

THE LEGISLATIVE ASSEMBLY OF MANITOBA

2:30 o'clock, Friday, March 31, 1967

MR. SPEAKER: Adjourned debate on the proposed resolution of the Honourable Member for Inkster. The Honourable Member for Inkster.

MR. GREEN: Mr. Speaker, I made most of the remarks that I am going to make on this subject. When we left off with the debate of this matter on Tuesday, we had just been discussing the fact that the Minister of Labour felt that if a judge ordered a group of employers to stop walking in front of the Union Centre with signs saying "Don't join the Unions," that this would be okay with the Minister of Labour provided that the judge said this. I think that this is exemplary of the Minister of Labour's attitude with regard to all labour problems, that some third person will get him off the hook so that he wouldn't have to make a decision. In this particular case he says that the judges should make the law.

Well, Mr. Speaker, I would like the Minister of Labour to know that what goes on in the courts is entirely different. The courts believe that they are interpreting the law as made by the Legislature and there has been many times that I have been in the courts and I have argued a particular position and the judges have said, "Well if you want that particular position to prevail, then that's a matter for the Legislature to deal with." So I would like the Minister to know that the courts feel exactly as I do. They say that if there is to be a statement of the law, it should be made by the Legislature, and in this particular resolution all we are asking the Legislature to do is to affirm their position that nobody in Manitoba should be prevented from walking down the street with a sign carrying true information. I said, and it doesn't bear too much repeating, if they are committing any other wrongful act, that certainly they could be prevented from doing those acts by the administration of the Attorney-General's Department; but if all they are doing is communicating information, then they should be permitted to do that.

Mr. Speaker, I said before, and I do have the support of the index, Sir, in Hansard that this is a resolution that deals with nothing but freedom of speech. I understand it was Mr. Evans who prepared that index and I commend him for at least being able to understand the proposition which apparently none of the parties in the House are able to comprehend. I say, Mr. Speaker, that -- (Interjection) -- I'm sorry.

MR. McLEAN: I'm just saying that's the Provincial Secretary's Department.

MR. GREEN: Provincial Secretary - oh well that's fine, then I expect that the Provincial Secretary is going to vote "aye" to this resolution.

Nevertheless, Mr. Speaker, I want to make it clear that every society, every single society that has legislated against free speech, has done so on the basis that to permit it would constitute some sort of danger. They have said it would constitute a political danger; some said it would constitute an economic danger. That appears to be the Liberal position in this House, that to permit free speech of this kind would constitute a danger to the economic status quo. We in this Party, Mr. Speaker, feel that the preservation of free speech is more important than the preservation of the economic status quo.

Furthermore, we feel that any society which is basically strongly structured should be able to permit free speech of all kind. If a society is weakly structured then it's a prerequisite to its improvement that it not inhibit free speech. We make that resolution on this basis, and we don't see, Mr. Speaker, that the resolution says anything else than what has been suggested. I know that the First Minister suggested to me that we want to be in a position to accuse the Attorney-General of strike-breaking. That's not the case at all. I have said it, and I repeat it again, that if the Attorney-General acted in order to stop violence in the streets, he not only would not be called a strike-breaker but he would receive the support of the members of this House.

And it's with these remarks, Mr. Speaker, that I urge the House, not on behalf of any group but on behalf of the continued existence of our democratic way of life, that they give their affirmative sanction to this resolution.

MR. SPEAKER: Are you ready for the question?

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

MR. PAULLEY: Yeas and Nays please, Mr. Speaker.

MR. SPEAKER: Call in the members.

A standing vote was taken, the result being as follows:

YEAS: Messrs. Cherniack, Doern, Fox, Green, Hanuschak, Harris, Miller, Paulley, Petursson and Uskiw.

NAYS: Messrs. Baizley, Barkman, Beard, Bjornson, Campbell, Carroll, Clement, Cowan, Craik, Desjardins, Dow, Einarson, Enns, Evans, Guttormson, Hamilton, Hillhouse, Jeannotte, Johnson, Johnston, Klym, Lissaman, Lyon, McGregor, McKellar, McKeenzie, McLean, Masniuk, Molgat, Patrick, Roblin, Shewman, Shoemaker, Spivak, Stanes, Steen, Watt, Weir, Witney, and Mesdames Forbes and Morrison.

MR. CLERK: Yeas, 10; Nays, 41.

MR. SPEAKER: I declare the motion lost. I ask the indulgence of the House and would refer the honourable members to Page No. 5 of the Order Paper. The adjourned debates on second readings of public bills. Bill No. 21. The Honourable Member for St. James.

MR. DOUGLAS M. STANES (St. James): Mr. Speaker, I adjourned this debate because I thought that I would like to share some of my opinions with the House. On first blush of this Bill I don't quite frankly like it. I feel in some ways it goes too far; in other ways I find it doesn't go far enough. It states that an employer shall not fire or dismiss an employee because of a garnishment order. This is quite correct and I agree with the principle of that, and because I agree with the principle I will of course support this Bill at second reading, but I wonder, as I think of this, how effective that Bill would be. I'm just thinking of cases, there must be many whereby a person is not satisfactory as an employee and it may be that the garnishment order may be the final straw that breaks the camel's back. If the employer is not permitted by law to dismiss him on these grounds, surely he will find some other grounds which equally can be wrong morally, so I wonder actually in point of fact how effective such a regulation or such legislation will be.

I also think of those who are supported by organized labour, members of organized labour whereby in their cases they would take these to a grievance committee - am I correct? - and it should have a hearing there. These are the minority. The majority are those who are not supported in that way, so there is a need.

Quite frankly, Mr. Speaker, I would like this type of legislation to go much further, insofar as I would like the government, as I feel it is the duty of government to supply those things which are needed by the majority of people and cannot be supplied by any other agency or groups, to give to the unorganized people, employees, the same privileges in the form of a committee - a grievance committee, call it what you will - whereby if they are unfairly dismissed, whether it be by means of an excuse of this or another, that they may have an opportunity to have their day in court.

Now how in point of fact such a thing would work I don't know, but in principle I would like the Bill, this type of legislation to be larger in scope. I again repeat that in many ways I don't think this piece of legislation will do what I am sure the Honourable Member for St. John's intends it to do, but I do agree with the principle and the thought underlying the legislation of the Bill as written and as supported and presented by the Honourable Member from St. John's, and therefore I will support it on second reading.

I must also hasten to add that I agree with many of the comments of the Honourable Member from St. Matthews, and I look forward to the amendments to the Bill as he suggested in his speech some weeks ago.

MR. FROESE: Mr. Speaker, I just want to make a few very short comments. I will support the Bill on second reading in order to have it go to Law Amendments Committee and no doubt some will argue that this is the wrong thing to do because we are voting on the Bill in principle on second reading, but I would like to know just how prevalent these cases are. Are we justified in bringing in legislation of this type on existing grounds where things of this nature take place, and how many of our employers are dismissing their employees because of garnishment orders? I can visualize where you have credit institutions and an employee of a credit institution, who have to deal constantly with other people and ask them to live up to their agreements, and at the same time he will not live up to his own agreement and that an institution of that type can have employees' wages being garnisheed time and again, and yet if this is passed the employer would have no authority to dismiss him.

I think there are certain matters involved in this particular Bill which I would like to see further explained and probably have representation made in Law Amendments or whatever committee this Bill will be referred to, and see what representation is made. On the other hand, I certainly reserve my position on third reading in voting against it at that particular time.

MR. SPEAKER: Are you ready for the question? -- The Honourable Member for St. John's.

MR. CHERNIACK: I'm ready to close debate if no one else wishes to speak.

Well, it's a nice feeling on the part of a member of the Opposition to note that an Opposition resolution, or a Bill in this case, is receiving the unanimous support, as I assume this Bill will receive on second reading.

I don't want to go too much into history but it was only last year when the Conservative Government rejected an identical bill, and it gives us reason to hope that we can be persuasive, if not immediately, then in so short a period as one year later for the principle to be adopted.

I am quite prepared to agree with both the Honourable Member for Selkirk and the Honourable Member for St. Matthews, and of course the Honourable Member for St. James, all of whom suggested that there could be some variations in the Bill itself. To me, the important thing was the acceptance of the principle. I must admit surprise that the Honourable Member for Rhineland has indicated he will support the Bill in principle. I sort of didn't expect that, but the fact is that I'm assuming that the Honourable the Minister of Labour is going to vote for this Bill as well. Considering the strong position he took last year and the fact that he seemed to -- well, he did say, not even suggest, but say that this Bill was going to protect people who did not deserve the protection, I'm glad to know and am looking forward to the certainty that I now have that he too accepts the principle.

I have no comment to make really on the remarks made by the Honourable Member for St. Matthews because he accepts the principle; he developed it; and indicated his full support and I welcome that.

The Honourable Member for St. James expressed certain doubts as to the effectiveness of this Bill, and I can only say that it would be as effective as the Labour Board wishes to make it, because it's the Labour Board that will be responsible to see to it that the intent of the Legislature will be carried out, and if an employer manufactures a reason other than this reason and if the Labour Board is acute enough to recognize it, then it will be fully effective. To the extent that it is not effective, it could be considered to be educational as an expression of opinion of the representatives of the people of Manitoba and I think many employers would be influenced by it.

I draw to the attention of members that the Honourable Member for St. Matthews on Page 1557 stated that "outside of the organized labour group," and I now quote, "there are thousands of people in the Province of Manitoba who are not protected by organized labour or by any contract, and it is these people that are so protected that do not have this contractual section to give them any additional protection." So that certainly he has recognized the need for the vast numbers of people who are employees and who are not organized.

The idea proposed by the Honourable Member for St. James is, I would say, a startling one, because the recognition that he has given to the problems of the employee are broad, worthy of study and worthy of support to the extent that one should investigate this suggestion. I think it is a very valuable suggestion, one that I'm very pleased to have heard from him, and I sincerely hope that with our combined efforts to protect the people who are unable to protect themselves that we will not forget his suggestion; we will work on it in time to come, and possibly since he sits so close to the Minister of Labour that they can almost hold hands, that some of this idea will percolate through so that for all we know in the not too distant future the suggestion made by the Honourable Member for St. James will find its reality through action taken on the part of the Minister of Labour and not wait for it to go through the tortuous mechanics of being brought up by the Opposition, being fought over, rejected and then accepted.

The Honourable the Member for Rhineland questioned as to how prevalent this problem was, and again I would read to him from the Honourable the Member for St. Matthews address on this subject where he said, and I quote again, "One of the things that I dislike about the present practice is that too many employers are able to impose upon their own employees their own moral and ethical standards." And he then went on to criticize that approach. I could only assure the Honourable Member for Rhineland that those of us who are in the profession of law and are faced with garnishment problems recognize its prevalence and recognize even more the threats that are made by employers in this regard, which themselves cast a real sort of "Sword of Damocles" approach to an employee's working and being able to handle his job. So it is not only the actual dismissals that should be stopped but also the threats, and as indicated by the Honourable the Member for St. Matthews, it is there, it is a constant worry and a problem.

So again I welcome the support of the House to this. I'm looking forward to our dealing

(MR. CHERNIACK cont'd.) with it in committee and making such changes as will prove satisfactory to the majority but ending up with a further protection which is badly needed for the man who is facing problems of debt which should not be influenced or strengthened by the problems of being discharged.

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

MR. SPEAKER: Bill 42. The Honourable Member for Selkirk.

MR. HILLHOUSE: Mr. Speaker, in rising to take part in this debate, I wish to make it abundantly clear that the views which I am expressing are my own and are not necessarily those of any members of my group, although some members of my group may agree with me, but that is just a coincidence. This is not a matter which I have caussed but is a matter which I am becoming involved in simply on account of my own views.

