

## THE LEGISLATIVE ASSEMBLY OF MANITOBA

2:30 o'clock, Wednesday, April 7th, 1965.

Opening Prayer by Madam Speaker.

MADAM SPEAKER: Presenting Petitions

Reading and Receiving Petitions

The Honourable Member for St. James.

MR. CLERK: The Petition of Frank Wiens and Others, Praying for the passing of an Act to Incorporate the Company of the Cross. The Petition of the Synod of the Diocese of Rupert's Land, Praying for the passing of an Act respecting the Temporality of The Anglican Church of Canada. The Petition of Carl Alvie Nesbitt and Others, Praying for the passing of an Act to incorporate Thompson General Hospital. The Petition of Trafalgar Savings Corporation, Praying for the passing of an Act to amend an Act to incorporate Trafalgar Savings Corporation.

MADAM SPEAKER: Presenting Reports by Standing and Special Committees.

Notices of Motion

Introduction of Bills.

HON. MAITLAND B. STEINKOPF, Q.C. (Provincial Secretary) (River Heights): Madam Speaker, I beg to move, seconded by the Honourable Minister of Municipal Affairs that Madam Speaker do now leave the Chair and the House resolve itself into a Committee of the Whole to consider the following proposed resolution standing in my name: Resolved that it is expedient to bring in a measure to amend The Highway Traffic Act by providing, among other matters, for the refund of a portion of the fees paid in respect of certain licenses and registrations where the license or registration is surrendered before the expiry of the period for which it was issued or made.

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

COMMITTEE OF THE WHOLE HOUSE

MR. STEINKOPF: Mr. Chairman, His Honour the Lieutenant-Governor having been informed of the subject matter, recommends it to this House.

MR. CHAIRMAN: The resolution before the committee is: Resolved that it is expedient to bring in a measure to amend The Highway Traffic Act by providing, among other matters, for the refund of a portion of the fees paid in respect of certain licenses and registrations where the license or registration is surrendered before the expiry of the period for which it was issued or made.

MR. STEINKOPF: Mr. Chairman, there will be amendments to The Highway Traffic Act brought forward later today, in Bill 108, and in that bill there are provisions for a refund on fees for part of the year on passenger cars, farm trucks, T trucks, drivers' licenses, chauffeurs' licenses, and any other PSV service vehicle that there may be.

MR. CHAIRMAN: Resolution be adopted? Committee rise . . .

MR. SAUL CHERNIACK, Q.C. (St. John's): I listened carefully to what the Honourable Minister said and until the very last type of license was described, I was apprehensive about the problem raised with PSV trucks. PSV trucks, of course, pay very large, I mean the large trucks pay very large fees and I understand that the present situation is that the full fee is charged until May 15th and then there's a very slight drop of something less than five percent drop until the half year is over and then the fee drops to one-half. There seems to be a tremendous discrepancy between the reduction and the impact it makes on the owner of the PSV truck license and I am hoping that what this measure has in mind is to regularize a reduction in truck licenses with more gradual reductions spaced over the entire year. The Honourable Minister didn't describe in any way what is involved, but I hope very much that this will make it possible for a man who has a truck for a portion of the year, either when he buys it or when he applies to have it returned and rebated that he will be able to get something like a pro rated return or pro rated cost, bearing in mind always of course that there ought to be probably some small fee for an administration charge. But the wording of this apparently refers to refunds and I'm wondering whether it will also involve a lesser charge for purchase of a portion of the year, not just a refund but actually the charge itself and I'm looking forward to seeing the bill and hope that this problem is taken care of in the bill.

MR. J. M. FROESE (Rhineland): Mr. Chairman, just one further remark then. Is it also

(MR. FROESE cont'd) . . . . . essential that the owner must surrender the registration or license because in many cases we have accidents happen where the owner would not be there. I take it it will be possible for any other people to bring in the license and get their payment.

MR. STEINKOPF: The schedules will be pretty well detailed in the bill itself. The idea is to make the refunds more fair, more realistic. In answer to the Honourable Member from Rhineland, the owner or in case of his death, his legal representative will be able to claim any refund that is coming to him.

MR. NELSON SHOEMAKER (Gladstone): Mr. Chairman, I wonder if we can look forward to a certain provision in the bill that would take care of a situation within a family where the owner of a vehicle dies in the year, and presently in order to be within the law, you have to return the plates and the widow or the son or daughter make application for new license plates and the insurance has to be all changed accordingly. Now in our office this comes up quite frequently and it seems to me that certainly that a provision should be made whereby it would be permissible to transfer license plates from a widow to the husband or vice versa within the immediate family -- a transfer rather than a return of the plates and application for a new license and I wonder if this is not the proper time to take care of a situation of this kind.

MR. CHAIRMAN: Resolution be adopted? Committee rise. Call in the Speaker. Madam Speaker, the committee has adopted a certain resolution and ask me to report the same.

MR. JAMES COWAN, Q. C. (Winnipeg Centre): Madam Speaker, I move, seconded by the Honourable Member from St. Vital that the report of the committee be received.

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

#### IN SESSION

MADAM SPEAKER: Order please. The Honourable the Provincial Secretary.

MR. STEINKOPF introduced Bill No. 108, an Act to amend The Highway Traffic Act.

MADAM SPEAKER: Before the Orders of the Day I would like to attract your attention to the gallery where there are some 55 Grade 5 to 8 students from Alexander School under the direction of their teachers, Mr. Madill and Mrs. Rabe. This school is situated in the constituency of the Honourable the Member for Souris-Lansdowne. There are also some Grade 11 and 12 students from Glenlawn Collegiate under the direction of their teachers, Mr. Ruff, Mr. Wilson and Mr. Checkewitch. This school is situated in the constituency of the Honourable the Member for St. Vital. There are some 35 Grade 5 to 8 students from Landmark School under the direction of their teacher, Mr. Graening. This school is situated in the constituency of the Honourable the Member for La Verendrye. On behalf of all members of this Legislative Assembly, I welcome you.

In regard to a matter of privilege that was raised in the House yesterday, I was requested to rule with respect as to whether we should follow the rule of privilege correctly by submitting a motion. It has been the practice in this House that an honourable member may rise in his place on a point of privilege and proceed to state his point of privilege for which we have not been accustomed to asking the honourable member to submit a motion. He states his point of privilege, sits down, and this has been the end of it. But when a member seeks a remedy we have had motions presented and when the Speaker decides that the point of privilege is first, urgent, and second, that there is a prima facie case that a breach has been committed, and the honourable member is allowed to speak, then the matter of privilege based on the motion is decided by the House. Therefore I must rule that in the future when an honourable member rises on a point of privilege, he must submit a motion.

MR. GILDAS MOLGAT (Leader of the Opposition) (Ste. Rose): Madam Speaker, did I understand you correctly, that in all cases, henceforth, a motion must be submitted?

MADAM SPEAKER: In my opinion from this if the honourable member is merely correcting, maybe misquoted in Hansard, and he does not seek a remedy, then he does not necessarily have to submit a motion. But if he is seeking a remedy and wishes to speak in order to give the House an opportunity to debate the matter, he must submit a motion.

Orders of the . . . . .

MR. MOLGAT: Madam Speaker, then before the Orders of the Day, I rise on a matter of privilege; and I beg to move, seconded by the Member for Lakeside, that whereas Votes and Proceedings No. 30 of Monday, 5 April 1965, gave notice of a meeting of the Special Committee of the House investigating the role of dental technicians and denturists, for 9:00 a. m. Wednesday, 7 April 1965; and whereas no notice was given that this was to be a meeting in camera; and

(MR. MOLGAT cont'd) . . . whereas attempts were made to prevent other members of the Legislative Assembly from attending this meeting; and whereas this constitutes an abuse of the privileges of this House; therefore be it resolved that all chairmen of committees be instructed to follow the rules of this House.

MADAM SPEAKER presented the motion.

MADAM SPEAKER: In my opinion, there is enough evidence that the matter of privilege may be raised. The Honourable the Leader of the Opposition.

MR. MOLGAT: My thanks Madam Speaker. I want to make it very clear that I'm not here making a complaint on my personal behalf, although I was one of the members involved in this matter. But my complaint is not that, for myself, it is a complaint for the privileges of the House, as such, Madam Speaker. The committee that was meeting this morning gave no indication whatever beforehand that this was to be a meeting in camera. I would in any case, have grave doubts as to whether or not meetings should be held in camera. But in this particular case no indication was given. When I arrived to enter the committee I was instructed at the door that I could not enter the committee. I came back some little time later and was again told by the individual at the door that he had been instructed that no one was to enter. I want to make it very clear that this isn't a complaint against the gentleman who is employed by this House for that purpose. He had his instructions and he followed them. I thereupon insisted upon my rights as a member of this House that I be allowed to enter the committee, because on my reading of the rules, any member of this House can go to any committee meeting of this House. He is not allowed to vote, but he is certainly allowed to be there and to participate in the activities of the committee; to speak if he so wishes, and to ask questions if he so wishes. This was not the instructions that had been given at the door. Upon my insistence, I was allowed to enter the Committee — this I will agree. But this was only because I persisted, and on my third attempt was allowed inside. Madam Speaker, I believe that this is not the proper practice, not the way in which we should conduct our committees. I believe further that we should not be having meetings in camera. Surely the matters that we are here to discuss can be discussed openly. I think it is public business and that the press should be invited to those meetings. I think it is vital to our whole system of government, to our whole system of democracy, that we operate openly. This is the beginning of the end of a system once you start having secret meetings to which you prevent people from attending. I object to this decision. I think it is not the right way to proceed. And I believe that everyone of the committees of this House should be open committees. Madam Speaker, I have grave doubts as to where we are heading in this province when we hear an honourable member, yesterday, get up in this House and virtually threaten members of the press; when we have a Minister last night advise us that he has advised his members not to talk on certain subjects; and when we have meetings of committees of this House, on public business, holding their affairs in private.

MADAM SPEAKER: The Honourable Minister of Mines and Natural Resources.

HON. STERLING R. LYON, Q. C. (Minister of Mines and Natural Resources) (Fort Garry): Madam Speaker, I am a member of the committee to which the Leader of the Opposition has made reference and I rise to speak at this time only because the Chairman of the Committee was absent, I believe this morning when the Leader of the Opposition apparently had what he considered to be trouble getting into the committee. I should say, first of all, that the members of this committee were reappointed by the House just the other day. They are the Minister of Health, who is the Chairman of the committee, myself, the Honourable Member from St. James, the Honourable Member from St. Vital, the Honourable Member from Springfield, the Honourable Member from Lac du Bonnet, the Honourable Member from St. John's, the Honourable Member from Gladstone, the Honourable Member from Portage. Have I missed anybody? I think that's it. In other words, it's an all party committee of the House. It has been carrying on its deliberations now for some several months.

MR. FROESE: Madam Speaker, I think I should correct the honourable member. It is not an all party committee.

MR. LYON: Well, it's, shall I say, Madam Speaker, that it has representatives from all of the legal parties in the House, that is the recognized parties in the House. Some few weeks ago the committee completed its public hearings and it was determined then, after the public hearings were complete, it was determined by motion, as I recall of the committee -- and here I have to be careful because one cannot speak, one should be careful about what one says about what transpires in committee meetings before the committee has reported to the House. So all I can say, Madam Speaker, is that by motion of the committee, which I believe was unanimous,

(MR. LYON cont'd) . . . . the committee decided that in the preparation of its report it would hold in camera meetings. My honourable friend, first of all, takes some objection to this procedure. He says that this endangers the whole system of government and he uses some other rather wild adjectives to describe what is -- as I'm sure he must know -- a relatively common practice with legislative committees, not only in this province, in all other provinces in Canada, and indeed with the Federal House. And if he needs any precedent in that regard, I need only remind him of a very important committee that sat during the late lamented session of the Federal Parliament, the flag committee. That committee had several public hearings. And when it had completed its public hearings it decided by its own motion, that the balance of its discussions would be in camera while the report was prepared. I get this only from news reports and from what I heard in Ottawa when I dropped into one of the committee meetings one day, or dropped into the Committee Room one day, and was advised by someone in the room that of course we couldn't stay after we had looked at all of the flags because the meeting of the committee that was going to take place in a few minutes was going to be in camera, because they were writing the report. I thought nothing unusual of this at all and as a matter of fact cleared out of the room. The committee members came in, carried on with their business I presume, and ended up writing their report.

