proper place and there is ample opportunity for these games to be played on the six days of the week without having to carry over into the Sunday.

Now, Mr. Chairman, it just amounts to this, that there are so many complications and there are so many uncertainties--the Attorney-General recognized it -- he says, "there may be loopholes". I've never heard any legislation presented to this Assembly where the mark of caution has been presented by those who are sponsoring the legislation, and particularly the Attorney-General. He's warning us, "well see what happens within a year". I'm afraid, Mr. Chairman; that what happens in the year may be that the door that is opened by putting in the foot represented by this Bill will be such that we shall realize within a year that we have wide-open commercialized sports on Sunday. My point, Mr. Chairman, is this, that we need more time to carefully study what is contained in this legislation; more time than we have when presenting it in the dying moments of this session. I think that nothing would be lost at all by letting it stand for the time being so that perhaps we might be able to give a very thorough consideration to it all.

Then one other thing, Mr. Chairman, and I mustn't miss that because some of us have almost had the charge of hypocrisy. Some newspaper said the other day something about the clergyman MLA. Now I'm not standing here in the role of a clergyman. I'm here as a member of the Legislature; I'm here as a citizen of Winnipeg and of Manitoba; and I think perhaps I have as keen an interest in what concerns the social and economic and general welfare of the people as any man in this Chamber; and I don't want and I resent the thought that we are the "do-gooders" and perhaps the suggestion that we are somewhat hypocritical and so forth. But I want to say that I have no apology for making this stand. The one reason why I am opposed to the passing of this Bill is that I think nothing should be done that would in any way tend to lead to the encroachment upon the Sabbath Day and all that it stands for in our Canadian way of life, and so, Mr. Chairman, I move that the Bill be not reported.

MR. HUTTON: I would just like to support certainly some of the remarks that the honourable member has just voiced, some of the thoughts he has just voiced. I want to deal with this question of the 50% and my reason for being so opposed to the principle of allowing a simple majority to decide what is good for a community. Man is a creature of circumstances and environment to a large extent, and what we have done here today by carrying the 50% clause, the mere majority, is--and if this Bill is passed we have allowed a set of circumstances where a minority is going to create the environment for the rest of the community. It is not true to say that in the case of ourselves, as the elected representatives of the people, that we adhere to this principle and that for this reason it applies to something like Sunday sports. If the people don't like me, at the end of four years they can get rid of me and the machinery is there and it's automatic. In this case there would have to be some move on the part of the citizens of a community to set up the machinery to get rid of Sunday sports. The fact is that man learns to live in his environment and he learns to live under certain circumstances. I'm sorry to say none of us are so strong of principle and so stiff of spine that we don't bend to the environment that we find ourselves in. I think that we are playing with fire when we permit circumstances whereon say a 50% vote of the eligible voters, 26% of the

(Mr. Hutton, cont'd.)...eligible voters determine what is good and proper for the whole community. I think it's dangerous. We have instances and examples of where we call for more than a simple majority on a question of principle. One of them is the marketing board. In order to establish a marketing board in this province in respect of any product, there has to be not only 60% but 51% of the eligible voters. And why? Because a principle is involved.

MR. SCHREYER: Would the Minister permit a question? Does the Minister think that the present legislation with respect to marketing boards and votes thereon is the right kind of legislation?

MR. HUTTON: Yes, I do, because a principle is involved and people can discover, to their sorrow, that they have on a simple majority permitted a minority of the citizens to determine what is good and right for all of us. It's not the same thing as in electing a representative to this Assembly because, as I say, four years goes by and the people have an opportunity, without putting themselves out very much, to get rid of us. But in the case of Sunday sports or marketing boards, or anything else that affect the principles that we have lived by, and the rules that we have lived by for generations, we want to be careful how easily we allow these principles to be changed. It shouldn't be done lightly. As I have said before, if a true majority of the people want to endorse commercial Sunday sport in their community, then I believe that in a democratic country they should be allowed to do so. On the other hand, I say, as a representative of the people in my community, we should not put them in the position where they can have the will of the minority forced upon them.

MR. SHEWMAN: Mr. Chairman, I don't want to be accused of taking up the time of the committee, but up to now I haven't had anything to say at all, but I do want to endorse what the Honourable Member from St. Matthews has stated here this afternoon. I think that we are opening up a door here that we don't know just how wide it's going to be opened. We had in 1956 a revision of the liquor laws for Manitoba here and we, at that time, studied and studied hard and brought out the recommendations of the Bracken report we thought were necessary for the people of the Province of Manitoba, and every Session since then there has been a delegation appear before the Law Amendments Committee asking for amendments. Now I believe this would happen if we pass this Act here today. I believe that would be one of the things that would happen. I believe in amateur sports I have taken part in them and have done all I could possibly to help organize amateur sports in the district of Morris. I know that this is permissive legislation--I know that. Then we must stop and think of what is going to happen with one municipality passing this legislation condoning Sunday sports when the majority of the people in the municipality next say "no". It means that our people are going to be spending a good bit of time on the road and I don't think that is the right legislation we should be passing today. I think that we should give this Bill a year to hoist; that we should go into this Bill further and study what should be done and what is right for the people of Manitoba in taking the long range view of the situation. One year in our life sometimes seems like a long time but when you stop and consider 25 years, 15 years or so in the life of the Province of Manitoba, it is a very short time. I think by passing this Bill today that we would be making a big mistake. I'm going to support the amendment.

MR. PAULLEY: Mr. Chairman, if you don't mind, I would like to raise a point of order. We passed a resolution giving leave for the House to sit mornings from 9:30 until 12:30. It's a definite time limit within that. Now then, I'm not going to suggest - I'm not going to suggest, or at least may I make this proposal, that I've no objections if we can resolve this question in a relatively short period of time, but I do suggest, Mr. Chairman, that if it's going to become an involved debate on the question before the House it's going to take time, and I would suggest that the committee rise and report to Mr. Speaker and sit this afternoon. Again I want to say, Mr. Chairman, that if it seems as though we can finish it within a relatively short period of time, I personally have no objections, but I do suggest that we have passed the motion for the 12:30 closing.

MR. ROBLIN: Mr. Speaker, there appears to be three or four who want to speak. I think we cannot settle this matter within 5 minutes and I would suggest that we simply ask the Chairman to call it 12:30, he leave the Chair, and we come back at 2:30 and resume where we left off.