Now I have been prompted, Mr. Speaker, by a sincere conviction that if this Act has any justification for existing, it should not exist at the expense of a municipal corporation, and depending on whether or no you judge it as a facet of labour legislation or legislation in restraint of trade and free competition - and I believe that it belongs to the latter - it should become the responsibility of the Department of Labour or that of the Provincial Secretary. To me, the continuation of this Act is not justified on any ground, and it is cogent evidence of the fact that we in this Legislature are becoming more Americanized every year in the pressure groups and the lobbying that is done to induce us to enact legislation. As far as I'm concerned, I am completely fed up with this trend, and as far as I'm concerned too, regardless of the source of that pressure or of that lobbying, I intend to oppose it and to support that legislation which I can support as a matter of principle, a principle which I can defend and a principle which I can live with, and I do not intend to support any legislation simply on the grounds of political expediency. I hope that I'm not moralizing, Mr. Speaker, but I feel that if I am to be honest with my constituents, I must first be honest with myself.

Now the sole purpose of this Bill and of these amendments is to restrict the normal rights of the merchant to conduct his business in accordance with existing laws as to the employment of individuals, the closing for statutory holidays, and other limits imposed by statute. In my opinion, this Bill should be approached and viewed from the standpoint of the public good, from which it follows that we should not adopt restrictive legislation and interfere with the normal rights of a businessman to conduct his business in conformance with public demand and sound business judgment unless that is the only way by which we can right a wrong or correct a practice that cannot be righted or corrected through our general law. Historically, this original Act, and others of a similar nature, dealing with the opening and closing and hours of sale of a shop or store, was necessary to fill a gap or a vacuum caused by a lack of provincial legislation dealing with the individual employment standards. In effect it was a process to protect the individual employee from exploitation through the medium of hours of work, and if we want any evidence on that point, we did a few years ago repeal Part II of this particular Act which specifically dealt with regulations respecting employees in shops and offices.

Today I feel we are living in a more enlightened age. Labour today is organized. Labour and others have seen the evolution of statutory requirements relative to hours of work, shop regulations, vacations with pay, compensation and other protective benefits, which, imperfect as they may seem in some cases, in my opinion nevertheless eliminate the need of action and legislation from a municipal level.

Under The Shop Regulations Act you cannot get uniformity. You are dealing with a completely unworkable Act and an Act which should be completely repealed as being no longer necessary. If there are any parts or portions of the present Act not at present covered by our provincial labour legislation, and should be so covered, I would suggest that the Department of Labour conduct a review and study for that purpose.

Historically too, Mr. Speaker, there has been a radical change in the pattern of merchandising itself. There has been a shift from urban to suburban living. This population shift, coupled with an increase in the female work force, has prompted a change in our merchandising pattern, giving rise to our shopping centres. The costs of merchandising have been increased at an alarming rate. Today it is not a case of "the public be damned," but the "public be pleased." We are living in an era of increasing costs, making it necessary for any merchant who wishes to remain competitive and thus stay in business, to increase his efficiency in a corresponding manner. One need only look at the increasing incidence of municipal taxation to find a startling example of these increasing costs.

It seems strange to me, Mr. Speaker, that one should have to defend the rights of a

(MR. HILLHOUSE cont'd.) businessman to conduct his own business in a manner consistent with existing labour legislation and the economic factors involved. It also seems ironic that we should now be asked to restrict the retail industry in the utilization of their facilities when recent legislation at the provincial and municipal level has removed restrictions on theatres and specified recreational enterprises in order to meet the public demand and to give to the owners of these facilities the right to achieve more efficient use of same. If our economy is to survive and expand there is greater need today for increased efficiency in the operation of all of our businesses, and this is no time to introduce restrictive measures that would increase the cost to the consuming public.

In February of 1962 the Winnipeg Free Press published a letter which I would like to read, and this letter read as follows; "Legislation respecting early closing by-laws has masqueraded for many years as labour legislation. Nothing could be further from the truth. The effectiveness of existing labour legislation in creating satisfactory working conditions for employees of all business within the province has long since been established. What, actually, do the closing by-laws represent? They represent legislation on behalf of a small group of business people in the community who have created a combine in restraint of trade, and obtained legislative sanction for their combine. Must we be compelled to accept the present unsatisfactory shopping hours because of the workings of a combine of retail merchants, and to pay for the cost of policing these same merchants to ensure their compliance with their own by-law? The citizens of Winnipeg deserve to be rid of this kind of legislation."

Within the last two or three days - as a matter of fact you got one letter today, from the firm of D'arcy, Irving, Haig and Smethurst, a group of Winnipeg lawyers who are acting on behalf of the sponsors of this Bill. On March 27th last you got your first letter from the same legal firm, and attached to that letter was a copy of a letter written by the City Clerk of St. Boniface to Messrs. D'arcy, Irving, Haig and Smethurst, in which he refers to the verbal representations made on the evening of March 14th by Messrs. Graeme Haig and others, in support of the City of St. Boniface adopting this particular legislation. The letter which I read to you was written by none other than Graeme T. Haig of this particular firm, and that letter represented, no doubt, his views as an individual on this particular subject at the time of writing.

A short time ago - as a matter of fact last year - considerable pressure was put upon the municipal corporations in Greater Winnipeg by people proposing this legislation and people opposing it, and I heard A.V. Mauro, Esq., Q.C., counsel for the Merchants Committee of Greater Winnipeg, in opposing this legislation at a certain municipal council, and at that time he made the following submissions as to why that municipal council should not adopt this legislation, and these are:

1. It is not the department stores and chain stores who have requested this alleged protection, and in fact they oppose such arbitrary restrictions.
2. It is not the consumer who is being protected since the introduction of such restrictions must ultimately be reflected in higher unit costs and would curtail his freedom to shop when convenient.
3. It is not the employees who will benefit since they are protected under the existing labour legislation. In fact, the proposal will result in the lessening of employment.
4. In what ways are store owners and occupiers injured by existing regulations? If they desire to close they may do so. The only requirements as to hours are the demands of their customers and business competition.

In conclusion, Mr. Mauro stated that a businessman has the right to determine the utilization of his investment in plant and machinery; that store owners and occupiers within the various classes are best able to judge customer requirements and the cost factors involved in the operation of their business. And in final conclusion he quoted an excerpt from the Saskatoon Star Phoenix of August 6, 1965, reading as follows:

"In a private enterprise society, the government should not regulate retail store hours. It's only concern should be to protect employees from unreasonable working conditions. Merchants themselves should set their store hours according to business classification. This enables the merchants to set their own hours according to business trends and pressure from customers, and it relieves the council from the responsibility. No private businessman should be forced to operate hours he doesn't want to, except by his competitor or his customers.

"On the other hand, a businessman should not be prevented from operating his business successfully, nor should the general public be deprived of service because other merchants are

(MR. HILLHOUSE cont'd.) less ambitious or less inclined to serve their customers."

For the above reasons, I am opposing this Bill on the grounds that it is unworkable, that it is retrogressive, and that it impairs the ability of a businessman to operate efficiently and thus pass on to the consumer the lower costs resulting from such an operation.

In conclusion I think that most members should study this Bill very carefully, and if they do I am sure that they will be appalled by the principle involved in one portion thereof, namely, that of forcing a municipality to pass a by-law for the benefit of any applicant, and at the same time placing that municipality in the impossible position of being unable to amend, vary or repeal same for a period of one year thereafter, and then only on the application of two-thirds of the group for which the legislation was passed. At the present moment, under the Shop Regulations Act a municipality if it receives a petition from a group representing two-thirds of the shop owners in that particular category, it must enact a by-law, but under the present legislation it can amend, vary and repeal that by-law at any time after it's enacted. Now this new section which is to be put into the Bill would preclude a municipality for doing so for a period of one year and then only if it received a petition from two-thirds of the shop owners covered in that by-law.

My argument is that why should a municipality have to police, at the expense of its rate-payers, a by-law enacted for the alleged benefit of a few, perhaps a by-law which is in restraint of trade and wholly and totally against the public good, and without any power of being able to charge the expenses and the costs thereof to the few that are being protected. In my opinion, if this Act is to remain - and to this I am unalterably opposed, I would suggest that it be enforced by the Department of Labour; that said department should require all stores to be registered with that department; that a fee be charged which would be sufficient and adequate to cover the costs of policing the Act; and that the provisions of the Act be first voted into a municipality by referendum, by which means we would be able to ascertain the wishes of the people and not those of an organization, thus giving to municipal men the time necessary to deal with more important matters. This is only a suggestion but I feel that it is worthy of consideration, and in order to enable the government, through the Department of Labour or the Provincial Secretary, to come up with an answer for the next session, I wish to move, seconded by the Honourable Member for Lakeside, that this Bill be not now read a second time, but be read six months hence.

MR. SPEAKER presented the motion.

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

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

MR. M. E. MCKELLAR (Souris-Lansdowne) presented Bill No. 77, an Act to validate By-Law No. 214 of the Village of Treherne, for second reading.

MR. SPEAKER presented the motion.

MR. MCKELLAR: Mr. Speaker, I'll be very brief here. I think the preamble pretty well explains here. If I read that over here in the same terms as written, I think it answers all the questions that it will be necessary to answer:

"WHEREAS the Village of Treherne service the lands described in By-law No. 214 with sewage disposal facilities at the verbal request of the owners of the said lands, without complying with the provisions of Section 692 of the Municipal Act, and levied frontage tax upon the said lands without legal authority." And, Mr. Speaker and members, gentlemen, this Bill here gives the legal authority to permit the Village of Treherne to proceed with their frontage taxes on these said lands where they were serviced.

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

MR. MILLER presented Bill No. 74, an Act to amend The West Kildonan Charter, for second reading.

MR. SPEAKER presented the motion.

MR. MILLER: Mr. Speaker, there are two points in these charter amendments, one dealing with a charter amendment which was brought in in 1965 to establish a fund to be made available to the Recreation Commission of West Kildonan. When it was established we didn't quite foresee the problems that we might run into in using the funds and the manner in which they might best be used, and the purpose in the amendment here is to clarify the wording in the Act which at present makes it difficult to pay the money to the Recreation Commission. I'll also be bringing in an amendment to clarify it even more than it is here so as to avoid the problem of the Secretary-Treasurer having to set up separate accounts for every advance made

(MR. MILLER cont'd.) and for the repayment thereof. It's a matter of saving the office a considerable amount of time and making it easier to handle this particular fund.

The other deals with the question of the standard of maintenance of the exterior of homes. As you members are aware, we recently dealt with an amendment by the City of Winnipeg where they requested that they be given additional powers to what they have now in controlling the standards of homes, or the exterior of homes. West Kildonan has never had any regulations in this regard at all, and what we have before us is a Bill requesting the full powers to govern both owner-occupied and rented homes. In Committee, if this Bill passes in Committee I will be bringing in an amendment, Mr. Speaker, which would limit the powers requested here, to deal only to homes which are revenue bearing; that is, homes which are occupied by tenants and which are not owner-occupied.

These are the two major points covered in this Bill and in both cases, as I mentioned, amendments will be brought in to clarify them and to make them, in my opinion, more acceptable to this House.

MR. STANES: Mr. Speaker, I would just like to add that I will support it at second reading because I think in principle one should do so with legislation of bills which have come from elected municipal officials. However, I have many reservations and I'll reserve my judgment of this legislation at the time of committee.

MR. FROESE: Mr. Speaker, I think, as already mentioned, we have had a similar bill before the committee on an earlier occasion. I do not necessarily subscribe to the principles contained in this particular bill. However, I will not object on this occasion to let it go to committee. I certainly hope when the committee meets that we will have the chance to discuss it in greater detail and hear the amendments that the honourable member has to propose.