We all remember the headline that occurred in the national newspapers when one of the members of the committee wrote a story for one of the Vancouver papers about what had actually transpired in the different votes that took place in the committee. And this was not common knowledge; it was not public knowledge, of course, because the meetings had been held in camera in the flag committee. And the report when it was finally received by the House last fall, there was some discussion by this particular member as to what had taken place during the in camera meetings. I merely use this example to point out to my honourable friend -- if in fact it needs to be pointed out, and I doubt very much if it does -- that in camera meetings are quite common with legislative committees, particularly when they have finished their public hearings and are trying working on behalf of the public interest, trying to arrive at some consensus which will express the results of their studies in a sensible form so that the House, which this committee represents, may have a better grasp of the particular problem with which the committee is faced.

I may say while I'm on this subject that there has been -- in my estimation from the number of committees that I have worked on in this House, there has been a tremendously good non-partisan attitude by all members of the committee trying to work in the public interest to achieve some solution to this problem which has been placed on the lap of the committee. I wasn't present at the early part of the meeting this morning, the first three minutes or so. I'm not aware of the motions that took place, and as I say, I doubt if I should speak about them at that time, in any case. I do know this, that in the absence of the chairman, one of the honourable members on the committee was asked to sit as acting chairman, while the chairman went to attend to some pressing business in his office. While he was out, the guard who was at the door, came into the committee and said that the Leader of the Opposition wished to come into the committee. And he was told -- I know certainly by me, and I don't know if by the chairman. I think the chairman confirmed it -- of course, let him in because he is a member of the House, he is entitled to come in. And the Leader of the Opposition then walked into the Committee. The committee at that time was having coffee served to it. The Leader of the Opposition sat beside me, had a cup of coffee, took some notes for approximately three-quarters of an hour, and got up and walked out. That's all there was to it. But of course the Leader of the Opposition, as any other member of this House, was entitled to come into that committee whether it was an in camera meeting or not. And there was no breach of the rule. And I suggest therefore, Madam Speaker, there was, and is, no breach of privilege involved in this motion whatsoever. My honourable friend, I think, is attempting to make something out of nothing. We have seen examples of this type of attempt before and we can just chalk it up as another attempt to do the same thing.

MR. M. N. HRYHORCZUK, Q. C. (Ethelbert Plains): Madam Speaker, we've had a display of this type of evasion so often in the House that I'm sure that the honourable members are not a bit surprised to see it happen again. I don't think there is anyone in the front benches there that is as proficient at making smoke screens and drawing red herrings across his trail than the Honourable Minister of Mines and Natural Resources. He has double talked himself into something here though. In the first place, he tried to justify the fact that the meeting was held in camera and then he ends up by saying it wasn't. Now which is correct?

(MR. HRYHORCZUK cont'd) . . . . .

Was it or was it not? The guard refused entry to the Honourable the Leader of the Opposition. The guard would not do that on his own, he must have been told, and since the Honourable Minister admits that he had something to do with it, or a member of the government did, as the temporary chairman, it's no doubt that that order came from the Government side, so the meeting was held in camera.

The objection here Madam Chairman is to the fact that notice of this meeting had been given in the Votes and Proceedings. If the committee intended to hold a meeting in camera there was no necessity of giving a notice in the Votes and Proceedings. The notice in the Votes and Proceedings is there for the purpose of advising the members that this meeting is held and that they are welcome to attend. That's the purpose of the meeting. And whether it is the Honourable the Leader of the Opposition or any member of this House, or for that matter Madam Speaker, any member of the public would have received notice of this meeting, could have attended and was right in coming down to attend the meeting. And immaterial of what the Honourable Minister says about the flag debate in Ottawa, which is the kind of a thing that he would raise on a debate of this nature, on a motion of this nature, I'm quite sure that had he taken the trouble of looking back into what occurred immediately prior to that meeting that he was speaking about, that there was no notice given of that meeting to the members at large or the public. The motion is one that's on sound grounds and it's entirely wrong for this government or any government or any committee to invite members of this House to come to a meeting, and the public to come to a meeting, and then be stopped at the door by a guard, at the instructions of this government, that he's not to allow anybody into that room. We can quite understand that probably the guard after being approached by the Honourable the Leader of the Opposition on two occasions went and told the honourable gentleman that the Honourable Leader of the Opposition wanted in, in that meeting -- you can quite understand at that moment, the only reaction could have been well we have no choice but to let him in. But why, why stop his entry in the first place? -- (Interjection) -- Yes, and the guard certainly received instructions from some member of the government otherwise he would have paid no attention to it. And I say that motion is well taken and this government deserves censure for taking that attitude and I think that the members of the House, including the Members of the Government, must feel they have been slighted by somebody and sooner or later we'll find out who gave the orders to the guard to not allow any of the members of this House to walk into a meeting which was their meeting.

MADAM SPEAKER: The Honourable Member for St. John's.

MR. CHERNIACK: Madam Speaker I suppose pretty soon there'll be a motion that a public enquiry be launched as to who gave what instructions to whom. Before that is done I would like to indicate Madam Speaker that as a member of the committee listening to the Leader of the Official Opposition, I felt embarrassment not for myself as much as for him, and for people who support him in this House. Because Madam Speaker I don't pretend to know the rules of the House, the procedures involved in committees nor the policy in regard to camera meetings, but I do know that nothing in this case as far as I am concerned, was intended to interfere with the opportunity for people who are members of this House to know what was going on at the committee level.

I listened to the Honourable Member for Ethelbert Plains, whom I have always respected, speak in terms of this type of evasion and the statement that the government had something to do with barring the door with instructions of this government. I wonder just how proper it is for a member of this House to jump to conclusions which involve other people who are not members of the government. It may be that after this enquiry is launched with a full fanfare of a great deal of discussion that someone from the government -- I don't know just who that might be, it might be the Clerk of the House, it might be the Deputy Clerk; it might be the Premier or some other member of government who went to the man on the door and instructed him "Do not allow anybody in, including MLA's." I don't know. I didn't hear. But I know what went on in the committee itself and I know that the first thing we did -- the Honourable Minister of Mines and Resources made a statement about something in the procedures about not revealing what was done in camera. I have already said I don't know the rules and the procedure, so I'm taking the liberty of saying that the first order on the agenda was the election of a chairman, the second was to decide on a quorum, which indicated to me that this was an entirely new committee and as such I wonder at the indignation of the Leader of the Official Opposition at the fact that the Votes and Proceedings did not say that the meeting would be in camera. I don't see how the Votes and Proceedings could have said that, because this committee was only newly

(MR. CHERNIACK cont'd) . . . . constituted and only decided after the meeting was convened. So that I did feel embarrassed for him to hear his outraged expressions and I did feel that it was something that needed clarification.

I don't know whether the party that he represents has always in principle opposed camera meetings. If it does, then I wonder if there have been occasions where members of that party sitting in committee violently protested against meetings being held in camera. My experience is limited. I hear the Honourable Member for Selkirk saying "We never had it" but I was told that the committee which dealt on livestock problems met in camera when it wrote its report and again he said "We never had it" but the mere fact that I'm speaking at this moment is because we did have it and we had it this morning and there were members of his party at the meeting this morning and therefore we must have had it in order that we should discuss it. So I can only speak in terms of my own attitude, and I have the right to tell the House Madam Speaker that I felt that it was proper that what we did today should be in camera and I expressed myself at the time, so I'm not reporting what I said but I rather want to recount what I felt about it. It seemed to me that having heard delegations and discussed with delegations what they had to say in public here in this province, we all had an opportunity to learn as much as we could about the problem in this province, and having done that, we have now been charged with a very very difficult chore, and that is to prepare a report to try and deal with a problem which this House considered important enough to set up a committee to deal with; and dealing with that problem means that we have to get down to facts and discuss what has to be done. Now Madam Speaker, we have met a number of times in this committee. By now we have a pretty good idea of what each one of us thinks about the problem. By now we have expressed ourselves time and time again about various aspects of the problem and I would point out that we know each other well enough now to understand what any one of us says in a sentence or two. It doesn't have to be clarified every time it is repeated. And yet if we were to meet in public and make a statement or give vent to a thought, then in order to make sure that we are not misunderstood we would have to give the entire background information, which we learnt throughout various meetings in the past, we would have to give all the reactions that were given to statements in the past, review everything in order to put any sentence or any thought we had in its proper context. Well this is just utter nonsense to me Madam Speaker and I do not have the experience that the vast majority of members of this House have in matters of writing a report, but I cannot see Madam Speaker, how I could participate in the writing of a difficult report such as this, having in mind the fact that everything I say may be reported out of context and having to make sure that I am repeating the entire problem that we have reviewed through the many hours in which we sat.

We were not hearing evidence, we were not reviewing anything other than how to put into words those matters which had occurred to us and that is a businesslike process and I see nothing undemocratic or in any other way defeating the purposes of this assembly to conduct our business in that orderly fashion. The fact that the Honourable Minister wanted to come in was made known to the committee and everybody in the committee re-acted immediately by saying, "well of course." I am making this statement because the Honourable Member for Ethelbert Plains, whom I have always respected, used the express "Well obviously they had no choice." Because he was outside insisting on being let in, we had no choice so we let him in. Well this is complete and utter nonsense, because being a member of the committee I must assure him that we were not aware, or I as a member was not aware, that there was anybody demanding to get in or clamouring to get in or kicking at the door. But peculiarly enough I remember now that as the honourable member came in I had the thought, and I think I expressed something along the line, that he didn't have to kick the door in like a friend of his in another province felt he ought to do. The fact is, and this I am reporting, whether it's a breach of rules or whatever it is, I am reporting that the minute the guard walked in and said Mr. Molgat is outside and wants to come in, may he come in? Everybody including, well let's say everybody, said, "Well of course, let him come in."

Now I hope that the Honourable Member for Ethelbert Plains accepts my factual report and that I don't think we had a choice. I think we had to let him in, but I think we had to let him in and we had no choice out of common decency and I think — I don't mean decency alone, I mean he had a right as a member of the Legislature to come in. It was not questioned and I think that it is unfair to me and to each and every member of this committee to suggest that there was some form of compulsion coming in, lest the door be kicked in, I did express my point of view. I don't know now whether somebody is going to get up and use the expression that

(MR. CHERNIACK cont'd) . . . . this is a smokescreen or double talk on my part. I hope it isn't because I tried to express my point of view. I don't think I am evading it, but I think that I have given my reason. People may disagree with my reason but I don't think they would have a right to question my sincerity, in stating them and my integrity in suggesting that I as a member of the committee wanted to exclude others who had a democratic right to come in. I don't think that anybody has a right to question my integrity by suggesting that I as one member of the committee agreed to the Honourable Leader of the Official Opposition coming in, because we had to. This is nonsense, and I hope it will be accepted as such by all members of this House.

MADAM SPEAKER: The Honourable Member for Selkirk.