MR. DESJARDINS: Mr. Speaker, I just wish to say that I agree with the two previous speakers. I would be very interested to hear from the people concerned because this is something that has been with us for a long time and, well to be honest with you I'm not quite clear on it myself. I would like to be able to hear the representation. . .

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

MR. SHEWMAN presented Bill No. 72, an Act respecting The Rural Municipality of Morris, The Town of Morris, and The Rural Municipality of Montcalm, for second reading.

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

MR. HAMILTON presented Bill No. 33, an Act respecting the Sale of Water in and by the Town of Winkler to Co-op Prairie Cannery Ltd. of the Town of Winkler, for second reading.

MR. SPEAKER presented the motion.

MR. FROESE: Mr. Speaker, I beg to move, seconded by the Honourable the Member for Portage la Prairie, that the debate be adjourned.

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

MR. ROBERT STEEN (St. Matthews) presented Bill No. 67, an Act to validate By-Laws Nos. 19/66 and 4/67 of The Town of Swan River, for second reading.

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

MR. GORDON E. JOHNSTON (Portage la Prairie): Mr. Speaker, I wish to speak on Bill 67.

MR. SPEAKER: I withdraw my remarks.

MR. JOHNSTON: I was waiting for the mover to explain the Bill.

MR. STEEN: Mr. Speaker, I'd be happy to oblige the Honourable Member from Portage la Prairie.

MR. LYON: There is a slight problem I think, Mr. Speaker, in that the vote was called and taken. I don't know if you, Sir, have so registered it. I think my honourable friend would have to get unanimous consent. I don't suppose we would have any objection.

MR. PAULLEY: . . . say that you withdraw the indication of the vote having been taken, if I heard you correctly and I believe that I did. However, as far as I am concerned, and this group, we are prepared to give consent.

MR. SPEAKER: I realize that a problem has developed but I must say that the House from time to time is appealed to to answer and whilst I thought I heard it answer I am quite willing to give the gentleman the benefit of the doubt and call upon the Honourable Member for St. Matthews to carry on.

MR. STEEN: Mr. Speaker, the purpose of this Bill is to validate two by-laws of the

(MR. STEEN cont'd.) Council of the Town of Swan River. The first of these by-laws, No. 19 of 1966, was a by-law passed by the Council of the Town of Swan River for the purpose of validating all the local improvements which the town completed between and including the years 1959 and 1966. In some instances, the Council has passed the necessary resolutions to authorize the various local improvements covered by By-Law No. 19, but had not advertised these improvements as required by the Municipal Act. In other cases, there was no resolution passed by the Town Council to authorize the improvements, nor were these improvements advertised.

All the improvements covered by By-Law No. 19 and by this Bill have now been completed. No debentures have been issued by the Town of Swan River to cover the cost of these improvements. As a result, the costs of these improvements have not been levied against the properties which were beneficially affected by these improvements.

One of the purposes of this Bill is to enable the Town of Swan River to charge for these improvements to the respective property owners that have benefitted thereby. That is why the Town of Swan River is asking the Legislature to validate By-Law No. 19 so that the town can issue the necessary debentures to cover the cost of these improvements. A list of these improvements is attached to the Bill as Schedule No. 1.

The second by-law to be validated by this Bill is No. 4 of 1967, which has to do with the storm sewer system in the Town of Swan River. Previously, the Council of the Town of Swan River passed a resolution of the Council on November 16, 1965, which resolution was later authorized by an Order No. S317/65 of the Municipal Board of Manitoba. Subsequently, the Town of Swan River passed the necessary by-law which was called No. 29 of 1965, which was later authorized by the Municipal Board by another order. The purpose of these by-laws and these municipal orders was to authorize the construction of a storm sewer system at an estimated cost of \$140,000. After the storm sewer project had been completed it was discovered that the location of the storm sewer system had been altered from the original plan which had received the approval of the Town by-laws and the approval of the Municipal Board, but it had been altered in the actual construction with the result that certain property owners who had previously had land which fronted or abutted upon the storm sewer system original plan, were not affected but other property owners who had land were affected because of the change in the plan of the storm sewer system. Consequently these property owners whose property fronted or abutted on the relocated storm sewer system, were not notified prior to the construction or the completion of the storm sewer system that three-sevenths of the cost of this local improvement project would be charged to them, nor did they have any opportunity to appeal to any court of revision. The purpose of this legislation is to authorize the Town of Swan River to charge three-sevenths of the cost of the storm sewer system to those property owners whose lands, including the buildings, front or abut on the relocated storm sewer system.

In the case of both of these by-laws covered by this bill, representatives of the Town of Swan River will be appearing before the Municipal Affairs Committee to explain in detail and to answer any questions that the members may have regarding any details in connection with this Bill that I have overlooked. I ask the indulgence and support of the House to give this Bill second reading so that the Law Amendments Committee may deal with it in greater detail.

MR. JOHNSTON: Mr. Speaker, I rise to support the bill introduced by the honourable member. I go along fully with his explanation and I can give my sincere condolences to the members of the Swan River Council who found themselves in this predicament. I certainly do not think there is anything questionable about the whole proposition and I am sure it's clearly an error of perhaps judgement, or an error in not having the proper legal advice.

However, Mr. Speaker, I rise at this time to question a serious principle that in my opinion has been violated by the former Minister of Municipal Affairs. Last night when we were speaking on the Minister of Municipal Affairs' estimates, I was somewhat complimentary to her when I said that I was more in agreement in the method in which she handled the probe into the Swan River Council financial affairs, but, Mr. Speaker, this morning when the Minister of Municipal Affairs gave the explanation to a question which I had asked about two days ago, as to when the Department of Municipal Affairs (and I would presume, the Minister) knew about the predicament of the Swan River Council, and this morning the Honourable Minister answered that it was I believe in August of 1964. Is that correct? It was in August of 1964 - at least it was in 1964, that the Department of Municipal Affairs knew about the irregularities.

Now, Mr. Speaker, I did a little mental arithmetic here and I find that from August of

(MR. JOHNSTON cont'd.) 1964 until February of this year is about 29 months that this was known to the Department of Municipal Affairs, and there had been no enquiry instigated. I direct my remarks now to the former Minister of Municipal Affairs, who I believe is guilty of a serious breach of his responsibilities when he sat as a Minister up until he was defeated last June, knowing about this case, knowing that there were irregularities there that had to be corrected, and in that period of time it came to his notice that similar irregularities had occurred with the Portage City Council, and as far as my memory serves me I believe he was aware of this in January of 1966, about the Portage Council problems which were similar problems. By the newspaper I have before me here, which is dated the 21st, I would presume that he announced an enquiry on April 20th of 1966, which means that he considered this problem for four months and had no hesitation about making a public announcement in this House about an enquiry into the affairs of the Council of the City of Portage la Prairie.

Now, Mr. Speaker, I ask the question: what was the Minister thinking about when he had a like situation almost two years previously? It leads one to believe that there is some more political favouritism being shown by this government. I think it's a known fact that the Mayor of Swan River contested the Conservative nomination against our Speaker here. I wonder if because of political friendships that this was the approach taken, and, Mr. Speaker, I cannot be too highly critical of the former Minister of Municipal Affairs when he had on his desk, or he had in his knowledge, a similar case in two municipalities and he treated them so differently. And, Mr. Speaker, this man is now the Chairman of the Boundaries Commission that has been receiving some scrutiny in the last few days. Is this the type of person we are going to have giving serious judgments and listening to delegations and representations across the province from people of all political leanings? Is this person going to be making more decisions the same as he made a decision on this case apparently? I seriously question, Mr. Speaker, whether this man should continue on as Chairman of the Boundaries Commission in the light of his actions with these two municipalities.

MR. SPEAKER -- I know the honourable gentleman's knowledge would lead me to believe that what he is discussing now has nothing at all to do with the bill that he is speaking on, that is the Chairman of the Boundaries Commission. I wonder how he brings the two together.

MR. JOHNSTON: Well, Mr. Speaker, I can understand your concern that I am bringing in the matter of the Boundaries Commission Chairman, but I was discussing the former Minister of Municipal Affairs' action, and it happens that this man turns up in another extremely influential and powerful position in our province, and this is what I was talking about, Mr. Speaker. However, I have just about reached the end of my remarks and I will not carry that aspect any further, but I say to the Minister of Municipal Affairs, Mr. Speaker, that she give serious consideration to firing the Chairman of the Boundaries Commission.

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

MR. SPEAKER: We now go to Page 7.

MR. LYON: . . . be any disposition on the part of members of the House - and this is just a suggestion - to go over to Page 24 and clean off the second reading of the Private Bills that are on that page.

MR. GUTTORMSON: Mr. Speaker, we'd be quite agreeable to doing that.

MR. PAULLEY: As today is Private Members' Day I suppose we have to have unanimous consent to do this, Mr. Speaker. We have no objection.

MR. SPEAKER: Thank you very much. We are now on Page 24. Second Readings, Private Bills. No. 51. The Honourable Member for Winnipeg Centre.

MR. COWAN presented Bill No. 51, an Act to incorporate the Certified General Accountants Association of Manitoba, for second reading.

MR. SPEAKER presented the motion.

MR. COWAN: Mr. Speaker, the General Accountants Association of Canada was formed in Canada in 1908 and was incorporated in 1913. The Association is the second oldest accounting group in Canada and has one of the largest memberships of any accounting group. The Association has presently over 4,500 members who are resident in Canada from coast to coast. It has branches in all of the provinces and its members are known as Certified General Accountants.

The standards leading to qualify a student as a certified general accountant as set by the Association, are extremely high and are in fact among the highest, and some neutral sources have said the highest of any accounting and auditing course in Canada. In 1951, in co-operation with the University of British Columbia, the Association developed a five-year course of study

(MR. COWAN cont'd.) which is available to anyone resident in Canada who is a high school graduate, minimum Grade 11, and who is employed in an auditing or accounting capacity. The students are employed in the offices of practising accountants, all levels of government, and in financial, commercial and industrial companies. Uniform examinations are written in May with supplemental examinations in July. The course is very highly technical in the fields of accounting, auditing, cost-accounting, comptrollership, economics, business finance, managerial statistics, mathematics, English and law. The course is being continually updated in line with advanced techniques in auditing and accounting fields. The course is administered in co-operation with well-known universities across Canada, including the University of British Columbia, Carleton University, Laval University, Sir George Williams University, McGill University, Sherbrooke University and others. The Association is the only accounting group in Canada which has a course available in French as well as in English.

The students taking the course are required to spend a minimum of 15 to 20 hours a week in home study, plus the time spent in attending lectures. The average age of the graduating class is between 28 and 35. I believe this is indicative that the graduates are mature and recognize the need for further study. It also indicates that they are willing to sacrifice, having in mind they are mostly married with young families and perhaps earning an average salary, and required to spend approximately \$150.00 a year for tuition fees. In other words, the type of man or woman graduating from this course is one who is interested and has sacrificed a good deal to attain the designation, CGA, which bespeaks the quality and character of the graduates.

The graduates of the Association occupy many important positions across Canada, not only in public practice but in government and in financial, commercial and industrial companies. The members include a Professor of Commerce at Laval University, the Deputy Minister of Revenue of Quebec, the Ontario Supervisor of the Auditor-General's Office of Canada, as well as administrative assistants, supervisors of accounting and so on.

The Association has a membership of approximately 100 members in Manitoba with the addition of 14 students now on course. The private Act that is being applied for in Manitoba is similar in terms to the Certified Public Accountants Act passed by this Legislature in 1950.

In Committee it is intended to amend the Act by adding one more name to the aforementioned listed as applicants, so that it will comply with a section later in the Act which requires that there be a board of five persons.

MR. SPEAKER: Are you ready for the question?

MR. DOUGLAS CAMPBELL (Lakeside): Mr. Speaker, I have no objection to the specific Act that is before us, and I suppose that likely will be the decision of the House to send it to committee, but I just raise the question: inasmuch as there is a committee already established by the House which is going to look into this whole question of the powers that we from the Legislative Assembly delegate to various and sundry professional groups, why would it not be preferable for bills such as this one - and I believe the next one on the Order Paper - to be deferred and considered by that Committee rather than appearing to put the stamp of approval of the current session of the House upon this and then having them so reviewed? I would guess from the fact that this Bill just appeared before us now, that no great harm would be done by holding the matter in abeyance until that committee meets.

It, as you know, Mr. Speaker, was established to meet during the last recess of the House, but because of certain other matters intervening it did not get the opportunity to perform its allotted tasks, but I suppose there is an intention to discharge those responsibilities this recess, and it seems to me that it would be only logical that we should defer consideration of these various private Acts of incorporation by professional groups to place them before that committee so that they can be considered in the general context instead of dealing with them piecemeal.

These remarks and this suggestion have nothing whatever to do with the merits of the particular case. I know nothing but good of the people who are asking for this incorporation, but it seems to me that the proposal that I make would be more in keeping with what we have already decided in the House than to pass this bill, and a couple that appear later on the Order Paper, at the present time.

MR. CHERNIACK: Mr. Speaker, I will not repeat what has just been said by the Honourable Member for Lakeside. I agree with what he says. I agree also that this body is no doubt of the same status and stature as many that already have licensing Acts, but I do believe that we have to go to work on the committee which has been accepted by this House and study all the factors that will come before the committee before new bodies are created and may then have

(MR. CHERNIACK cont'd.) to be changed.

This group itself is one which has a history, as indicated by the Honourable Member for Winnipeg Centre, and certainly it is one which will not falter by the delay occasioned by study of the committee. I draw to your attention that this bill does give power to the proposed board to suspend, expel and discipline members and thus remove from them the right to the designation of Certified General Accountant, and since it does have powers of this nature, I too think that it ought not to be dealt with at this session, and for that reason I was already ready to bring in a motion that this be referred. Now, my memory did not serve me well and I wasn't sure whether or not the committee itself has been established, and as far as I can find in a quick survey -- the Honourable Member for St. James is indicating that it was. I can't find reference to it in Hansard, but I myself brought a resolution in early in the session recommending that it be established, and that was unanimously accepted by the House, but I don't believe that the actual committee has been established or the persons named to it. The principle was adopted but the committee was not established. So that I am suggesting that whether it can be done by the House or not, formally or otherwise, this bill ought to be sent on to that committee when it is established and when it does meet, and I have prepared an amendment which I propose to make at this time, seconded by the Honourable Member for Inkster, that Bill No. 51 be not now read a second time but referred to the proposed committee on the licensing of professionals.

MR. SPEAKER presented the motion.

MR. COWAN: I move, seconded by the Honourable Member for Souris-Lansdowne, that the debate be adjourned.

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

MR. STANES presented Bill No. 61, an Act respecting Occupational Therapy, for second reading.

MR. SPEAKER presented the motion.

MR. STANES: Mr. Speaker, I don't think it will be necessary for me to go into any details to describe the activities of the occupational therapist. It will suffice probably to say that they're recognized throughout Canada, throughout North America, pretty well throughout the world, as a para-medical professional group operating directly under the medical profession. I might add that although they have been in existence for some years, in Manitoba for twenty years, it's only in recent years that their importance has become more evident and that they have grown. For example, the school of medical rehabilitation was established in the Faculty of Medicine at the University of Manitoba in 1961. It's a three-year course. The object of this legislation is, of course, to give them recognition (in many parts they already have it) and also to tie two groups together under their national organization, the Canadian Association of Occupational Therapists. They have two groups which is a group which have been trained and qualified in this country and in this province, and others who have come by devious routes from Europe, either through a university or similar training, oral or practical training, and they have these various groups, and the object here, in this particular one and in other provinces, is to tie them up together.

I was unable to speak on the last bill so I can say what I was going to say under this. Mr. Speaker, when I was approached to present this Bill to the Legislature, I gave a great deal of thought to it. My first thought was: this is a recognized group and how can I say no? We have no rules that prevents them from coming in here, and myself presenting this Bill. I also recognized the fact that I have said and I believe in the purposes and principles of the special committee. Although there are a number of sections in this Bill and in existing bills of a similar kind, to which I've had many reservations, I felt that I should bring this Bill, as I do so now, to the Legislature, and that perhaps it should be given second reading and perhaps held in Committee and referred at that time, because, after all, if one refers it at this stage surely one is in point of fact saying that one does not agree with the principle. I do agree with the principle although I don't agree with some of the details within it. So I'm wondering, Mr. Speaker, as I was going to say under the previous bill, perhaps the correct procedure is to pass this for second reading, and I don't know whether I'm correct or not - and I'm informed I'm not - however, I do place it for the Chamber, either for being held to be referred to the special committee, or be passed and then be picked up with those that are passed before it. However, I wish to state quite clearly that it was in my mind that with this intention that I bring this Bill before the House at this time.

MR. HILLHOUSE: Mr. Speaker, I rise not to oppose the wonderful work that this organization is doing, and has done in the past and will continue to do, but simply to treat this Bill on the same basis as all other bills of this type and nature should be treated from now on. Now the Honourable Member for St. John's, in dealing with the previous bill, referred it to a committee not yet established by this Legislature although this Legislature did express an intention of establishing such a committee. And rather than run the risk of finding that that motion made by the honourable member will not stand up under our rules since there is no such committee in existence, what I would suggest that we do with this Bill is hold it in this Committee until such time as you, Mr. Speaker, make a ruling on the motion made by the Honourable Member for St. John's in respect to the other bill, or until such time as that Committee is actually set up, and I hope that it will be set up soon, during this Session, so that all of these bills can be dealt with at that particular time.

MR. CHERNIACK: Mr. Speaker, if I may. I don't think that there's any question now as to whether or not you're going to make a ruling on the motion which I made on the last bill, because you did call for a debate and it has been adjourned so that the motion I made at the last time is accepted. Now, I'm still a neophyte in the field of rules of the House and I'm not at all sure of the correct procedure, but I am certain that the one proposed by the Honourable Member for St. James wouldn't be right because if we passed this on second reading then I think it must automatically go to a Standing Committee to which it is assigned, and therefore that committee must consider it and I think may then fail to report it out. But I really wouldn't like to see this Bill receive an adverse treatment anywhere, and even by a failure to report it out of Committee I think would cast a slight on the purpose of the Bill and I don't think that is intended at all. So that for want of a better suggestion, I propose to move a similar motion as I did on the last one, and it can be adjourned and I suppose if someone comes up with a better or a more proper suggestion in accordance with the rules of the House, it could then be dealt with in that way. I do want to point out that this Bill deals with a very important profession, one whose contribution to society is very great, and the dangers of an unqualified person in this field are equally great in providing such service. Yet this is a much more restrictive bill than the one we've just dealt with before that, because here it prohibits any person from practicing as an occupational therapist unless that person is licensed, and the description of occupational therapy in the definition is sufficiently broad to immediately impose a restriction on possibly people who don't quite qualify. For that reason I think it's even more important that we don't just go through a routine of accepting it without giving it proper study, and as I say, I invite people who know their rules better than I do to improve on my motion but until I hear that, I move, seconded by the Honourable Member for Inkster - and I hope I wrote it a little more ...

MR. SPEAKER: ... put that. I want to sympathize with the honourable member insofar as from day to day operations are concerned. I'm in the same situation, and this Session it seems to me that we've had a considerable number of problems develop. But I wonder if the Leader of the House has any comments to make before that motion is made.

MR. LYON: Rising on a point of order, Mr. Speaker, I think I could help on part of the problem with respect to the establishment of the committee by saying that the resolution is prepared and can be brought before the House and perhaps even approved before -- I wouldn't say before the next Private Members' Day, but perhaps within the next week. That would look after that problem. I have really nothing to offer by way of the procedural problem that the Member for St. John's is quite aware of and that I think all of us are concerned with, as to the propriety of referring a bill to a non-existent committee. This is a real problem. I haven't got too much to offer in that regard at all except to say that perhaps if someone were to take the adjournment of this debate without any amendment being offered, an amendment along the same lines - and this is only hypothetical - might find itself in order by virtue of that committee having been established by the time the Bill next comes up for discussion.

MR. GREEN: Mr. Speaker, prompted by the Attorney-General, I'll move, seconded by ... No?

MR. FROESE: Mr. Speaker, on a point of order, I think we've had precedents on similar occasions where we tried to refer matters to such committees that hadn't been established and they were not accepted. So I think we have precedents on that.

MR. PAULLEY: I just rise on that point, Mr. Speaker. In all deference to yourself, unless by unanimous consent we go back to what was done just previously on the other bill we have established a precedent in that an adjournment was allowed on a similar proposition, as the Honourable the Attorney-General has indicated, in his capacity as House Leader, that the

(MR. PAULLEY cont'd.) committee will be set up, and I think there is some substance in you allowing the motion as proposed by my colleague to be placed before the Assembly and then adjourned, if we refer back to the journals of January 20th, on Page 334, where the resolution as proposed by my colleague from St. John's was adopted unanimously by the House, that is, namely the setting up of a committee to investigate this matter. So while it is a fact that the mechanics of setting up the committee may not have been proceeded with, the approval of the House was given in the adoption of the resolution by unanimous vote of the House, so I would suggest, Mr. Speaker, you're in a bit of a bind. Either we have to go back so that the adjournment of the debate on the previous bill does not establish a precedence, or I respectfully suggest that there would be no harm in accepting the motion of my honourable colleague from St. John's and allowing the adjournment of the debate to take place, and in the interim if those who have adjournments just hold the matter to facilitate the setting up of the Committee, we'll be back on all fours at that time.

MR. LYON: Mr. Speaker, speaking further on the point of order, by consent - because there is a problem here - it might be agreed, if all members in the House were agreeable to this suggestion, that the item could be shown on the Order Paper with respect to the previous bill and this bill, the amendment moved, and then the item held open by Mr. Speaker.

MR. CHERNIACK: I think that would be acceptable, Mr. Speaker.

MR. SPEAKER: . . . motion ready, then?

MR. CHERNIACK: Yes, Mr. Speaker. The motion then would be, seconded by the Honourable Member for Inkster, that Bill No. 61 be not now read a second time but be referred to the proposed committee on the licensing of professionals.

MR. SPEAKER presented the motion.

MR. PAULLEY: Mr. Speaker, I think the proper action would be for you to take this under advisement and following that, in order that no precedent was established on the previous resolution, that a motion from the floor asking leave of the House to refer back to the previous motion in order that you may hold that in abeyance.

MR. SPEAKER: Then I will take under advisement the two amendments to Bills No. 61 and 71.

MR. LYON: That would be by unanimous consent, I would take it, Mr. Speaker, with respect. . .

MR. SPEAKER: Do I have the consent of the House? (Agreed.)

MR. FROESE: Mr. Speaker, I don't think you're in order in doing that because you've already agreed to the former motion that was for adjournment that was passed and accepted.

MR. LYON: But if the House gives . . .

MR. FROESE: I will not agree.

MR. PAULLEY: Won't agree to what?

MR. FROESE: Mr. Speaker, I cannot agree to the previous one because it has already been dealt with.