MR. T. P. HILLHOUSE, Q. C. (Selkirk): Madam I think the Honourable Member for St. John's put his finger on the pulse of the whole problem when he said, "We had to let him in." -- (Interjection) -- Oh no, if they had to let him why did they preclude him from entering in the first place? That's the question. -- (Interjection) -- That is the question. Madam, I feel very strongly about the rights and privileges of a member of this House. These rights and privileges were not earned lightly. It was only by suffering and privation that they were earned, and I submit, Madam, that these rights and privileges should not be whittled away by people drawing red herrings across the argument as the Honourable Minister has done. I used to think, I used to think, Madam, that he got his name "Red" because he had red hair but I'm convinced now he got it on account of his ability to draw red herrings.

No, I think my Leader was perfectly justified in making the statement that he did to this House.

MR. CHERNIACK: May I interfere in a point of order?

MR. HILLHOUSE: Well, what is your point?

MR. CHERNIACK: My point of order, Madam Speaker, firstly is that it is my impression that when you stand we should all be seated until we're given the floor. When you stood I sat down and I expected the Honourable Member for Selkirk to sit. Am I wrong about that? I don't know the rule.

MR. HILLHOUSE: Well, I mean, what is your point of order?

MR. CHERNIACK: If the rule is that when Madam Speaker stands we must sit, then that's the reason I sat and I thought he would too.

MADAM SPEAKER: . . . the Honourable Member for St. John's, if he's wishing to ask a question . . . .

MR. CHERNIACK: No, I wanted to raise a point of order. I wanted to know if I had the right to interrupt the honourable member to ask him to correct a misquotation or whether I had to wait until he was through in order to do that.

MADAM SPEAKER: The honourable member has the right to ask . . . .

MR. CHERNIACK: Well, thank you Madam Speaker. The honourable member quoted me as saying that we had no choice but to let him in. I think that had he listened to what I said he would have heard me quoting the Honourable Member from Ethelbert Plains putting that in my mouth and I quoted him as saying that was what we had done and . . . .

MR. HRYHORCZUK: On a point of order, Madam. I couldn't have possibly have put anything in that gentleman's mouth because I didn't refer to him at all. So how did I put any words into his mouth?

MADAM SPEAKER: The Honourable Member for Selkirk.

MR. HILLHOUSE: Madam, I still repeat that the Honourable Member for St. John's said that "We had to let him in." And my point was if they had to let him in, what right did they have to keep him out? That's the whole point. This was a public meeting. The honourable member tries to make a great deal of the fact that they had met for the purpose of considering a report, but the notice of the meeting as contained in the Journals of this House, Votes and Proceedings No. 30, page 12, was a Notice of Committee Meeting. A special committee of the House appointed to examine, investigate and inquire into, study and report on the matter of the role of dental technicians and denturists of Manitoba, will meet on Wednesday, April 7, 1965, at 9:00 o'clock a. m. in Room 254, Legislative Buildings to consider matters referred. In other words they were there to consider the matters referred to in the resolution appointing them and I submit that my Leader had a perfect right to be there and someone on that committee must have instructed that guard not to let the public in.

MADAM SPEAKER: The Honourable Member for St. James.

MR. D. M. STANES (St. James): Madam Speaker, I was acting chairman at the time when

(MR. STANES cont'd) . . . . the honourable member came into the committee -- the Honourable Member the Leader of the Opposition. What has already been related is absolutely true. As far as I am concerned there was no questions asked, there was no instructions given and the first we heard the Honourable Leader of the Opposition came in and he got a warm welcome and a cup of coffee. As far as I am concerned there was no attempt whatsoever to keep anybody out. I've always been quite clear in my own mind that any member can attend any committee whether it be in camera or otherwise. I've always understood this is the case. I believe this is still the case.

MR. LAURENT DESJARDINS (St. Boniface): Madam Speaker, I think that the Honourable Member from St. John's is absolutely right when he says that he has the right to his opinion. I think that he has. He also has the right to agree with the government at all times. I think he and his party have the right, if they wish, to form an official or unofficial coalition. This is absolutely their right. They also have a right to think that the, agree with the Minister of Labour yesterday when he stated that he would not listen to anything -- (Interjection) -- On what point am I out of order this time, Madam Speaker, may I ask?

MADAM SPEAKER: Would the honourable member please stay to the motion before the House, keep his remarks to the motion.

MR. DESJARDINS: Madam Speaker, if I remember right, my Leader made reference to this, exactly this point, and he wasn't called out of order. Then of course maybe the Honourable Minister of Industry and Commerce didn't catch that and couldn't yell when he was speaking. I don't know. It was also obvious to us Madam Speaker, that as soon as my honourable friend got up that we would have that usual smoke screen. He's the expert on the government side on this. Whenever they're weak, he'll talk about everything else. I don't know when he's going to run for the Federal Government because he's very worried about the Federal Government. I think that he should wait and his remarks should be aimed at what is going on in this province.

Now, again we've tried to pretend that my Leader was out of order and was bringing in something again just to complain. He made it very clear, anybody can read Hansard tomorrow, what he was saying. He did not accuse the Honourable Member from St. John's. The Honourable Member from St. John's got up and said he didn't know what was going on -- I think he said he didn't know for the first five minutes when he got up but he was still getting up. And he is right. He can sympathize for my Honourable Leader but he doesn't have to waste -- we're also right in telling him, but he doesn't have to waste his time or his sympathy on the Honourable Leader of the Opposition. We can take care of ourselves and our Leader certainly can take care of himself and I think he has proved it every single day in this session.

Now, I would like to bring things back the way they were. We have a chairman. Nobody's accusing the committee. My Leader wanted to know why that guard was told not to let anybody in and it wasn't just a little bit of trouble. He was refused on two occasions and we'd like to know why. We hope that the guard won't be fired, mind you, Madam Speaker, but we'd like to know why. There's a chairman here. Why couldn't he stand up. Why doesn't he stand up and if there's a misunderstanding, let him say so. I think that he could do without the coalition of my friend from St. John's in this case and I'm going to ask something to the First Minister. He's responsible for the work and the conduct of the government. We've had two what might be called major committees named. One was the one on Denturists; the other one on Shared Services. I would like to know why they do not operate the same way. We were told by the Honourable Minister of Industry and Commerce that this committee was finished with hearing the recommendations -- I'm talking about the denturists now -- so they met in camera. They wanted to meet to discuss these things and they wanted to know what was going on -- before they didn't want anybody else to know what was going on. This was . . . at the committee -- not even the caucus of the different parties, because my Leader had no business being there. We had two members. Now this is one committee. What about the other committee? They weren't even the same time. . . the same House. Members from different parties also. This committee also heard representations. It never had another meeting after that. The next meeting was to bring in a report by the First Minister, a report that was discussed in caucus -- in the government caucus -- and they didn't worry about the press not being in that time, Madam Speaker. They wanted the press to be in. He wanted to make sure, he wanted to tell the Leader of the NDP, the Leader of the Liberal Party, that if you don't support this -- they had nothing to do with setting up this report -- it was a report that came out from, it was a report . . . .

MADAM SPEAKER: The Honourable the Minister of Education.



HON. GEORGE JOHNSON (Minister of Education) (Gimli): . . . the honourable member quit this "babblycock" -- get down to the facts of matters. He seems to be the only one who can . . .

MR. DESJARDINS: Is he in order, Madam Speaker? Is he in order?

MADAM SPEAKER: The Honourable the Member for St. Boniface.

MR. DESJARDINS: I'd like to know for my own satisfaction was the Minister in order? I'd like to know if he was in order.

MADAM SPEAKER: The honourable member has a right to interrupt. He stated it. He has sat down.

MR. DESJARDINS: Stated what, Madam Speaker? I'd like to know once and for all. I'd like to know.

MADAM SPEAKER: Does the Honourable Member from St. Boniface wish to continue?

MR. DESJARDINS: No answer again. Thanks very much. As far as I'm concerned if I did that in that House you know what would happen. If he wants to answer, he could answer. He has a lot of time to answer, and can answer right after -- all he has to do is answer me. Tell me why one committee hides -- This is it. Nobody can deny that. This committee hides. Everything that's discussed in this committee we don't even know in the caucus. And the other committee of the House will not even discuss anything that happened of representation until the First Minister comes out of the Conservative caucus and says "This is it." And furthermore if you don't like it, if you don't go for it, nothing will be done. Now is his time, let him answer it.

HON. DUFF ROBLIN (Premier) (Wolseley): Madam Speaker, I'm rather pleased that my inflammable, and gaseous and oh, so polite friend, the member for St. Boniface, has asked me to take part in the proceedings and I'm glad to oblige him in this respect because I think it is time that somebody got down to brass tacks to decide whether or to offer an opinion about the privileges of the House. After all that's what we started out to discuss and I must admit that as Leader of the House I feel a special responsibility for the privileges of the House. And I feel that whether it would be by inadvertence, which it might very well be, or whether it might be deliberate intent, which we sincerely hope not, that there should be any violation of the privileges of the House that regardless of the circumstances surrounding that particular situation that I would have the candour if I thought that something had gone amiss, to do what I could at least to correct it. And I take the same attitude and I feel the same way about the circumstance which has arisen at this moment.

I would reply to my honourable friend from St. Boniface by informing him that the Committee on Shared Services did consider whether they should hold any of their deliberations in camera and some members of the committee objected to that procedure and therefore it was not followed. But it was discussed and suggested. I understand, although I'm not a member of the committee, that the Committee on Denturists considered the question of meeting in camera and decided, without protest, unanimously as far as I know, that it should be done. In any case, whether by unanimity or otherwise, it was a decision of the committee. Now is that in itself, that's the basic issue, is that in itself a violation of the privileges of the House? The Honourable Leader of the Opposition maintains that it is. Other gentlemen opposite maintain that it is.

MR. MOLGAT: Madam Speaker, just on a point of order, if I may.

MADAM SPEAKER: The Honourable the Leader of the Opposition.

MR. MOLGAT: My resolution simply says that attempts were made to prevent a member of the House from attending the committee. The resolution says nothing about the rights of the committee to hold in camera or not. It says that the committee did not allow me to enter when I wished to enter, and under the rules of the House I should be allowed.

MR. ROBLIN: Well I presume that the reason that my honourable friend has got any complaint at all is because the committee decided to hold a meeting in camera. That's the basic thing that was decided. If that's not the case, then I misapprehended. But my impression is that the charge is that the committee held a meeting in camera and from what flowed from that, a breach of the privileges of the House occurred. Now I just want to examine that one point, because although we are really -- well how would you describe it? Spending a lot of time on something that really perhaps is not as important as it might seem. Nevertheless I'm anxious to get to the bottom of it.

So I refer members of the House to Beauchesne which deals with this question of committee meetings and I ask my honourable friend and those who are interested to turn to page 242 and there they will find in section 228 and 229, a discussion of secret committees and a

(MR. ROBLIN cont'd) . . . discussion of meetings in camera, which are two very separate and distinct things. I will read part of this -- I hope I read sufficient to give the full statement of the case, but I may not read all the matter in those two paragraphs. Paragraph 291 begins "A committee having the right to exclude strangers at any time", that's the first thought. "It may be inferred it has the right to sit in private and its proceedings are protected by privilege." So it is clear from that that the committee at any time has the right to exclude strangers if it wants to and sit in private.

And then we go on to the question of secret committees, which is different from an ordinary committee sitting in camera. There's a certain procedure set out for secret committees -- and as I read it that's something that the House should really decide in advance. But he goes on to say in paragraph 299 sub-paragraph (2) -- I'll read the whole of that paragraph. "When in the opinion of the House secrecy ought to be maintained, select committees are appointed whose enquiries are conducted throughout with closed doors and is the invariable practice for all members not on the committee to be excluded from the room throughout the whole of its proceedings." There is distinct difference between committees sitting in camera for the purposes of deliberation and secret committees. The proceeding of secret committees are the property of the House after the committee has reported and no true question of privilege arises if a member divulges to the House those proceedings. The purpose behind in camera meetings -- that's the one we're talking about, that's quite distinct from the other -- the purpose behind in camera meetings is that the members may feel free to negotiate, to discuss, to deliberate, and sometimes perhaps to compromise without the glare of publicity which might add to the difficulties of agreeing to report and it is desirable that these proceedings be treated as in confidence. The final decision rests with the members themselves.