MR. PAULLEY: Mr. Speaker, on the point, in all deference to my honourable friend the Honourable Member for Rhineland, my suggestion would be notwithstanding the fact that it was done but by leave we revert to the question and then allow the Speaker to hold it in order that the precedent wasn't established. I wonder if my honourable friend would agree with that.

MR. SPEAKER: . . . the circumstances that have developed, if the Honourable Member for Rhineland would agree to the suggestions put forward, that I take the matter under advisement and deal with it by leave.

MR. FROESE: I do not like to do this but I will consent.

MR. PAULLEY: . . . would require a formal motion that by leave of the House we revert to the previous motion on Bill No. so and so - 51 - with the request that the Speaker take the amendment as proposed by the Honourable Member from St. John's under consideration. Would that be proper, Mr. Prud'homme? By leave we can do anything, I guess. So therefore, Mr. Speaker, I would move, by leave, seconded by the Honourable Member for St. John's that the House revert to Bill No. 51 and that the Speaker hold the proposed amendment of the Honourable Member for St. John's in his hands for further consideration.

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

MR. SPEAKER: Bill No. 71. The Honourable Member for Winnipeg Centre.

MR. COWAN presented Bill No. 71, an Act to amend the Psychologists Registration Act, for second reading.

MR. SPEAKER presented the motion.

MR. COWAN: Mr. Speaker, this Bill is to amend an Act that we passed at the last session of the Legislature. The organization overlooked dealing with some seven applications for membership in the association and this is for the purpose of enabling the association to deal with the seven applications that they had on hand and decide whether or not they are entitled to membership in the association and so become members of the organization in respect of which the bill was passed last year.

MR. DOUGLAS CAMPBELL (Lakeside): Mr. Speaker, I can recall that when I was in committee last year and was informed that several psychologists were present that I was distinctly uncomfortable and I have not been able in the interval to rid myself of the discomfort. I'm quite concerned about these folks getting around to interview the members of the Legislative Assembly. I think among our other immunities that probably we should put right into their Act that the members of the Legislative Assembly so long as they sit here are to be exempted from their professional services. But I must say in so far as this amendment is concerned that although if it were an act of incorporation that I would suggest the same treatment that we have accorded to the preceding one inasmuch as the honourable the sponsor of the bill suggests that it was simply an oversight. We've already dealt with the bill; I suppose it's only fair that we skate them on side along with the other sponsors of the bill, and I'm not going to oppose it; but still have my reservations with regard to this as with several of the other professional organizations.

MR. CHERNIACK: Mr. Speaker, this is obviously a step-grandfather clause because there was a grandfather clause in the original bill which provided that certain persons who were psychologists but might not be able to qualify under the more rigorous qualifications set out in the bill then would automatically become members of this organization and apparently they left out seven people who apparently could not qualify afresh out of the Act, otherwise this wouldn't be necessary. I'm calling it the step-grandfather because I'm assuming that they have to come in under that grandfather clause. Nevertheless I think this is a responsible body which will deal with the applications in a responsible way and since it is only a correction to an Act I see no reason why we shouldn't send it on for second reading.

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

MR. SPEAKER: Bill No. 39. The Honourable Member for Souris-Lansdowne.

MR. McKELLAR presented Bill No. 39, an act to incorporate The Agricultural and Community District of Newdale, for second reading.

MR. SPEAKER presented the motion.

MR. McKEALLAR: Mr. Speaker, this is what it means, it's an act of incorporation and everyone here knows what an act of incorporation is so I think that's the full explanation.

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

MR. SPEAKER: Bill No. 41. The Honourable Member for Roblin.

MR. McKENZIE presented Bill No. 41, an Act to incorporate St. Paul's Home, for second reading.

MR. SPEAKER presented the motion.

MR. McKENZIE: Mr. Speaker, I maybe should fill the members in on the bill. As you'll note the nature of the bill is incorporation of the Sisters as management company for St. Paul's Home in Dauphin, now officially operated by Sister Servants of Mary Immaculate. This is a procedure which the Order adopts with respect to its personal care homes and the bill is very similar to that of Chapter 128 of the 1963 statutes incorporating the Holy Family Home at Winnipeg. It is also my understanding, Mr. Speaker, that the property will remain in the names of the Sisters who negotiate the NHA mortgage with respect to the new home which will be built in Dauphin this year.

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

MR. SPEAKER: Page No. 7. The proposed resolution of the Honourable Member for St. Boniface as amended.

MR. CHERNIACK: I wonder if I may be permitted to raise a point of order on this question which should have been raised I presume under Orders of the Day. The Order Paper seems to indicate certain decisions as having been made that weren't made and neglect to show those portions of the resolution which we contended and which Your Honour took under advisement

(MR. CHERNIACK cont'd). . . . were still before the House. This just proceeds to overlook the entire point that was made and gives only half of what is before the House at this present time when Your Honour has not yet taken a position on the point which we had raised, and I only point that out now - of course I don't propose we run out and print a new Order Paper, but certainly this is not descriptive of the problem that was raised and on which Your Honour decided you would review.

MR. LYON: The only comment I could make upon the Point of Order, Mr. Speaker, is that of course the Order Paper is drawn up by the officials of the House in consultation with Mr. Speaker. I don't know if my honourable friend is raising this as a possible point of oversight or whatever. I can grasp what he's getting at; I suggest that this is a matter that the Chair has control over at all times and I trust there is no suggestion that there was anything improper about the resolution appearing this way, the resolution as I recall having already been read in this form by the Speaker when he was requested so to do last sitting.

MR. CHERNIACK: May I only say in comment that if this is a new procedural point mentioned by the Honourable the Leader of the House, "a point of oversight". I didn't raise it because I wasn't familiar with that phrase.

MR. SPEAKER: I thank the Honourable Member for St. John's for bringing that point forward, but he of course has the previous Order Papers in which the synopsis of the whole item he discussed is laid out. Nevertheless I take his remarks very sincere - I know they're very sincere and I realize his intention; but it is my understanding that this procedure is followed and the live part of the whole subject, if I may use that term, is before you now on Page 7 - that is the part which I undertook to rule upon and I am prepared to give you my ruling now.

MR. PAULLEY: Mr. Speaker, if I may before you give your ruling. The ruling that you suggested or it was suggested that you might give was not on the resolution that we have before us and I appreciate the fact as you just said that there were previous Orders of the Day that we may have before us, but the fact still remains that as far as the Order Paper that we have before us today does not contain the whole proposition that you were asked to make your ruling on, and if one were just simply to pick up the Order Paper that we have before us for this date and see that at the end of "thereof", (Mr. Speaker) (Open) it would tend to indicate the proposition that you have under advisement is the proposed resolution as amended by the Honourable Member for St. Boniface as amended. I respectfully suggest that this is not proper, that the matter that you have under consideration is not this at all but the manner and the precise wording of the resolution that was on a previous Order Paper. It may be sort of a picayune sort of an attitude to take, but I think it's a very important one, that when Mr. Speaker has a proposition that he is going to rule on that the precise proposition should be on the Order Paper itself; and while I respect, Mr. Speaker, the fact that you are prepared to make a ruling, may I suggest that that be deferred until such time as the resolution that you're making the decision on is properly placed on the Order Paper and not as we have it at the present time.

MR. LYON: Mr. Speaker, I don't know if I can be of any further help to the Chair, but I would have to on this point of order disagree with my honourable friend, the Leader of the New Democratic Party, because the Order Paper of course appears - the rules lay down the order in which the matter shall appear and the printing of the Order Paper is under the direct control of Mr. Speaker and his staff within the House. I have nothing to say about it, my honourable friend has nothing to say about it, that's the way it is. To suggest that when a vote was taken on an amendment at the last sitting of private members and that amendment was disposed of by approving that those responsible for the drafting of the Order Paper must then forget that that vote took place and then continue to show a larger resolution with an amendment that has already been disposed of is something I really can't fathom. This is what my honourable friend is saying in effect, that there should be, on the Order Paper today there should still be standing the resolution as it appeared on last day's Order Paper, although he shakes his head negatively. What is my honourable friend indicating? Because what appears here is what remains I suggest of what was left of that resolution.

Now I realize that Mr. Speaker is going to make a ruling and I'm perhaps trespassing upon that and perhaps if all of us would permit Mr. Speaker to make a ruling he could clarify the whole thing for us. But I suggest that from my reading of it what appears on the Order Paper is quite proper, but in any case that's quite academic because Mr. Speaker and the staff of the House have the only say as to what shall appear on the Order Paper and unless we can find errors then of course I think we have no point of order.

MR. PAULLEY: Mr. Speaker, if I may on the point raised by my honourable friend, I think that he has misconstrued what I was trying to get at. I'm certainly not, Mr. Speaker, referring to any amendment that was voted on at the last meeting of the House when we dealt with this matter but rather, Mr. Speaker, with the whole proposition as it remained after we had disposed of that particular amendment wherein -- wherein, Mr. Speaker, the amendment as proposed by the Honourable the First Minister referred to deleting, if I recall correctly, certain words in the preamble and not in the resolved or operative part of the resolution. I'm not referring to any subsequent amendments that were defeated but rather the proposition of the motion as amended by the proposition of the First Minister by deleting words in the preamble, Mr. Speaker, of the resolution. That is the proposition that you took under advisement and I don't see that proposition here, Mr. Speaker.

MR. SPEAKER: Order, please. Of course I accept full responsibility for whatever error may have appeared on this page in the opinion of members of the House. It is of course my purpose to maintain the harmony of the House and this matter will stand until the next sitting and what has been requested will appear at that time.

The adjourned debate of the proposed resolution of the Honourable Member for Assiniboia and the proposed motion of the Leader of the New Democratic Party in amendment thereto. The Honourable Member for St. James,

MR. STANES: Mr. Speaker, I adjourned this debate for the Honourable Member for St. Vital who was momentarily out of the House at that time.

MR. CRAIK: Mr. Speaker, I'd like to pass a few comments about this resolution that has been made by the Honourable Member for Assiniboia and amended by the Honourable the Leader of the New Democratic Party.

The resolution first of all deals with establishment of the minimum wage at \$1.25 versus the present \$1.00 an hour which exists and has been amended by the Leader of the New Democratic Party to establish new criteria for establishment of the minimum wage through the Standing Committee on Industrial Relations.

Mr. Speaker, if I might I'd just like to go back over our present method of establishing minimum wage which is through the Minimum Wage Board. The Board was first set up in 1918, 50 years ago, and Manitoba was the first province to establish such a Board. Its original terms of reference were, and if I might just quote the terms of reference: "To investigate and fix in accordance with conditions in Manitoba, standard minimum wages and standard conditions of labour for female workers employed in shops, factories and mail order houses in cities in Manitoba." The present Act reads different from this indicating that the terms of reference have been changed and at the present time it reads: "A board in setting the recommendations it makes to the Lieutenant-Governor-in-Council shall take into consideration and be guided by the cost to an employee of purchasing the necessities of life and health." These are the very brief terms or guidelines which are given to the Minimum Wage Board to establish what they feel is a minimum wage and the wage that now exists is \$1.00 per hour, is the same for men as it is for women, there are no differentiations on an industry basis. This corresponds to roughly \$2,000 per year if you take the number of working hours in an average year.

The Board is made up, at the present time, of seven members. It must have at least five on it. There are two ladies on the Board. The membership of seven is made up of a Chairman plus six others who are split evenly with three from the employee rank and three from the employer rank so that there is a balance exists on the Board.