It therefore seems to me perfectly clear that this committee had the right after it was appointed to hold a meeting in camera and that the decision in that respect rested with the members of the committee themselves. The members of the committee therefore had the right to hold a meeting in camera and as I understand no member of the committee objected to that meeting being held. It therefore follows that the clerk and I suppose this is what happened -- that when this meeting was passed the clerk told the guard that the meeting was in camera. When the Honourable the Leader of the Opposition appeared on the scene however, as soon as the committee were made aware of his presence, he was admitted. Now wherein lies the breach? I don't see any breach of the privileges of the House. The committee acted as they had the right to do. When a member applied for admission, when they knew he was there he was invited to come in. So I don't think that any breach of the rules of the House have been made, nor do I think that this is a sad day for democracy nor do I think that the foundations of our system are being eroded and crumbled away by proceedings such as my honourable friend complains of. Now that's my view of it. I think it's a commonsense view of it. I think there has been no breach of privilege. I do not think we are entitled to cast a reflection on the chairman of the committee as we are being asked to do at this present time and I think that what we should do now is have a vote on this matter, if that's what's desired and dispose of it.

MR. SHOEMAKER: Madam Speaker, I think in light of what has been said, particularly by the Member for St. John's, that I should make some brief comment because he suggested that my Leader should not only be embarrassed but all of the members sitting with him would be very embarrassed because of what had taken place today. Well I suppose there is a difference between being embarrassed and having ulcers and having a hippo hide and a few other things but I maintained when I entered the political field and even before that, that if you were involved in politics, you either developed ulcers or a "hippo hide" to quote my honourable friend the Minister of Agriculture, and thank heavens I developed the hippo hide, because some people apparently end up in and out of hospitals with ulcers, even during the session. I think Madam Speaker to more or less clear the air here, to quote my honourable friend the Minister of Agriculture again, he often says that "confession is good for the soul" and I think probably if the chairman would get up, and probably he will now, the chairman of this committee, and make a couple of confessions, that everybody will be satisfied.

Now my guess is that there is just misunderstanding about a few things. The committee as I take it, was reconstituted today and then I suppose being reconstituted today, anything that was decided by the committee at previous meetings would more or less have to be restated I suppose at the meeting today to be official, and I don't recall that we did come out and make a statement at 9:00 a. m. this morning that it was going to be in camera. I know that this is what transpired in our deliberations and meetings that we held all last fall and early this year

(MR. SHOEMAKER cont'd) . . . . I believe we held one or two. Now I'm not saying that perhaps they should have been held in camera because I know that it has been pretty difficult for certain individuals to understand, and in particular for the press to understand why this committee held meetings in camera when in fact the other ones didn't and to point that up, during the recess -- incidentally Madam Speaker, we had a 15 minute recess from about ten minutes to eleven until five after eleven -- a couple of members of the press cornered me, I guess that's the word to use, to see what was going on in committee, I was pretty close mouthed and I didn't give them any information other than to use a term that the First Minister does quite frequently, I said I thought you could say we were making progress -- and I think we did make progress. But I think that perhaps the air would be cleared if somebody would get up now and say "Listen, there was a misunderstanding. Whoever told the guard that no one was allowed, should have said, well, no one with the exception of Members of the House then the guard would have thoroughly understood what he was to do." I think another error that we made, if we made one, somebody made it, is that the notice in the Votes and Proceedings suggests that it was a public meeting. It suggests that, and in fact it was not, it was a closed meeting. There are just a few little points like this that need to be cleared up and somebody has to make a confession I think and if confession is good for the soul let's have a couple of confessions. Someone suggested today, or referred to the flag debate. This one is just about as controversial -- this committee of ours. The member is probably not quite as colorful as some of them are, but a pretty controversial one, and I think that if the chairman would get up or the deputy chairman, and he isn't in his seat at the moment, and just say well there was a misunderstanding and clear the air, make a couple of confessions, and let's get on with the business.

MR. RUSSELL PAULLEY (Leader of the New Democratic Party) (Radisson): Madam Speaker, I wonder if the honourable member would permit a question?

MR. SHOEMAKER: Well if he doesn't want any information . . . .

MR. PAULLEY: No, no. Madam Speaker, the question I would like to direct to my honourable friend the member who has just spoken, do I gather from his remarks that he was in favour of the committee meeting in camera?

MR. SHOEMAKER: Madam Speaker, I thought I was quite clear on that. I think I did say this, that our first meeting that was held in Regina -- (Interjection) -- I don't believe it was discussed today, I don't think that that part of it was, but it was as I said, it was thoroughly understood in the meetings that we held last October and November or December that they were in camera. Now I did say Madam Speaker that I suppose that to be official and since the committee dissolved itself and reconstituted itself today, then perhaps it was a new committee and we should have raised some of these points again. To answer you specifically, I don't recall that that point was raised this morning, probably it wasn't.

MR. PAULLEY: Madam Speaker, it's rather a long answer I got, but it wasn't specific. My question to my honourable friend was he in favour of the committee meeting this morning being held in camera? Or did he raise objections? Let me put it a double barrelled question -- yes or no. It's simple.

MR. SHOEMAKER: Well Madam Speaker as I said, I don't think the point was raised this morning, so how could you object to something -- I didn't raise it.

MR. PAULLEY: A supplemental question to my honourable friend if he will permit. Then he did not as a member of the committee raise objection to the meeting being held in camera.

MR. SHOEMAKER: It's pretty difficult to raise objections to something that wasn't raised.

MR. DESJARDINS: Do you want to try again Russ?

MADAM SPEAKER: The Honourable Member for Rhineland.

MR. FROESE: Madam Speaker, as one who was not on the committee and didn't attend a meeting, it's rather hard to make a decision as to which way to vote. First of all we are told that the meeting was an open meeting, then we find out it was a closed meeting, and now we find out that we are in doubt as to whether it was a closed meeting or an open meeting, because the matter was never determined in the committee. So someone is to blame here, or at least should be responsible. When the leader is turned away, the Leader of the Official Opposition is turned away from the door, someone must have given orders to the guard not to let people in. So who is responsible? Who gave the orders? I would like to know who gave the orders. Secondly, before the motion is put or the question is put on this motion, would Madam Speaker kindly restate the motion.

HON. CHARLES H. WITNEY (Minister of Health) (Flin Flon): Madam Speaker, I think possibly that I should just give the facts and then sit down, because I believe that the facts will speak for themselves.

Madam Speaker it was after we had held our meetings in Ontario that the decision was made by the committee, agreed to, to hold our meetings in camera while we were writing our report. There was no dissenting voice. The meetings were held in camera from that point on. When we decided that we would have the committee reconstituted in order to continue our work of writing the report, we brought in the resolution. This morning we went into committee. At first, and this was the first time that I had ever seen a guard on the door at the time that we were meeting, especially when we were having our meetings in camera, and they were held in this building, that the newspapers knew that they were being held here. This was the first time that I had seen a guard. The question arose as to whether or not anyone could come in. It was decided we had to elect a chairman -- we were a new committee. We had been reconstituted by the House. And we opened the doors and the guard -- if I recall correctly -- came and sat down on the chair at the back of the House where he usually sits, when we have the other committees. We nominated a chairman. They nominated me, again, as chairman. Then we decided on a quorum, and we decided on a quorum of five. And then I asked the committee whether or not they wanted to continue meeting in camera, pointing out to them that that had been our decision before, while we were writing our report. It was agreed to. There were no dissenting voices. I believe at that time the Clerk of the House had told the guard on the door, if the motion is passed that they be held in camera or if it's agreed that they be held in camera, then to shut the door. I certainly never thought that another member of the House would have wanted to come in. It never occurred to me and no instruction was given to the guard by me that any member or anyone at all was to be kept out.

I asked the indulgence of the House to leave for about fifteen or twenty minutes as I had -- or the Committee, I'm sorry -- as I had been asked to receive four visiting Russian doctors in the office. I went to see the Russian doctors. When I went out, I said something to the guard -- it was certainly no instruction, it was something like "Good-day" or "I'll be back in a short while." I don't recall what it was, it was a trivial, a passing time of day remark as I went by. When I came back some fifteen minutes later, after asking the Honourable Member for St. James to be the chairman, the Honourable the Leader of the Opposition was in the Committee. I took a little time out to describe to them what had happened in my office. It was a very interesting interview with the four doctors from Russia. Then we sat down to do our work, and we continued with our work. And those are the facts.

MR. ELMAN GUTTORMSON (St. George): Madam Speaker, I listened with considerable interest to the remarks made from all sides of the House, but it would appear to me that, as a layman of the rules, that when a meeting is advertised in the Votes and Proceedings that it is a public meeting. It's my understanding that the Committee has met prior to the session in camera, and those meetings were not advertised, and I think that having advertised the meeting that was held this morning in the Votes and Proceedings, I form the impression, rightly or wrongly, that the meeting was a public one and that any member of the House, the press, or the public could attend this meeting. Therefore it seems to me that regardless of any decision the Committee made amongst themselves, that this meeting should have been public by virtue of the fact that it was advertised. Now this is my understanding. . . . .

MR. KEITH ALEXANDER (Roblin): Madam Speaker, I'd like to say a word on that because it seems obvious to me, sitting here as a layman who wasn't on the Committee, from what the Minister of Health said, that the organizational part of the meeting was public.

MR. FROESE: Madam Speaker, on a point of order. Does the member not have to take his own seat in order to speak?

MR. ALEXANDER: On a point of order, Madam Speaker, the member is in his own seat. If I may continue. As I say, the organizational part of the meeting, I understood, was a public meeting, was a public meeting. The Committee then when it got to the point of being organized, having a chairman, being completely reconstituted, then decided to continue the previous practice of continuing to hold the rest of its meeting -- that part dealing with the writing of its report -- in camera, and so made the decision. And the decision was so passed on to the guard. I think it's a perfectly logical explanation that there was a mistaken or a misunderstanding in the transmission of the message, or of the understanding of the guard that as well as the public and the press being excluded that the members of the Legislature were also excluded. I think this is a perfectly logical mistake for him to make and I think it

(MR. ALEXANDER cont'd)..... is a very reasonable explanation. And I think there can be no doubt now, in the minds of all the members that there was actually no breach of privilege on any member or on the House.

MADAM SPEAKER: Are you ready for the question? The Honourable Member for Portage la Prairie.

MR. GORDON E. JOHNSTON (Portage la Prairie): Madam Speaker, speaking as one of the members of the Committee, Madam Speaker, but speaking as one who arrived five minutes late, I missed the initial proceedings but I certainly do believe the Honourable Minister of Health in his statement. But the fact still remains that I'm sure if any and all members of the Committee had known that an honourable member of this House had been denied admittance they would have certainly corrected it. But the fact remains that had not the Leader of the Opposition persisted he would have been denied admittance to that meeting. He came back the third time. He was denied admittance twice. Now I feel whoever has given this order should say so and clear the air, whether it was someone not connected with the Committee or not. But the fact remains that had not the Honourable Leader of the Opposition come back for the third time, he would have been denied admittance. I think this should be made perfectly clear that an in camera meeting or not, any member of this House is entitled to enter.

MADAM SPEAKER: Are you ready for the question?

MR. RUSSELL PAULLEY (Leader of the New Democratic Party) (Radisson): Madam Speaker, I just want to say one word in connection with this matter. It seems to me as though it has been established during the discussions here on this question that there was unanimous agreement by the Committee that the Committee meeting should be held in camera this morning. I think that has been verified by the Member for St. John's, the Member for Portage la Prairie, and the Member for Gladstone — even though I had to worm out the answer in one respect.