I think first of all I'd like to just review what the trend has been in minimum wages over the past ten years, and if I can look back first of all to 1956, I have only the last ten years' records, the minimum wage in 1956 was 60 cents per hour. Now this remained at 60 cents per hour through '57, '58. In '62 it was changed to 66; '63 to 75; '64 it was 75. In '65, December 1st, it went to 85 cents. In 1966 to 92 1/2 on the first of July of last year and in December of last year it went to \$1.00. This is an increase in ten years from 60 cents to \$1.00. In terms of the average industrial composite income in 1956 it stood at \$60.88 per week. In 1966 it stood at \$83.99 per week. The increase as you can see is \$23.00 over the original \$60.00 in 1956. Now in terms of percentage of the minimum wage as a percentage of the composite industrial wage, in 1956 the minimum wage was 43.4 percent of the average industrial wage. This has gone up since 1956 so that as of now, the first of December, 1966, this percentage has increased to 52.4 percent. Then there's been an increase of 9 percent as a ratio of the average industrial wage in the industrial sector.

Now this alone, on that basis, would indicate that the minimum wage has received fair

(MR. CRAIK cont'd). . . . consideration. This isn't the only yardstick however; I'm not indicating that this says positively that the minimum wage is what it should be, because as the definition indicates at the start, the minimum wage should be the basic cost to the employee of purchasing the necessities of life and health and this may or may not have a relationship to the average hourly wage. However, I think it does have some meaning to indicate that the percentage has gone up.

Now the next thing I would like to do is to compare how Manitoba stands with the other provinces. If we look at all the other provinces we see a great variety of minimums established but if I pick out only the provinces where the entire province is on a uniform minimum wage then out of it comes Alberta, Manitoba, Newfoundland, Ontario and Quebec and I think that the members present will agree that Manitoba could probably without bias in any particular direction be compared to these provinces. In Alberta the entire province is on a minimum wage of \$1.00, male and female. Newfoundland: the entire province is on a minimum wage for females of 50 cents and Newfoundland of 70 cents per hour. Ontario: the entire province again is on a minimum wage of \$1.00 male and female. Quebec: Greater Montreal is on \$1.00, male and female; 90 cents for the rest of the province. Now I think this would indicate that Manitoba is probably certainly not behind the other provinces in minimum wage and in fact the indications are that it has probably led the way in action being taken on minimum wage establishment.

The other thing, Sir, if I may just deal briefly with it. Anything below a minimum wage is often classified as a substandard wage and there are many reasons why a substandard wage can exist. And if I might just list these so that I'm not taking things out of context. I think probably there are five major reasons why we may have a substandard wage. First of all there may be exploitation of the employee and this can be done by an oppressive employer who takes advantage of his strong position or the weak position of his employee. Secondly, you can have employer inefficiency and this is a case where he actually can maintain his place in the market place because he has a substandard wage, but it does not necessarily mean that if he paid a standard wage that he would be unable to compete. A third reason is low productivity and this is due to the slow rate of technological change that may take place in the industry, whether it's because of the low capital position or low capital to labour ratio or small plant size or a very confined and small market, but there are productivity considerations here that provide a third condition. A fourth condition is just a case of surplus labour that forces the general wage rate down. And fifthly, you have cases where there are specific worker characteristics where there's lack of education training, low intelligence because of age, because of sex and other reasons, there is a lower scale.

Now I'd like to suggest that only in the case of exploitation and employer efficiency can the minimum wages be imposed without cost in terms of reduction in employment or output. The other three, low productivity, surplus labour and specific conditions cannot -- you cannot reason raising a minimum wage on the basis of the other three. I think you probably can on the basis of the first two.

Now, Sir, the other point I would like to make is that in our discussions so far there is a tendency for minimum wage to take on the posture of being a fair wage or an acceptable wage. I'm sure that all the honourable members present would agree that \$1.00 an hour seems to be a very poor wage because we think in terms of a person trying to raise a family and live on \$1.00 an hour working 2,000 hours a year and making \$2,000.00. And when you think of it in that light it is certainly not a very good income but I think we automatically tend to think of it as being an average wage or a fair wage that we're talking about and we immediately assume that this is an almost unbelievable low wage. Now we can't then, on this basis minimum wage cannot be equated directly to an average wage or a fair wage. Now another point is that you cannot equate it to family income. We cannot say directly that minimum wage automatically at \$1.00 an hour means that everybody that makes \$1.00 an hour lives in a family that is going to try and live on \$2,000 a year. So we must separate out the special conditions here and not think in terms of a family trying to live on this \$2,000 a year provided by one breadwinner that makes \$1.00 an hour. Minimum wage does though have a role to play in increasing the income of some low income families. It is difficult to define precisely what that role is or ought to be. Increases have doubtful value where low incomes stem primarily from other causes such as unemployment, under employment, age or illness or where pressure on family income arises mainly from large size of the family.

As far as statistical information is concerned we can probably look and say from statistics that three percent of the total labour or wage earning force in Manitoba is working

(MR. CRAIK cont'd), at the minimum wage. Of this three percent in number, about fifty percent of these are part-time or earning secondary income. By secondary income this can be the wife in a normal family who is working for extra income. Of the total woman force that is working, 80 percent of the women at minimum are secondary earners; of the remaining 20 percent - this is getting down to quite a bit smaller numbers - the 75 percent of that group which are household heads and must supply income, 75 percent of that group has other means of income, but it does leave undoubtedly some, but a much smaller number than what we normally think of depending on minimum wage for livelihood.

Now what would happen if we raised the minimum wage from a dollar to \$1.25? First of all it would mean that you would probably take into account about seven percent of the total wage earning group in the Province of Manitoba. This would mean that you would effect a change from three percent to seven percent of the total labour force. Now here is the point where we get lost in statistics. Maybe we can say, "Well, that's not a very large increase", but there's two very important points here, that is that industries are not affected equally by minimum wage. Some industries are extremely vulnerable to changes in the minimum wage. If I might take an example, the mining industry would probably not be affected by a change of \$1.00 to \$1.25 or \$1.50 or maybe even higher, but if you take an industry such as the . . . in the so-called needle trade, manufacturing industries in Manitoba, you would find that a very large percentage would be affected. So that you may only affect an additional four percent on the average; in some industries it will affect as high as 50 percent; in others it would be zero, you would affect none at all. So we find that there are complications that creep into it.

The second point that I'd like to make here is that the inequality or the vulnerability that creeps in is that the small firms, primarily retailers, small manufacturers, some of the small service industries, make up the large portion of people paying low wages. When you get into a small industry you find that a large portion of his staff or his wage earners are made up at the minimum wage, then you are really affecting the health of the industry when you change the minimum wage. I am sure that there are many people present, many members present, who are quite aware of the small businessman who has a few employees where he is working as hard as they are and is probably not making a great lot more than they are but they perform a very valuable part of our community and in fact in many respects have been the cornerstone of our society and that their well-being is a very large factor which must be taken into account.

Now from this I would like to say that we cannot legislate for the benefit of the employee without first consideration of the health of the enterprise. Really what you're doing is you're telling the small enterpriser who cannot pay standard income wages that the community does not want him. You're essentially saying that if you can only pay substandard income you are not permitted to operate in this community. So if you want to look at it from that point of view I think that you have to be very careful that the minimum wage does not get to the point where it does this to this small vulnerable industry. So I would like to recapitulate here and say that first of all the industries are not all the same, they're all different in terms of the type of product they're making or their enterprise that they're pursuing; and secondly, size differential is a very important factor.

Now apart from any philosophical arguments one may have for or against minimum wage it would be unconscionable for a body such as our own to raise the minimum wage from \$1.00 to \$1.25 as the first part of the motion would indicate here. I'm not saying that the minimum wage shouldn't be \$1.25; I'm saying that I don't feel that with the knowledge that we have or with what appears to be coming to us that we can make a decision of this magnitude that affects such a key part of our community without giving it a lot of study and a lot of study that is provided by people who are knowledgeable in the field. I don't think that we as a group have a true assessment of its impact whether the impact is either good or bad. Such an assessment must first be made by specialists in the field and then be dealt with by a knowledgeable balanced group such as the Minimum Wage Board.

The amendment to the motion I think is commendable in spirit but does not offer any proven practical advantage over the procedure now being used. In fact I think that the Minimum Wage Board in conjunction with the Department of Labour has done an excellent job for Manitoba. It is correct in that there are all various criteria, there are various criteria that could be used - for example, wages may be set (a) for specific industries; (b) for the economy generally with specific exemptions; (c) for the economy generally with no exemptions; (d) on a geographical basis or on a male-female basis or any number of ways. Many of these have been tried; many

(MR. CRAIK cont'd) of them have been tried in Manitoba. But to answer the needs of family income through minimum wage legislation as a means of giving the answer to the war on poverty, is not the right approach. There is no general proof - and I would like to emphasize this - there is no strong indication that minimum wage legislation even at \$1.00, \$1.25 or \$1.50 or \$1.75 is going to give you the answer to winning the war on poverty.

Now I would like to make one other point. It was brought up by the Honourable Member for Assiniboia and I think some of the members of the New Democratic Party, there was a suggestion the other day that the wage if it went up now should again go up on the 1st of June to account for the impact of the sales tax, and I wondered if there had been any sort of real assessment of this taken into account. If you take a person that is in this wage earning group, supposing he is the breadwinner in the family, and you took his \$1.00 an hour and you applied the five percent sales tax to it, I suppose if all of his \$1.00 was taxable he would require another five cents to meet his needs. If however you take out of this his lodging and his food and his other daily necessities, even if it includes cigarettes, I submit to you, and I think on good ground, that you are likely taxing considerably less than 20 percent of his income. If you take 20 percent of his \$1.00 an hour and apply the tax to it you're talking about one cent an hour, and the question I'm asking is is it necessary on the 1st of June to make a provision of one cent an hour in the minimum wage. What I'm really saying is that I don't think your point has any validity.

Now I would like to also suggest what government is doing in addition to minimum wage for the low income family. First of all, you've got an increasing number of opportunities in education and training. These are aimed at people for retraining purposes, upgrading facilities. Secondly, you've got welfare programs which are more predominant in these areas; you have hospitalization; we now have a medical program proposed coming in - and I should remind you that both hospitalization, particularly medical, is subsidized by the higher income groups. This is not paid for, the small wage earner is not by any means paying for I would say half of his medical costs. We have old age allowances, family allowances, unemployment insurance and mobility assistance. I think in examining these you really wonder how far you have to hold a person's hand. I don't think that anybody in any sector in the Assembly has a corner on social conscience. I think all of us are quite aware of the well-being of our fellow man. I think some of us maybe differ philosophically in whether we should legislate for this; I doubt if anyone has any more concern for his fellow man than the other.

Mr. Speaker, in conclusion, I would just like to recap and say first of all, Minimum Wage should not be confused with minimum family income. Secondly, minimum wage is not a fair wage. Thirdly, Manitoba is probably ahead of other provinces in action on minimum wages. Fourth, the Minimum Wage Board is a proven and effective body backed by the specialists available to it in the government department. Fifth, if new criteria are to be established, it should be referred to the Department of Labour for recommendation and to The Minimum Wage Board in conjunction with them. Sixth, to legislate any further change in our minimum wage at this time in this Assembly would not be appropriate. Seventh, the sales tax does not significantly affect a breadwinner working at minimum wage level. And eighth, minimum wage legislation is only a minor weapon in the war on poverty.

MR. PAULLEY: Mr. Speaker, I wonder if my honourable friend would reply to a question, I'm seeking information. I wonder if my honourable friend could disclose the source of the statistical information that he used in his speech in reference to the number of people in receipt of minimum wages broken down into those children that were working in the garret and other places in order to subsidize the family income. I'd like to know the source of the information if my honourable friend has it in order that I can read these most interesting statistics.