However, Madam Speaker, Beauchesne is perfectly clear as to what are the rights of the members of this House, as to what are the rights of the members of a committee. The First Minister did refer to Beauchesne, a couple of paragraphs, and rulings, and I want to quote one further if I may, Madam Speaker. It's Rule 302 found on Page 243, wherein it states that "Members of the House of Commons" -- and of course in this case, the Legislature of Manitoba -- "are entitled to be present at the sittings of committees of the House as well as during deliberations of the committees while witnesses are being examined; and though if requested to retire they rarely make any objection, and ought on the grounds of established usage and courtesy to the Committee immediately retire when the Committee is about to deliberate; the Committee in the case of their refusal has no power to order them to withdraw." Now I would suggest, Madam Speaker, that the Leader of the Opposition, or any member of this House, if he is keenly interested in his rights and privileges as a member of the House, should know this. The Honourable Member for Portage la Prairie has just stated to us his objection is the fact that the Leader of the Opposition had to knock on the door three times. Now I would respectfully suggest.....

MR. JOHNSTON: Madam Speaker, may I make a correction? I said he was refused admission twice, and he persisted and came the third time.

MR. PAULLEY: Fine. Then he knocked on the door twice, and the third time he was successful?

MR. JOHNSTON: Madam Speaker, may I correct the Honourable Leader of the NDP. I think his hearing has been affected today. I didn't say any such thing. I did not say that he had knocked on the door. I said he had been refused admission twice, and persisted, and the third time was admitted.

MR. PAULLEY: Okay, Madam Speaker, it really doesn't matter whether he was refused admission or the way I was trying to put it. The point of the matter though is, Madam Speaker, that we as members of this House, and it doesn't matter whether it is the Leader of the Official Opposition, the Leader of the New Democratic Party, or anybody else, on matters of this nature which appear to be of vital interest to them, should acquaint themselves with the rules. Had the Committee itself refused the permission of my honourable friend to enter the door, and he desisted in accordance with Rule 302 that I just read out, I would say that it would be logical. But I know, as far as I'm personally concerned, that if a guard or any other person -- and I mean no reflection on the guard himself -- said to me, "You can't go in there", then I would have immediately insisted on my rights as a member of the House to attend and would have requested the guard or the individual whoever he may have been, to

(MR. PAULLEY cont'd).....get the chairman of the committee, or an official of the committee, to come and tell me as to why I was going to be deprived as a member of the Assembly. And I think this is the course that could have been, or should have been pursued.

Madam Speaker, mention was made of another committee which held its deliberations in open -- namely, the one referred to by my honourable friend the Member for St. Boniface. It is perfectly true that at the offset of that meeting there was some suggestion that the committee meeting be held in camera. I confess, Madam Speaker, that I raised the point that in my opinion, seeing as all of the hearings had been held in public then the committee itself should consider its report in public. And on establishing this point or objection to the suggestion, which wasn't a firm suggestion but more or less of an expression of opinion, "Shall we meet in camera?" when I said, "As far as I'm concerned because we held our deliberations in public then the committee should hold its hearings." Now I respectfully suggest in this particular case -- Oh, and as a result, Madam Speaker, our deliberations on that particular committee were held in public because of the objections raised even though they may not have been necessary to raise strenuous objections. And I feel sure that if objections had of been raised this morning, the Committee would have taken under consideration those objections. So I suggest, Madam Speaker, that the motion is not a motion which we should concern ourselves with, and I certainly cannot support it.

MADAM SPEAKER: The Honourable Member for Lakeside.

MR. DOUGLAS L. CAMPBELL (Lakeside): Madam Speaker, I was disappointed to hear my honourable friend the Leader of the New Democratic Party conclude his speech by saying that he was not going to support this motion, because just shortly before that he had said that the members of the House should acquaint themselves with the rules, and this is what this motion suggests. This is the purport of this motion that not only the members of the House but the chairman of the committee should be instructed with regard to the rules, so as to prevent a recurrence of the unfortunate circumstance of today. That's all the motion says and the discussion regarding the in camera part to which my honourable friend the First Minister paid so much attention was simply by the way as far as my Leader was concerned--(Interjection)--Oh yes, my honourable friend who says.....

MR. LYON: Will the honourable member permit a question? Did he not hear his Honourable Leader say that this was an erosion of the very foundations of government to have committee meetings in camera? Did he not hear him?

MR. CAMPBELL: My honourable friend, Madam Speaker, didn't wait for me to say whether I would permit the question or not, which is quite usual for him--(Interjection)--I'm quite willing to answer. Yes, this is true. Other people have discussed this matter considerably including my honourable friend the First Minister, but what I ask my honourable friend to do, Madam Speaker, is read the resolution. The operative part of the resolution is that -- and I haven't the words before me -- but it's to the effect that the chairman of the committee be instructed to observe the rule, which rule is that the members of the House have a right to attend the committee. This is the important part and when my honourable friend the Leader of the New Democratic Party thinks that the members should be instructed or should acquaint themselves with regard to the rule, surely he would not object to this instruction issuing to the chairman of the committee. That's what the resolution says that's before the House, and that's what would prevent a recurrence of the situation that developed today.....--(Interjection)--

Madam Speaker, I'm being interrupted by a gentleman who didn't rise to his feet and didn't ask my permission to ask a question, thereby he is breaking the rules of the House. I was going to say, Madam Speaker, that I was interested in the defence of the Honourable Member for St. John's of holding sessions in camera. No one that I know of in this debate has suggested that it's beyond the authority of this House or of any committee thereof to hold meetings in camera. Of course they have the authority to do it if they wish. The whole question is whether it's advisable or not, and opinions differ on that. As an evidence of the differing opinions we can take the Honourable Member for St. John's and his Leader because the Honourable Member for St. John's, as it seemed to me, made a very logical and spirited defense of holding in camera sessions of a committee. There certainly are good arguments at times for doing this and he, I thought, put them before the House quite cogently, even eloquently, but my honourable friend his Leader just a short time ago was at pains to mention the fact that in the other committee to which reference has been made that he was the one that

(MR. CAMPBELL cont'd) . . . . . led the objection to holding the committee meeting in camera, and I think he had good reasons to put forward to us too, and that is the fact.

Now I subscribe to the principles that were enunciated earlier in the day by the Honourable the Minister of Mines and Natural Resources that the rules are clear, that you are not supposed to divulge what takes place in the committee until after the committee has reported. Neither of these committees has reported so we have to tread very carefully in discussing what happened, but I'm more than glad to substantiate what the Honourable the Leader of the New Democratic Party has said, that he did object to an in camera session. I think it would be agreed by most of us that unless there are good and sufficient reasons for why there should be in camera sessions, and sometimes there are, that they should be avoided in favour of open sessions.

After all, we haven't had a secret session of this House or an in camera one in all the years that I recall here, or was there one in World War II time? There have been some in Ottawa that's true, but generally speaking the discussions in this House are open. I think unless there are compelling reasons that it's advisable that the committees also should follow that procedure.

But that discussion is by the way; the real point at issue was that contrary to our rules a member of the House was denied admittance to the committee, and therefore the resolution suggests that the chairman of committees should be instructed to observe the rule which makes it very plain that members of this House can attend any committee. I think that it's an advantageous motion; that it should be put on the record; and I hope that it will receive the unanimous support that it seems to be entitled to, because of the general agreement that the members certainly are entitled to attend those committees.

MR. ALBERT VIELFAURE (La Verendrye): Madam Speaker, I didn't intend to take part in this debate, but after what the Honourable Member from Lakeside has just said I think I should stand up and say that I too tried to enter the committee room. I wasn't aware that there was a meeting going on and I tried to get in about 11:00 o'clock and I was also refused entrance. I did not press to get in because I am not familiar with the rules, but I want to make it clear that I will heartily support this motion because I too was prevented from entering the room.

HON. GEORGE HUTTON (Minister of Agriculture and Conservation) (Rockwood-Iberville): Madam Speaker, I just have a very brief comment to make. I think it must be obvious to the most casual observer that the Honourable the Leader of the Opposition tried to steal a "quick trick" here today and he was trumped. My honourable friend should know that it only takes a troy to beat a deuce.

MR. MOLGAT: Madam Speaker, I wonder if I could ask a question of the Honourable Minister? Could he repeat what he said?

MR. HUTTON: Yes, I can.

MADAM SPEAKER: Are you ready for the question?

MR. MOLGAT: Madam Speaker, before the vote is taken, I would just like to say a few words further on this resolution. The honourable members across the way -- well possibly I should start off, Madam Speaker, by making a confession because I think someone mentioned that confession was good for the soul. I would like to make the confession that I had no idea when presenting this resolution that we would end up in the type of debate that we have ended up here, and that we would have the lame sort of excuses that we obtained from my friends across the way, because nothing is more straightforward, Madam Speaker, than the resolution I have presented. It's an absolutely straightforward statement. I'd like my honourable friends to pay close attention to what it says before they get up and vote against it, and I'll be quite pleased to read it to the House once again because this resolution says the following: That whereas the Votes and Proceedings No. 30 of Monday, 5 April 1965, gave notice of a meeting of the Special Committee of the House investigating the role of dental technicians and denturists for 9:00 a. m. Wednesday, 7 April 1965; and whereas no notice was given that this was to be a meeting in camera; and whereas attempts were made to prevent other members of the Legislative Assembly from attending this meeting; and whereas this constitutes an abuse of the privileges of the House; therefore be it resolved that all chairmen of committees be instructed to follow the rules of the House.

(MR. MOLGAT cont'd).....

Now, Madam Speaker, are those not all statements of fact? Not only was I refused entry but my honourable colleague the Member for LaVerendrye just told the House that when he appeared at the door he too was refused entry. I'm advised by another member of my group that when he attempted to enter, he was told that the Honourable the Minister of Health, Mr. Witney, had instructed the guard that the meeting was in camera and that he was not to enter.

Now, Madam Speaker, my friends across the way can say "not so" -- and the First Minister can shake his head all he wants -- the facts are that the guard had been instructed not to let people in. Now my friends across can say this isn't important. Their colleagues here on my left, the Member for St. John's can get up and protect my friends all he wants, but, Madam Speaker, I will not stand in this House and allow the rules of this House to be turned around and to be used -- or to be misused -- and I will stand up on my feet any day when I knowingly know that this is going on, as was the case this morning.

Now I didn't accuse anyone, Madam Speaker, in this regard. I didn't say that there were dealings or anything of the sort. My whole point is that some instructions were given to the guard; that these were not the proper instructions; and therefore it should be made clear to chairmen of committees that in any meeting of a committee, any member of this House is entitled to go to that committee meeting.

Now my friends, I repeat, can say that this isn't important. That may be their view of how to run things; it isn't mine. There should be no meetings of this House at which every member is not only able to get in but invited to get in, and to have to fight your way in, go back three times to get into the Committee, is not my idea of the way you run open committee meetings for the members of this House. This resolution, Madam Speaker, asks for nothing but that, that committee chairmen clearly understand that they are not to issue instructions to the guard that other members of this House are not to enter.

MR. LYON: Would the Honourable Member permit a question?

MR. MOLGAT: Certainly.

MR. LYON: Would he mind telling the House whether or not he brought to the attention of the committee this morning the fact that he had been refused entry?

MR. MOLGAT: I certainly did, Madam Speaker, because I insisted with the guard that he go and tell the committee that I was insisting on my rights as a member of this House. The guard made that comment inside, because I was then allowed in.

MR. LYON: Is the honourable member suggesting that he raised a complaint with the chairman of the committee when he came in this morning because if he is, I'll say that he didn't. This is the first we have heard of it.

MR. MOLGAT: What I said was very simple, Madam Speaker. I insisted with the guard that he go in and tell the committee chairman that I wanted to come in and that it was my right to do so.

MR. LYON: When did it occur to you to make the complaint today?

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

MR. MOLGAT: Yeas and Nays, Madam Speaker.

MADAM SPEAKER: Call in the members. The question before the House is the motion of the Honourable the Leader of the Opposition.

A standing vote was taken the results being as follows:

YEAS: Messrs. Barkman, Campbell, Desjardins, Froese, Guttormson, Hillhouse, Hryhorczuk, Johnston, Molgat, Patrick, Shoemaker, Tanchak and Vielfaure.

NAYS: Messrs. Alexander, Baizley, Beard, Bilton, Bjornson, Carroll, Cherniack, Cowan, Evans, Gray, Groves, Hamilton, Harris, Harrison, Hutton, Jeannotte, Johnson, Klym, Lissaman, Lyon, McDonald, McGregor, McKellar, McLean, Martin, Mills, Moeller, Paulley, Roblin, Seaborn, Shewman, Smellie, Stanes, Steinkopf, Strickland, Watt, Weir, Witney, Wright and Mrs. Morrison.

MR. CLERK: YEAS, 13; NAYS, 40.

MADAM SPEAKER: I declare the motion lost.



MR. GUTTORMSON: Madam Speaker, before the Orders of the Day, I'd like to propose a question to the Minister of Agriculture. I've been advised that the government has stopped taking levels of Lake Manitoba at Steep Rock and at the Delta. Is this correct, and if so, why?

MR. HUTTON: Madam Speaker, I'll have to take this question as notice.

MR. DESJARDINS: Madam Speaker, before the Orders of the Day, may I inform the House that this meeting -- this Pea Soup Night this evening will not be held in camera, that all the members will be invited. I might inform the Minister of Mines and Natural Resources that he can leave his red herring at home as there will be plenty to eat.

MR. ROBLIN: ..... honourable gentleman have to inject a note like this into that invitation. I wonder if the people for whom he's speaking really think that he's doing a service to good feeling in this province by qualifying his invitation the way that he's just done.

MR. DESJARDINS: Madam Speaker, I'll ask them if they object to this and I'll be very careful not to hurt the First Minister's feelings. He's very touchy these days and I'll be very careful. If he can't take a joke, it's very unfortunate.

MR. ROBLIN: It's not my feelings. It's the attitude the honourable member always takes to matters of this sort.

MR. DESJARDINS: If I always say these things, I wonder why he doesn't .....

MADAM SPEAKER: Order please, order.

MR. DESJARDINS: Order for one, not the other again, eh?

MADAM SPEAKER: The Honourable the Minister of Agriculture.

MR. HUTTON: Madam Speaker, before the Orders of the Day, I think it would be useful if I were to comment .....

MADAM SPEAKER: Order please. The Honourable Minister of Agriculture has the floor and we should give him the courtesy of being heard. Order!

MR. HUTTON: Madam, I think it would be useful and of interest to some of our citizens in this province who live along the Red River if I were to comment upon the developments in the run-off in the Red River Valley watershed. There have been reports of serious flooding in the area south of us, in South Dakota and Minnesota. These occurrences of flooding are not in the Red River basin. They are in the Missouri and Mississippi River basins and there is no serious flooding anticipated on the basis of present information at this time -- or anticipated in the Red River basin.

The Water Control and Conservation Branch are in daily contact with Fargo to keep up to date in the development of rate of run-off in the Red River Valley. There has been a revision in the forecast, an upward revision in the forecast from 12.9 to 14.2. This is still well below the first flood stage of 18 feet city datum. We will continue to keep a careful watch on the river and we will continue to be in contact with the U. S. authorities to the south of us. If there are any developments one way or another, they will be reported to this House.

MR. MOLGAT: Madam Speaker, before the Orders of the Day, I would like to address a question to the Minister of Health. Has he received any representations from the citizens of Selkirk regarding the doctor situation there and the hospital, and if so, what action is he contemplating on taking?

MR. WITNEY: Madam Speaker, I have received no representations.

MR. MOLGAT: Madam Speaker, a further question to the Minister. Is he aware of the difficulties in Selkirk with regard to doctors and hospitals?

MR. WITNEY: Yes, Madam Speaker.

MR. MOLGAT: Madam Speaker, a subsequent question. Is the Minister of Health doing anything about it?

MR. WITNEY: Madam Speaker, it's a matter of the College of Physicians and Surgeons and the Hospital Board.

MR. MOLGAT: Madam Speaker, if I might just ask a question. The Minister of Mines and Resources said "Order" when I asked a subsequent question of the Minister. Could I have a ruling as to exactly what grounds he was saying "Order" upon. Why I was not entitled to ask that question?

MR. LYON: I'll be happy to instruct my honourable friend if he needs the instruction, Madam Speaker. The matter is obviously not within the jurisdiction of the Minister. It's a matter between the Board and the doctors.

MR. MOLGAT: That's your idea.

ORDERS OF THE DAY

MR. JOHNSON: Madam Speaker, I wish to move, seconded by the Honourable Minister of Health, that Madam Speaker do now leave the Chair and that the House resolve itself into a Committee of the Whole to consider the Bills appearing on the Order Paper.

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

COMMITTEE OF THE WHOLE HOUSE

Bills No. 28 and 41 were read section by section and passed.

Bill No. 47: Section 1 . . . . .

MR. FROESE: Mr. Chairman, in connection with Bill 47, and especially Section 471 (d) which includes the establishment of a school division in the northern area, I levelled some very sharp criticisms against this bill when it was up for second reading and also in connection with Bill No. 39. In doing so, I did not desire or mean to cast any aspersions or reflect any doubt or harm on the integrity of the executive officers of the MSTA or on the association as such. These people are some of my best friends and I for one would want to look them squarely in the eye and certainly wouldn't want to have any hard feelings exist. A man like its President, Mr. Ron Parkinson; the Vice-President, Mr. Edwin Dalglish; the Executive-Director, Rene Prefontaine; and other present and past directors such as Frank Kennedy, Hugh Proctor, Ken Rapley, Terry Bend, just to name a few, are men of high esteem and integrity, and I have no intention of casting any doubt on their character. If this has been drawn from my remarks the other day, they have my apology, and I apologize.

Further, I have no intention of taking advantage of the immunity of the House or to make abuse of the privilege in any way. I might say my school district back home has been a member of the MSTA for many years and a strong supporter of the association, both financially and otherwise, and recognizes the good services it provides. My criticism was directed at the government for bringing in Bills 39 and 47 and the legislation it proposes. Mind you, after hearing some of the representations from the Teachers' Society and the Urban School Trustees Association in Law Amendments Committee the other day, and to hear their views of further imposition without a vote, make Bill 39 more palatable.

However, I must still express my opposition to the principles contained in Bill 47, of setting up a division without giving the electors concerned a choice in the matter. Another factor is that the financial support given for dormitories given to this division should be extended to other divisions desirous of making use of it. I certainly would not want to detract from my opposition to the principle in that bill and that still stands.

Bill No. 47: Sections up to 471 (4) (c) were read and passed.

MR. HRYHORCZUK: Mr. Chairman, (4) is an amendment and I think it should be read.

MR. CHAIRMAN: There is a new subsection (4) in 471 (d) which reads as follows:

"The Minister shall not include in the school division established under Subsection (1) any territory that is within or forms part of a school division established under Part 19."

The remainder of Bill No. 47 and Bills No. 50, 79, 94 and 98 were read section by section and passed.

MR. CHAIRMAN: Committee rise. Call in the Speaker.

IN SESSION

MR. CHAIRMAN: Madam Speaker, the Committee of the Whole has considered Bills No. 28, 41, 47, 50, 79, 94 and 98 and has adopted all of same without amendments.

MR. COWAN: Madam Speaker, I move, seconded by the Honourable Member for Wellington, that the report of the committee be received.

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

Bills No. 28, 41, 47, 50, 79, 94 and 98 were each read a third time and passed.

MADAM SPEAKER: The adjourned debate on the second reading of Bill No. 67. The Honourable the Member for Rhineland.

MR. FROESE: Madam Speaker, I adjourned the debate on this bill to take a good look at some of the sections which I hadn't studied before. I have no quarrel with the bill and I endorse it.

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

MADAM SPEAKER: The adjourned debate on the second reading of Bill No. 68. The Honourable the Member for Carillon.

MR. STEVE PATRICK (Assiniboia): Madam Speaker, in his absence, could we have the indulgence of the House to have this matter stand?

HON. STEWART E. McLEAN, Q.C. (Attorney-General) (Dauphin) presented Bill No. 65, an Act to amend The Liquor Control Act, for second reading.

MADAM SPEAKER presented the motion.

MR. McLEAN: Madam Speaker, there are a number of items in this bill not conforming to any one matter of policy, and I would like at this time just to indicate what they are. The bill contains a definition, a new definition of "hotel", which will now be interpreted to include motels, all of which for the purpose of The Liquor Control Act will be those places which have licences under The Liquor Control Act. This is being done primarily to facilitate some arrangements with regard to the inspection and licensing of hotels and places of that sort, and a division of responsibility in this regard as between the Liquor Commission and the government, and making a distinction between those facilities which have licences under the act and those which do not.

There is a new definition, a better definition of the word "Winery Licence" which will bring the definition here somewhat into line with the definition with regard to breweries and distilleries under the provisions of the act.

There is a provision also to make the Liquor Control Commission a body corporate. It was found that that had not been done before and it was considered advisable to do so. There is also provision which authorizes the payment by the Liquor Commission of grants in lieu of taxes to municipalities. The Liquor Commission has in fact been making these payments, as I indicated at the committee stage on the bill, but it was found that there was no specific legislative authority for doing so and it is contained in the bill now before the members.

A further provision will allow the Liquor Commission, without the necessity of making a formal regulation, to establish the hours of the various liquor stores of the Liquor Commission without the necessity of a formal regulation. In other words, they will allow the Liquor Commission to operate the Liquor Commission stores in much the same way as would be done with any other operation of the Commission. It is considered advisable to include in the bill a provision respecting the head office of the Commission. This is being done because of the fact that at the present time a new head office building and warehouse are under construction in the Municipality of Fort Garry.

A small item with respect to the verification of statements on applications for licences -- previously two affidavits were required to verify the facts of the applications. This is being altered, or the suggestion here is to alter it and require verification by one affidavit only.

One of the perhaps more substantial items in the bill is that which will allow a liquor licensee, that is a hotel, to serve drinks of liquor to bona fide guests in their room or rooms during the hours when the licensed premises are allowed to sell liquor. This will only be allowed in those cases where proper facilities for room service are available, that is room service for meals, and the Liquor Commission of course will always retain discretionary authority in that regard. Associated with that, that is to say included with the sale of liquor, and I'm speaking of open liquor, that is glasses of liquor, will be the sale of beer and natural wine by the bottle. They will be deemed or considered to be the same as sale of liquor by the glass. I understand that it is customary that beer is sold by the bottle and natural wine as well.

Another substantial change in the act is a provision which will allow the playing of games in licensed premises, subject to the authority of the Liquor Control Commission. The sort of thing that is envisaged here are such games as darts, and I believe there is a game shuffleboard that is becoming common in clubs. This is an arrangement which has been in effect in the Province of Alberta in licensed premises and our information is that it is working out satisfactorily. The bill before the members would allow this in licensed premises subject to the authority of the Liquor Control Commission, that is to say that they would possess full authority to review and supervise what is done.

A distinction which has existed in the present Liquor Act with regard to what may be sold in licensed canteens for military personnel is being done away with, and the result of this change, if it is approved by the members, will be that liquor -- spirits that is -- and wine and beer may be sold in all military canteens. It is my information that the present provisions in the act were placed there at the request of military authorities. They have requested now that it be altered so that there will be no distinction between military canteens, and we considered

(MR. McLEAN cont'd.) . . . . it advisable this change should be made.