MR. CRAIK: This is primarily taken from the Dominion Bureau of Statistics Report - its 98501 volume (4) (a) (7)-4; also (a) (8)-5.

MR. PAULLEY: . . . to Manitoba or is this general?

MR. CRAIK: Well DBS covers the whole of Canada.

MR. HANUSCHAK: Mr. Speaker, were these figures given shown as representing Manitoba or for Canada in general?

MR. CRAIK: These I should point out, most of them are 1961 figures because they're not up-to-date, but on some of the percentages I've extrapolated the three percent and seven percent to arrive at the present . . .

MR. PAULLEY: . . . I might, Mr. Speaker, to my honourable friend, I didn't want to interrupt him when he was speaking. He made references to hospitalization and medicare

(MR. PAULLEY cont'd) . . . indicating the possibility of these being provided by the state to the recipients of those on minimum wages. Was this his purport, or does he realize that those on minimum wage cannot obtain these services from the state directly?

MR. CRAIK: Well, the point I made, Sir, was that the subsidization of the medical program comes primarily from the higher income brackets to the benefit of the low income.

MR. SPEAKER: . . . I believe that the gentleman has made his speech and several questions have been asked and I'm sure he'll hear a little more about it at some future date.

Are you ready for the question?

MR. CHERNIACK: Mr. Speaker, I apologize to the Honourable Member from St. Vital for having missed the beginning of what he had to say. I'm sorry I missed it because it was an interesting - in that portion which I heard, he developed interesting theories which I wonder are shared by the members of his caucus.

He indicated that he was not prepared to support the idea of the increased minimum wage and I am wondering whether he heard his own Premier speak back in November on television. . . when he said that he was anxiously awaiting the report of the Minimum Wage Board "in the expectation" -- I'm certainly not quoting him precisely -- "in the expectation and anticipation of a recommendation for an increased wage." Indeed, the Minister of Labour has said as much and I even recall his saying, "I hope it will be increased." And our criticism has been expressed at the government for not taking steps to do this but rather for sitting around and twiddling its thumbs as the Minister is now doing and saying, Well, in effect saying, "Let them get going and if the Minimum Wage Board would only come along and do something for these poor people who are in need, recognizably in need, why we'd only be too glad to carry out their recommendations." And our greatest criticism has been this lackadaisical attitude of the government on a vital issue. But the Honourable Member for St. Vital has made it appear as if it's not at all a vital issue; that it's not necessary in the war on poverty program. He says he didn't say that but I feel quite sure that when I came in he was saying that. I will review Hansard and see whether I was in error in my conclusion. However, I did hear him say that the government now is doing a great deal for people in the low income groups. The government is providing Medicare - and I think he said largely paid out of the ability-to-pay principle. I point out to him that according to the estimates of his own Minister of Health half of it is being paid out of Federal Government income which is a mixture of income, the other half will be paid out of premiums. I am certain that the person who is working at a salary based on the present minimum wage will be paying as much as indeed the Minister of Labour himself will be paying in premiums when he is paying the premium which is assessed under the Medical Insurance Scheme, so that means that only one-half of that amount is available on the ability-to-pay principle.

He also referred to the hospital services which I believe is similar, and what intrigued me was when he said, "Look at the welfare services." And now he is saying that one does not have to worry -- and I'm putting - these are my words, not his, but I think it's fairly inferred from what he said -- that the minimum wage can be kept low providing we provide welfare for those people. And if this is what he means I wish there were other members of his caucus that would get up and either support him or reject his concept of the government's responsibility to people who are able-bodied, who are working and anxious to work and then he says, "We provide welfare services to aid that type of person." Then he went really completely overboard and swung on to the old age assistance and now he's dealing with people who are over 70 years of age and he's saying, "Well we're not going to be too concerned about the minimum wage which they are earning because indeed we are providing them with old age assistance."

Mr. Chairman, as I say -- Mr. Speaker rather -- I'm sorry that I didn't hear the beginning portion of what he had to say because I have no doubt that in line with the way he ended he must have said all sorts of things that would raise the hackles of any person who has a proper consideration of what the minimum wage is intended to do. And even the Minister of Labour says that all that the minimum wage is intended to do is to set a floor on what a single man needs for subsistence, and if that is the criteria then at least the honourable member could have discussed criteria and how present circumstances measure up to it. But he took a different concept and one which I think is indicative of this government's attitude to the whole question of the labouring man, and in that field I think they're as far back as the Conservative Party ever was. The mere fact that the government is prepared to sit back and twiddle its thumbs, waiting for some other body to come along and make a decision for this government is an indication of its lack of appreciation of the problem, lack of consideration of the emergency

(MR. CHERNIACK cont'd) of the problem, just a casual attitude to what is a burning need on the part of those who are suffering because of this government's lack of action.

MR. SPEAKER: Are you ready for the question?

MR. FROESE: Mr. Speaker, just two very brief comments in connection with the amendment that is before us on the resolution to increase the minimum wage. The amendment as I read it is to have a review take place in connection with the minimum wage. I have no objection to making reviews occasionally or periodically and bringing in reports so that we can consider them, so in this case I will vote for the amendment. However, I've already made my position clear in connection with the motion itself, or the original motion and therefore I am quite in agreement to support the amendment but not the original motion.

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

MR. PAULLEY: Ayes and Nays, please, Mr. Speaker.

MR. SPEAKER: Call in the Members. Order, please. Those in favour of the motion please rise.

MR. PAULLEY: Mr. Speaker, before you . . . the motion would you kindly read the amendment into the record, that we're voting on.

MR. SPEAKER: Would I kindly read the amendment?

MR. PAULLEY: Yes . . .

MR. SPEAKER: Oh, yes. Proposed by the Honourable Leader of the New Democratic Party in amendment thereto as follows: And be it further resolved that the Standing Committee on the Industrial Relations be instructed to review The Minimum Wage Act with the object of changing the basis upon which the minimum wage rates are arrived at. Content?

A standing vote was taken the result being as follows:

YEAS: Messrs. Barkman, Campbell, Cherniack, Desjardins, Doern, Fox, Froese, Green, Guttormson, Hanuschak, Harris, Hillhouse, Johnston, Miller, Molgat, Patrick, Paulley, Shoemaker, Tanchak, Uskiw, Vielfaure.

NAYS: Messrs. Baizley, Beard, Bjornson, Carroll, Cowan, Craik, Enns, Evans, Hamilton, Jeannotte, Johnson, Klym, Lissaman, Lyon, McGregor, McKellar, McLean, Masniuk, Roblin, Shewman, Spivak, Stanes, Steen, Watt, Weir, Witney and Mesdames Forbes and Morrison.

MR. CLERK: Yeas, 21; Nays, 28.

MR. SPEAKER: I declare the amendment lost. Are you ready for the question on the main motion?

MR. STEVE PATRICK (Assiniboia): Mr. Speaker, I will be closing the debate. I beg to move, seconded by the Honourable Member for Carillon that debate be adjourned.

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

MR. SPEAKER: The adjourned debate of the proposed resolution of the Honourable Leader of the Opposition. The Honourable Member for Lakeside.

MR. CAMPBELL: Mr. Speaker, I am going to ask to have this matter stand, if I may, but of course I have no objection to anyone else speaking if he or she wishes to.

MR. SPEAKER: Proposed resolution of the Honourable Member for LaVerendrye.

MR. ALBERT VIELFAURE (La Verendrye): Mr. Speaker, I want to thank the members for allowing this matter to stand so long. Now that we have before us, Bill 83 which actually is the legislation that I asked for in this resolution, I would ask you to remove this resolution from the Order Paper.

MR. SPEAKER: Has the honourable member leave to withdraw his resolution?

MR. MOLGAT: Mr. Speaker, I don't believe leave is required is it when it has never been moved. I only rise to make the point so that it doesn't become precedent in our House. My understanding of Beauschesne is that as long as it has never been moved by a member that he simply asks for it not to appear.

MR. SPEAKER: The day will come when I'll know a little better. The proposed resolution of the Honourable Member for Inkster. The Honourable Member for Logan.

MR. LEMUEL HARRIS (Logan): Mr. Speaker, may we have this matter stand? If anybody else wishes to speak they may do so.

MR. SPEAKER: The adjourned debate of the proposed resolution of the Honourable Member for Inkster and the proposed motion of the Honourable Member for St. John's in amendment thereto. The Honourable Member for Selkirk.

MR. HILLHOUSE: Mr. Speaker, both the Honourable Member for Inkster and the Honourable Member for St. John's are of the opinion that if I accept the two principles of the preamble,

(MR. HILLHOUSE cont'd)...., namely: that every employee has the right to belong to a trade union and to join with his fellow employees for the purpose of collective bargaining; and 2. that it is the intention of the Act that employers have no effective interest in the question of whether or not their employee belongs to a trade union, then I must accept the resolution as originally drafted, and with more impelling reason with the amendment I would be even more illogical if I were to reject such resolution.

Mr. Speaker, I cannot accept that reasoning nor do I consider myself to be illogical if I do not follow the reasoning of my honourable and learned friends. The only way by which I could follow that reasoning would be to do violence to the real meaning of principle number 2 which, in my opinion, simply means that it is of no concern to an employer as to whether or no his employees do or do not belong to a union. From this it does not follow that an employer has no effective interest in whether or no that union is the free choice of his employees and as to whether or no the facts given to the Board are true. For instance, supposing a union through fraud, duress, undue influence or other improper conduct, presented itself for certification, and supposing an employer was so advised by some of his employees, do my honourable friends say that my acceptance of principle number 2 would preclude or stop that employer from raising these objections. Mr. Speaker, I don't think that it would.

Furthermore, Mr. Speaker, I cannot in this day and age accept the concept of the class struggle as envisaged in the works of Carl Marx. Perhaps I am naive in my belief but I nevertheless conscientiously believe that if we are to achieve and maintain the harmony, which should exist between capital and labour, or employers and employees, we should seek to achieve and attain that harmony within and what should be the spirit and intent of our labour legislation, namely, the promotion of equitable relations between employers and employees and the facilitation of just settlements of disputes between them.

In my opinion this resolution as amended would not achieve that end and as that is the matter in respect of which I am most earnestly and sincerely interested I cannot support the resolution as amended.

MR. SPEAKER: Are you ready for the question.

MR. HANUSCHAK: Mr. Speaker, I wish to move, seconded by the Honourable Member for Kildonan, the debate be adjourned.

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

MR. SPEAKER: Adjourned debate on the proposed resolution of the Honourable Member for Logan and the proposed motion of the Honourable the First Minister in amendment thereto and the proposed motion of the Honourable Leader of the New Democratic Party in further amendment thereto. The Leader of the Opposition.

MR. MOLGAT: Mr. Speaker, I rise to support the sub-amendment that has been proposed to this motion. We've had considerable argument on the matter of day nurseries and I don't intend to cover all of the territory over again, Mr. Speaker, but to emphasize my point of view on a couple of items. It seems to me that with the changes that are occurring in our society with the increased urbanization of our province itself and of our country as a whole, that we have to be prepared to take other steps that in the past may not have been looked upon with favour by members of this Assembly and members of the public in general. I think one of the evident steps in an urban society, one of the evident developments is that more and more women are employed on a full-time basis. This is a matter that exists now. Some do it by choice, many, Mr. Speaker, have to do it by necessity, but the facts are that this is what is going on and it is not going to change, in my opinion, Mr. Speaker, in fact I believe that this trend will probably continue. And I don't think we should look upon it as an undesirable trend. I think that women have a part to play in society not just as housekeepers but as well in many other fields.