There is a provision for allowing licensed premises to indicate in printed publications the licences which they hold. This is -- I suppose it might be regarded as a form of advertising although it is a very limited one, and simply allows, in a printed publication, a licensed premise to indicate that it has a certain licence or certain licences, just the straight statement that those licences are held by the particular establishment concerned.

There is a provision for registration of hotels that have licensed premises, and again this is being done to facilitate the division of responsibility between the Liquor Control Commission and other branches of the government respecting the licensing of hotels.

I think these are the principal matters that are dealt with in this bill and I would commend it to the members of the House.

MR. HRYHORCZUK: Madam Speaker, there is a temptation here to go back to the Bracken Commission and their report upon which the Liquor Control Act was based, but I'll refrain from doing so. However, I do want to mention a thing or two that I think is objectionable in this bill. Section 4 is an example. It delegates certain rights of the government or responsibilities of the government to the Commission. Now in principle I think this is wrong, Madam Speaker, simply because the subject matter of this particular act -- liquor -- is something that the government should be completely responsible for and not delegate that responsibility to a commission. It was on the basis of strict government control that the act went through this House, in 1956 I believe it was, and I do not think that any of that responsibility should be passed on to a commission or an agency of this government because the full responsibility of that act rests upon the shoulders of the government. It may not be a very important change or it may not cover matters that are so very important, but it could be a first step towards divorcing the Liquor Commission from the government in the same manner that other commissions have been divorced from the government within the last two years or so.

In Section 126 (a) . . . . .

MADAM SPEAKER: I believe the honourable member will agree that in speaking to the second reading of bills, we try to speak to the principle of the bill rather than to refer to different sections. I realize this is very hard when there are several principles involved, but I wonder if I could have the co-operation of the honourable member in second reading to refer to it in an abstract fashion rather than section by section.

MR. HRYHORCZUK: Madam Speaker, I agree with you entirely that the rule is to speak on the principle of the bill, but I have no choice, Madam Speaker, but to follow the manner in which the Minister presented it, section by section. There is no other way in which this bill can be dealt with, because as you said there are several principles involved and the only way I can refer to the principles is by referring to the section. I wish I knew of some other way of discussing the bill. I agree with you entirely that we must restrict ourselves to the principle of the bill, but where there are several principles naturally we have to talk about each one of them.

MADAM SPEAKER: It's my hope that the honourable member would not just name the section but in an abstract fashion refer to the principle in it. It's only to ask his co-operation so that we do not have every bill given in this manner.

MR. HRYHORCZUK: The next objection I have, Madam Speaker, is the serving of liquor without food. Now anybody who recalls the debates that went on in this House in 1956 and recalls the recommendation of the Bracken Commission, which recommendations were made after intensive study of the whole question, not only insofar as related to the Province of Manitoba but insofar as liquor laws throughout the world were concerned, and the reason that the change in the law was agreed to was because it promised to teach moderation, and on that basis a great many people who opposed the consumption of liquor, either in part or completely, agreed to the adoption of The Liquor Control Act. One of the basic fundamental principles was that liquor would not be served without food in any of the licensed premises where there was food available, and in this particular amendment in this bill we are getting away from that principle of making liquor secondary to food in the Dining Room Liquor Licence.

I think it is wrong in principle, Madam Speaker, that we should do so. I do not think that liquor under this type of a licence should be sold by itself, but should be secondary to the consumption of food. I'm afraid that this is or could be the thin edge of the wedge where we may have what we were warned about by the Bracken Commission, as well as by many people who made presentations to the Law Amendments Committee when the act was being considered there, that we may eventually succumb to the pressure of serving liquor without food. I'm afraid,

(MR. HRYHORCZUK cont'd.) . . . . Madam Speaker, that this is one of the basic principles of liquor control in the Province of Manitoba, and as I said, we are wandering away from that principle with this particular provision in the act.

There is one other principle involved in this particular bill that I think should be looked at very carefully and that is the matter of advertising. This was something else that was very carefully discussed in any amount of detail, that the less advertising that was allowed, in fact it was recommended in the first instance that no advertising be allowed, because anybody that advertises, advertises in order to make a profit, in order to increase his sales. It doesn't make any difference what the advertisement is, it is only used for that one purpose, to increase the business of the premises. The advertisement here may seem negligible and maybe it is in itself, but each and every one of these licencees, if they do advertise the fact that they hold a licence, will do so only because they hope to increase their sales by it, and that certainly will not lead to moderation.

I may add here, Madam Speaker, that the Legislative Assembly and the people of Manitoba in 1956 did hope that the new act would bring about moderation, but looking at the sale of liquor in the province within the past nine years, the tremendous increases in the sales certainly don't lead me to think that we have achieved moderation in the consumption of alcohol.

I just want to say, Madam Speaker, that in my opinion we should not open the door to any kind of advertising. I know that this is a very disputable matter, in fact I doubt whether the members of my own party will agree on whether we should or we should not. It always has been a question upon which there is dispute, but in my personal experience, after spending several months in trying to put this bill through the House and reading the Bracken Commission very carefully, I feel that as far as advertising is concerned it is something that we should not allow, no matter how insignificant the provision may look at the time that it is introduced, because I say again, Madam Speaker, that it will only lead to a widening of the door and I don't think we should allow that.

MR. MORRIS GRAY (Inkster): Madam Speaker, as far as advertising is concerned, whether you have it here or not, this will not create so-called temperance because almost every second home in Manitoba gets one of the most expensive advertising from magazines which they receive from the United States, much more effective than any advertising locally in the press. So I'm not worrying about this. The only way you could get temperance, as I have already said a half a dozen times in this House, is by education and not by too much convenience. The other day when we were in Brandon, I picked up a package of matches advertising a certain brand of alcoholic drinks. What is the difference between the distribution of matches or reading it in the press? Some of those who advertise in the American papers are Canadian manufacturers. If it would help to sell less liquor, I'm quite satisfied with this. If it doesn't help, why not give the local industry the opportunity of raising a dollar or two rather than sending away to the States? Now what permission and what's the privilege of distributing matches, giving away a useful thing free of charge, and not only free of charge -- I picked up those matches in three different places. I haven't seen it in Winnipeg. I don't handle it, but it was distributed at the Brandon Exhibition. So what privileges have they got there that the rest of the province, or the rest of the advertising mediums cannot have?

MR. McLEAN: Madam Speaker, if no other member wishes to speak, I might make just a comment or two. First of all, with respect to the Honourable the Member for Inkster, he spoke to me the other day about the matches and he gave me a sample, and I have just been unfortunate in not being able to reach the Chairman of the Commission to get his explanation. However, I would ask him, the honourable member, if he would be good enough to remind me of this question when we get back on the Estimates of the department and I'll certainly try and have an explanation for him. I have to confess I had never thought too much about it before, although had on occasion noticed these matches.

With regard to advertising generally and his suggestion that we might just as well let local industry have the benefit of advertisements, this is a great question and it leads right into of course the opposite opinion that has been expressed by the Honourable the Member for Ethelbert-Plains, that there ought to be no advertising or it would be unwise to get started in this matter of advertising beer, wine or spirits, any one or the other, or a combination of all. I would simply have to say that it's a very serious question. It's one which was studied rather closely by the Bracken Commission. They made certain recommendations and certain practices are carried out now. Of course there's tremendous pressure to increase the area of advertising and I think I could be no more helpful than that, as there is a very great difference of

(MR. McLEAN cont'd.) . . . opinion among those who are concerned in this problem.

I think I can't be very helpful to the Honourable Member for Ethelbert Plains when he objects to the serving of liquor in hotel rooms. This is a point we could I think probably discuss in Committee, but I would have to simply acknowledge that it is a departure from what has been done before. I put it forward as being a suitable one, but I recognize that there are people who will have opposite views.

I think he has misunderstood the matter of the regulations concerning the liquor store hours because the regulations at the present time are not made by the government but made by the Liquor Commission. The only change here is that rather than having a formal regulation of the Commission which establishes the hours, they would simply issue an instruction, presumably from the officer in the Commission who is responsible for store operations, that Store A would observe certain hours and that Store B would have maybe some different hours. I would say it's not a very important point. I don't put it forward as being anything of great consequence, but I think that there is a misunderstanding if the Honourable Member for Ethelbert Plains is under the impression that that has been done by the government up to this time. My understanding is rather to the contrary and that this refers to what it is at the moment, an internal matter of the Liquor Commission.

MR. HRYHORCZUK: Would the Honourable Minister permit a question? The provision as to the sale of liquor by the glass, it would appear that each licensee would be judged on qualifications on his own merits, that is there is no over-all policy. I might as well put the second question. There does not appear to be any provision whereby a licensee can apply for that privilege.

MR. McLEAN: If I'm in order in answering, the answer to the first question is "Yes," and I confess that the answer to the second is "Yes". I think we had better look at that when we get into Committee. I get your point.

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

. . . . . continued on next page

MADAM SPEAKER: The adjourned debate on the second reading of Bill No. 92. The Honourable the Member for Assiniboia.

MR. STEVE PATRICK (Assiniboia): Madam Speaker, I am going to support this bill. I think it's very good legislation and I'm very pleased to see the Honourable Minister for Labour take some of our suggestions and propositions that come from this side of the House, and brought in this amendment to the bill. Not only did I adjourn the debate because of the two amendments, I also have some further questions to ask him in a section further on. But raising of the ceiling from 5,000 to 6,000, he probably recalls that I proposed this last year. This only increases the wage from 3,700 to 4,500, and I wonder if we need this ceiling of 6,000 at all, because the 75 percent in itself is a ceiling. So I think it was a move in the right direction but I'm not fully convinced that we do need this ceiling of 6,000.

There is a section in this bill -- and I'll have to . . . . . the section, Madam Speaker, because this is the only way I can do it -- where it states: "The Board shall perform such duties and functions and exercise such rights and powers as may be imposed on of a given -- or undertake any act of the Legislature." I don't know exactly what this section means. What other duties did the Legislature wishes? These should be spelled out. If it is for the employment safety I think it should state so in this bill, and if it's not, then I think it's up to the Honourable Minister to tell us what other legislation it may refer to, so that we know, when we're going to pass on this bill, we should know what it means or what it is going to mean.

There is a section, another amendment in this bill which I'm very pleased because just about two weeks ago, on March 21st, I spoke on this part and I said, "Under the Workmen's Compensation Act" -- I'm quoting from Hansard on Page 711, "Section 59, the Board makes assessments against employers in each class. Now I would like to say as an incentive to good safety measures the Workmen's Compensation Act should be amended to give more power to adjust levies for individual employers depending on their safety records in certain industries, and it seems that it's not in this bill." Well I'm very happy and pleased that the Minister -- that he has adopted my recommendations so quickly in this section in this bill here.

I would like to mention one more thing which is not in this bill and it is in the Act, which is Section 65 of the Workmen's Compensation Act. The present Act has provisions for annual review of assessments by classes. Now with the amendment in this bill, I think this section should also be amended to make sure that it includes annual review of any special assessments as the result of the amendment under Section 12. I believe it's a good amendment but the Section 65 refers to classes but should also include individual companies which will have special assessments because of the high rate of accidents, or low rates, so it will not be consistent with Section 12 in this bill as with the Workmen's Compensation Act itself, under Section 65. So I would like to see the Honourable Minister give consideration to this point in this bill.

MADAM SPEAKER: Are you ready for the question?

HON. OBIE BAIZLEY (Minister of Labour) (Osborne): Madam Speaker, I think I should answer a couple of questions. I appreciate the interest and enthusiasm of members opposite for the amendments that are proposed in this bill. The Honourable Member from Portage la Prairie the other day had a suggestion about the Canada Pension Act. I can only tell honourable members that that will require amendments to the federal legislation, to the Canada Pension Act.

The Honourable Member from Assiniboia is not quite satisfied with the increase in ceilings. I think that it is an adequate increase at this time. As he knows, from time to time increases are undertaken that are in line with other jurisdictions, and even an improvement over the wealthy province of Alberta, so I think that we're making reasonably good progress here. The merit rating which he is concerned about is taken care of in the amendment in Section 12, and I believe that experience will show that this will be advantageous to all parties because there will be incentives for safe practices and a distinct interest in the safety of all concerned. He had one point, the Honourable Member for Assiniboia, where he mentioned an amendment giving the Board power to enact legislation under other Acts. I might say that that's enabling legislation for the Employment Safety Act, Madam Speaker. I think that takes care of the questions.

The other day the Honourable Member from Radisson, the Leader of the New Democratic Party, was concerned about an amendment that wasn't in the bill. He mentioned the fact that -- a principle here of increasing compensation in the case of a person who had had an injury, compensation based on his earnings at the time of injury and for some reason he had a recur-

(MR. BAIZLEY cont'd).....rence or lost time at that time, and he suggested that there should be an amendment. I might tell him that we are not prepared to proceed with this suggestion at the time. However, it is certainly worthy of consideration, but there are a good many factors that would have to be considered before an amendment could be brought forward. I think that answers the questions, Madam Speaker.

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

MADAM SPEAKER: The adjourned debate on the Second Reading of Bill No. 101. The Honourable the Member for Lakeside.

MR. CAMPBELL: Madam Speaker, I would like to ask the House if this order could stand, but of course I'm quite willing for anyone who wishes to, to proceed in the interval.

MADAM SPEAKER: Anyone wishing to speak? Agreed to have it stand?

HON. GURNEY EVANS (Minister of Industry and Commerce) (Fort Rouge): Madam Speaker, I wonder if you would now be good enough to call the debate on Ways and Means for my honourable friend from Emerson.

MADAM SPEAKER: The adjourned debate on the proposed motion of the Honourable the First Minister, and the proposed amendment thereto by the Honourable the Leader of the Opposition, and the proposed amendment to the amendment by the Honourable the Member for Brokenhead. The Honourable the Member for Emerson.

MR. JOHN P. TANCHAK (Emerson): Madam Speaker, I'll not hold up the proceedings any longer and I'll not be too long. I presume I'll be through by 5:30 or somewhere thereabouts. Now, this budget has been described by some as a "treadmill budget", by others as a "goose egg budget". I would say it is a goose egg budget and even the treadmill reference to it is a fairly good one, but to me it seems that it is so transparent, so void of substance, that you could almost apply any term to it and it would qualify. The government produced an offensive budget played by defensive players, the backbenchers. The government is trying to veil its inefficiency by a barrage of paper propaganda, while the backbenchers are coached into the defensive positions often, if not always, playing their positions so poorly that the score is pitiful for both the government and the players themselves. The confusion is so great in the government and front benches that they even entreat the help of the devil, and the other day even the help of the Speaker was entreated, and we know that the Speaker is impartial.

MADAM SPEAKER: May I ask the Honourable Member to repeat that?

MR. TANCHAK: The Speaker, I said, is impartial.

MADAM SPEAKER: Were you referring to my health or.....

MR. TANCHAK: No, I said that some of the honourable members had entreated the help of the Speaker. Yes -- help. I'm sorry if I didn't pronounce the word too well, and Madam Speaker is impartial. By that I mean that there is no use trying to ask her to help in difficulties as far as the government is concerned and the backbenchers. The confusion is so great in the government that it seems that they are grasping at straws. They have run out of new ideas, but I'm sorry to say didn't run out of new taxes, taxing the people of Manitoba. How void of leadership! How much more could a government get, how much longer, how much more inefficient could a government get! But it seems to me that the Honourable the Minister of Labour has a cure-all. He has a tranquilizer. His answer to all this confusion in the government and in the back benches, confusion and inefficiency, is to muzzle his own backbenchers and at the same time to silence the opposition. How preposterous! I thought that the era of dictatorship was fast disappearing from this earth, but if we listened last night to the Honourable Minister of Labour one would almost feel that he is trying to re-vitalize this here in Manitoba. The current session is simply a rehash of the last summer session -- quite a good idea, I presume, as far as the government is concerned. It gives them a double-barrelled machine, if you wish to say, for some more propaganda, and they must resort to that because the work that the government is doing, or its policies, are so inefficient that they must cover their failures up with smokescreens. The summer session and this one, I'll say was and is an attempt to shift the burden of taxation from the shoulders of the property owner or the taxpayer to a wider base -- that of the Province of Manitoba as a whole. But, the taxpayer of the Province of Manitoba is practically the same taxpayer, with a few added ones, as the property owner. In my opinion, the government with its heavy tax load has stooped one shoulder of the taxpayer so badly that it is now trying to shift the burden onto the other shoulder, the result being that both shoulders now are carrying an added burden. The taxpayer now will stoop double-shouldered, and if the government persists in this vicious taxation extraction of money from the taxpayer, I'm afraid that soon the taxpayer would be so stooped that he will



(MR. TANCHAK cont'd).....resemble the gorilla.

The government is trying to bail itself financially and it is doing this at the expense of the local governments, the municipalities, and at the same time, the taxpayer. We know that the government says, "We'll take some money out of one pocket, out of the right pocket, and put it into your left pocket," but at the same time the government is gaining. What did the government do? The municipalities could have applied for grant in aid in the past, and they did receive at least \$10,000 grant, each municipality, but the government has abolished this now. Therefore the government is richer by \$10,000 times some 200 municipalities throughout the Province of Manitoba, while each one of these municipalities is the poorer by at least \$10,000 -- I'm sure it's more -- also multiplied by \$200,000, or \$10,000, and that goes into millions. So that's why I say that the government is trying to bail itself out financially at the expense of the local government.

The government revenue expected from the new taxes imposed last summer and not all felt at the present time -- there are still some coming, in June -- but the amount that the government expects is over \$22 million. Then the government says, "We'll put back in the pockets of the property owners somewhere between \$8 and \$10 million. Therefore, the government will be to the good of at least \$12 million. It's a saving." And again I say, the government needs this money to bail itself out of its wasteful spending spree. Does the taxpayer get value for his money? No, I would say. What about the money -- and probably in the spring I shouldn't speak about this -- what about money that's poured into the Winnipeg Floodway? What will Manitoba have? In my opinion there is ample protection now. What will they have? A dry ditch and a big goose egg.

We know that other countries are now thinking of preserving our fresh water supply, and we know that in about 50 years, 40 to 50 years from now, most of our underground fresh water supply will be exhausted, and I think that it is better for us to think in terms of preservation, conservation of water rather than hurrying it on to the ocean, and we know that our friends across the border are thinking along these lines. This year they are proposing a huge dam on the Roseau River, and not only that but our friends there are willing to spend something in the neighborhood of a quarter of a million dollars in the province of Manitoba to improve the situation. I also have here that on the Red River similar projects may be undertaken very soon. We have the beet factory and they are considering a huge dam whereby . . . . . holds the water back, fresh water. Once the Portage diversion is constructed and the two crests, the Red and the Assiniboine, will never meet simultaneously in Winnipeg, I think the danger of flooding in the City of Winnipeg is past, and besides that, we know that there were dikes built after the last flood which would protect Winnipeg in case of a flood similar to the last one that we had and even higher, because now it is possible -- with a solid base it is possible to build up the dike with sandbags. In my opinion I think that this project will go down in the history of Manitoba a few years hence as Roblin's folly.

Well, money poured into many small high schools -- this was . . . . . -- in rural Manitoba. The result, another blunder. Another goose egg in my opinion. What about the money poured into certain Grand Rapids contracts? Here I would say that the government hatched a \$2 million prize gosling, and at whose expense? At the expense of the taxpayer. --(Interjection)--He was just reminiscing.

Now the big deals referred by the Honourable Member from Gladstone -- the land transactions, the big deals. How much money has been wasted in all the land transactions that the government has undertaken? At the present we have referred to only a few, and it shows that the waste there is at the rate of 25%, and if that was applied to about \$80 or \$90 million of purchases it would amount to a very huge sum, equivalent to the amount of revenue expected from the current new taxes. These land deals I am referring to are the Art Centre, the Goose Preserve, and there are many, many others. To me it's just appalling when one scrutinizes the financial fiasco of this government.

The government likes to compare its financial figures -- not all of them naturally -- with the financial figures of 1958 or '59, and I wonder why they don't compare all of them, to be fair. Now let us take just the debt alone. We know that the debt has skyrocketed since the present government has taken over, but at the same time our taxes have skyrocketed since this government has taken over. It seems to me that if the provincial debt increased and at the same time the taxes decreased, then the debt increase would be partially justified, but when both go up astronomically I don't think that it is justified. There must be waste, because we cannot see, the people of Manitoba cannot see where all these huge amounts of money have

(MR. TANCHAK cont'd) . . . . . been spent to the best advantage. What value will the citizen or the taxpayer receive for the \$18 million that in 1965 will be charged to debt charges, as we call them -- \$18 million? None, except I think it's in order now to remind the taxpayer of Manitoba that this debt has increased 850 times as high as it was in that fateful year of 1959. I don't think I need to say any more. We know that this government is inept, inefficient and wasteful with the people's money.

MR. J. D. WATT (Arthur): Madam Speaker, I wonder if the Honourable Member could tell us, in the municipality in which he lives what the grant structure was prior to the new legislation; how much it was; how many miles were taken over; and exactly what the difference would be between the structure that we had before and the road takeover now, within his municipality.

MR. TANCHAK: Madam Speaker, I'm quite familiar with that, and I did not want to enter into that, but if you want to know the full truth of that, about one-third of our highways or our market roads were taken over presently by the government at 100% government expense. Up to that time the government took care of 60% of all the highways as far as construction was concerned, if that's the answer he wants. Therefore, the government took care of 60% of all highways, now they are taking one-third of all the market roads, so you can figure it out. Thirty percent before, or sixty percent before, one-third now; but I did not raise this. As an objection -- I have very good reason for not raising this as an objection. Although at the present time it looks unequitable, I like to look into the future, so I did not criticise that, but if you want to come to this year I would say that there is a saving this year for the government and it's a loss to the municipality.

Now if this is right or wrong, this is the way we should be -- remember, I said we should look into the future, what it's going to do, but if you take just this one year the municipality is the loser, depending on the amount of construction being done in this one year, this year. If there is very little or none, the municipality would lose an awful lot but it is quite possible that in any given municipality the government might undertake to build a real good highway in any given municipality, but the government cannot afford to do it in every municipality in the same year. Therefore, there will be more municipalities in my opinion which would stand to lose the very first year, but as I warned the honourable member I did not want to discuss this because I like to look into the future, and that's why I did not criticise this. It's something that we cannot criticise just now because the policy has just started, and how can I talk about the benefits of this new program if it's just barely started? Now I would like to be fair on this. It may be good. There might be some benefits derived on that, but that's my answer. As it stands now the honourable members will agree with me that in the first year at least the municipalities are definitely the losers.

MADAM SPEAKER: Are you ready for the question?

MR. JOHNSTON: Madam Speaker, I beg to move, seconded by the Honourable Member for Assiniboia, that the debate be adjourned.

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

MR. EVANS: Madam Speaker, in the unlikely event that the Honourable Member from Gladstone would complete his address in five minutes, I would suggest calling the next order.

MR. SHOEMAKER: . . . . . that I could second the motion for my honourable friend the Minister this time. I am not prepared to speak at the moment in light of the hour.

MADAM SPEAKER: Agreed to stand?

MR. EVANS: I think in the circumstances, Madam Speaker, you might wish to call it 5:30.

MADAM SPEAKER: We will call it 5:30. The House will now adjourn and stand adjourned until 2:30 tomorrow afternoon.