I think we have to look upon this as two separate problems here. One, the case of the very low income groups where it is a case of necessity, where the woman of the house must seek employment in order to assist the livelihood of the family. There is as well the other case of the deserted wife or the separated wife or the divorced wife who must maintain her family as well. And I don't think that the ideal solution is simply to recommend welfare in those cases. Certainly welfare must be available if it is the only means possible, but I think it is much better in most cases for women in the separated or divorced category to have employment rather than simply welfare. I think that the majority of them would prefer to be employed. But in order to do this, Mr. Speaker, if they have young children there must be some means whereby those children can be taken care of during the day. And I know that the

(MR. MOLGAT cont'd) counter argument is: well let them find some babysitters. Mr. Speaker, it isn't that simple. Certainly in an urban area it isn't that simple. You go out to the rural areas where you know everyone in the community, you have an easier time generally to find someone on whom you can rely. But in our large urban centers you don't know your neighbours very frequently; you don't know with whom you're dealing. And to simply say to some of these women, "Well go out and find a babysitter," sounds fine but it doesn't always work. And so I think there is room here for government action to see to it that they do provide proper, properly supervised day nurseries where the individuals in charge have had some training preferably and where there is proper supervision. I think that this would assist materially those women who through no fault of their own need employment.

Then there is the other category altogether, Mr. Speaker, and those are the women who want to have employment, who have some special talent, such as teachers, nurses or training of any kind, and who want to regain employment. Mr. Speaker, we're desperately short in the Province of Manitoba of many of these categories of people. We're short of nurses. We've had many discussions with the Minister of Health in this regard. We're short of teachers. Every year when the school term opens we find the headlines saying that some certain classes cannot be opened at that time because there are no teachers and we have to employ under qualified teachers. We have in our society nevertheless many women who have had that training, who have had the training in past years and brought up their families and now are prepared to get back into employment in certain cases; others who still have young families and have a contribution to make. It seems to me again that if there are facilities for day nurseries we would be putting some of this talent and some of this training back into useful work in our society. In these cases I don't suggest that the services should be available at no charge. I think here it would be perfectly justified that the services be given to those who cannot afford to pay for them at no charge; those who can afford to pay then charge them for it. But I think again the question is the provision of the service because it's just as difficult for many of these to find suitable babysitters, to find a suitable location to leave the children during the day and if it can be done on an organized basis by the government then I think that it is a proper social service and a service that will assist the community as a whole.

I don't regard this in the least, Mr. Speaker, as a socialistic venture. I regard it at a purely practical, free enterprise proposition and one that is perfectly in line with the needs of the community insofar as trained people, insofar as employing the talents of our people to the maximum, one that is perfectly justified in terms of social welfare for those who are in need. The important thing here is that this is the service that in an urban community cannot be supplied as well and in some cases cannot be supplied at all by the individuals themselves, because of the nature of urban life. So I recommend to the House that we should proceed in this direction, that we should not supply this as a free service to everyone. Those who can afford to pay would be expected to pay but the service would be supplied on a supervised basis.

MR. SPEAKER: Are you ready for the question on the amendment to the amendment?

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

MR. SPEAKER presented the motion.

MR. GREEN: Mr. Speaker, I'm sorry. I wonder if the Member for Lakeside would object if I took the floor for a few minutes. Mr. Speaker, I'm just going to be very brief. The Provincial Treasurer yesterday castigated me because he said that I stood up in the House and said that I wanted a Bill to go to Committee not for the purpose of improving it but for the purpose of killing it. I think the words that I used in speaking on the sales tax legislation was that I thought that if the Bill went to Committee that at Committee the government would learn so much about the Bill that they would withdraw it or that they would reject proceeding with it. If my honourable friend wishes to have an example of sending a Bill to Committee for the purpose of killing it, I suggest he looks at the Premier's amendment to this Bill.

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

MR. SPEAKER: The adjourned debate of the proposed resolution of the Honourable Member for Logan and the proposed motion of the Honourable Member for St. Matthews in amendment thereto. The Honourable Member for Kildonan.

MR. FOX: Mr. Speaker, in speaking to this amendment, Mr. Speaker, I must say that I'm sorry that the Honourable Member for St. Matthews isn't in his seat because I do think that in making the amendment he did miss the intent of the resolution. I come from an industry where we do some butchering and this seems to me that this is precisely what happened to this

(MR. FOX cont'd).... resolution. It is a sad state when we have to take out the content of what the resolution means. Now I'm going to say that automation may mean a lot of things and may have varying interpretations but I'm certain that it isn't just technological change. The connotations to automation by the man who invented or coined the word, John Debold, and this is what he had to say in respect to automation: "We are today only seeing the tip of the iceberg. We haven't begun the transition and when it does begin it won't stop. It will be a continuing transition and it will go at a much faster rate because of the pressure of internal competition. Those who think automation means changing a few manufacturing industries don't realize that it will affect everything. When machines begin to voice and begin to talk to each other that is not just a mere technological change."

Mr. Speaker, as we take a look at this business of automation as I said, there are varying degrees of it as we interpret it. The housewife has some, her stove that is automatic that can be timed so she can leave the House and do her roast and come back and have it all fixed, all cooked, the timer has set it, has cooked it and has cut off at the heat stage just ready for her to take it out of the oven and put it on the table.

We have automatic furnaces which go ahead and come on and go off by themselves, they regulate the heat without anyone doing anything; but when we consider things in the nature of huge Hydro complexes that are tied together and which sometimes go haywire as the one did on the eastern seaboard which put out all the lights and all the power for a tremendous amount of area as well as millions of people, then I think you cannot say this is just a mere technological change and that we should consider it at a half a day or a full day conference.

The amendment says that we just have to have one look at this, a one-shot deal, and I've been to some of these one day conferences and by the time everyone has come along with their greeting and well wishes and everything else, better than half the day is gone. Then you get down to trying to determine your terms of reference as to what you are going to discuss, how much depth you are going to discuss on each of the items, and before you know it the day is done and you haven't even touched the subject at all. You've all been there and had a good time and a lunch in between and the conference is over and the subject matter that you were supposed to get into and discuss in depth is gone.

Mr. Speaker, as I said, this business of automation, what is it? Let me quote you from a man who I think gives a pretty good description of it, Mr. Irvine who is the Research Director of the CLC was speaking at a conference and this is what he had to say: "What is automation? First we should decide just what automation is. Automation is the most recent stage in a process of technological development that began with the industrial revolution about 200 years ago, but it is not merely a continuation of that development, it possesses certain features which mark it off as a very special phase. There are three identifiable stages in our technological development so far. The first we may call mechanization --mechanization brought the substitution of machinery and later electric power in place of human and animal labour. It also made possible greater standardization of the product and a more productive division of labour."

The second stage of technological development may be called continuous flow. In the factories of the 18th and 19th century production tended to be broken up into many individual units, each machine with its particular group of workers performed a different part of the production process. Around the beginning of this century however the production process began to be transformed into a continuous flow rather than being broken up into many individual units of activity. The first major breakthrough was in the automobile industry with the development of the moving assembly line. It soon spread to most other goods producing industries. Continuous flow technology eliminated the delay between stages of production which had characterized the old factory system and yielded enormous increases in productivity."

"The third stage of technological development is automation, which dated through the late 1940's after the war. The US automobile plants began to supplement their assembly line operations with new automatic and semi-automatic transfer devices. These machines could handle a piece of work, put it in proper position, fasten it in place, perform some operations on it, release it, move it on to the next stage and receive the next piece. All this could be done without any direct human intervention. The whole line of machines was run from the remote control electronic panel. This was Detroit automation.?"

"Let us consider computerization of this automation. For a moment a typical set of automatic equipment operators first Punch cards or magnetic tapes are fed into the electronic computers. These cards or tapes contain information with instructions to the production machines and from there on you go on to a new process altogether. A complete system of

(MR. FOX cont'd) thought is put on to punch cards and the process goes ahead into a continuous flow."

This, Mr. Speaker, opens up tremendous new vistas for us and I'm saying that you cannot just say that this is technological change and it's just going to affect industry. It's going to affect all of us in our whole social order.

In discussing automation there are certain number of myths that are always referred to, Mr. Snider who is President and Board Chairman of US Industries Incorporated also a director of several major American corporations and member of the New York University Bellevue Medical Centre, and Chairman on the American Foundation on Automation and Employment Incorporated, discusses some of these myths, and the first: "there is the myth that automation will actually create jobs that everyone will always be employed because it takes people to make machines and keep them running. Perhaps in the long run this will turn out to be true, but he says he doubts it. Anyway as the Lord C. once said: "In the long run, we'll all be dead, and we want to have a look at this thing now, not in the long run".

"The second myth, we must bury is that all those who lose their jobs through automation can be retrained and put into other jobs requiring higher skills and paying more money. In some cases of course this will be possible, but not in an overall way. In the first place fewer jobs are available; in the second place, many workers are just not retrainable due to their levels of intelligence or education, age or aptitude. We have found that many workers simply refuse retraining because they know that the jobs for which they might train do not exist."

Another myth: "that we will be able to put large numbers of people to work running automated equipment and use them all in the building and maintaining of this equipment. This is just not true. Experience has shown that after the initial debugging of automated machines they require relatively little maintenance. If this weren't. . ."

MR. SPEAKER: Order please. I hesitate to interrupt the honourable gentleman. I realize he hasn't been speaking very long, but I did want to remind him it's just a few minutes to the half hour.

MR. FOX: Thank you, Mr. Speaker. I don't know whether I'll get finished but I'll try.

"Experience has shown that after the initial debugging of automated machines they require relatively little maintenance. If this weren't the case it wouldn't make economic sense to automate, and if the equivalent number of workers replaced by automation were required to build the machines and system there would also be no point in automation."

Another myth: "The idea that workers displaced by automation in one part of the country can find jobs in other parts of the country. This doesn't hold up either, for the truth is that most displaced workers are those least able to move, the lower paid, the older, the unskilled. Either they don't have the money to pay for a move or they are psychologically incapable of beginning new lives in strange areas."

This is just a sampling of remarks in respect to automation, Mr. Speaker. This is a complex problem. Now what would a committee if it was setup, discuss in respect to automation? What kind of implications do automation have for us? Well I have listed here before me a number that I shall cite and then try to elaborate on further.

There are the implications as to what automation will do for industry, competition-wise, centralization or decentralization in respect to management or otherwise. Implications for labour, how do they affect labour, in respect to bargaining, in respect to retraining, in respect to our whole manpower resources, in respect to the organizations that we have now, the institutions, the trade unions and others, will it affect their structure. I think all these things are relevant. I do believe that automation will affect us in these areas.

What other implications are there? There are the implications for the social sciences, when they begin to do things by computers if they aren't programmed properly what will happen to the suggestions and answers that come out of this kind of programming? Where else can they be used in the social sciences? Well they can be used in developing the services that we have; doctors' diagnostic services can be computerized. In fact it's already been mentioned that in some areas this is being started, that you put the information in because of the speed with which the machine can operate and bring out the right answers by going back and forth in its memory bank it can do a better diagnostic service than an individual doctor himself because his processes aren't as fast.

In respect to law, we could get law computerized and have decisions come out of it and the relative information stored in the memory banks. While we are only using them for

(MR. FOX cont'd).... counting and also for giving us trends, they also may in the future be used possibly for predicting things which give us opinion polls which make us change our minds. If they are not programmed properly then possibly we may be getting the wrong information out of them.

MR. SPEAKER: Order please. It is now 5:30. I wonder if the honourable gentleman has leave to continue when it next appears on the Order Paper.

MR. LYON: Mr. Speaker, I beg to move, seconded by the Honourable Provincial Treasurer that the House do now adjourn.

MR. SPEAKER presented the motion and after a voice vote declared the motion carried, and the House adjourned until Monday afternoon at 2:30.