

THE LEGISLATIVE ASSEMBLY OF MANITOBA  
8:00 o'clock, Tuesday, May 12, 1970

INTRODUCTION OF GUESTS

MR. SPEAKER: Before we proceed I should like to direct the attention of the honourable members to the gallery where we have 30 Wolf Cubs of the 93rd Cub Pack. They are under the direction of Mrs. Kiesman. The members of this pack are from the constituencies of the Honourable the First Minister and the Honourable Member for Kildonan. On behalf of all the honourable members of the Legislative Assembly, I welcome you here this evening.

The Honourable Member for St. Boniface.

MR. LAURENT L. DESJARDINS (St. Boniface): Mr. Speaker, I wonder if I could have leave to make a non-partisan political announcement. I just want to remind the honourable members that the Pea Soup Night is tomorrow at 7:00 o'clock at the Juniorat at the corner of Provencher and Des Meurons.

GOVERNMENT BILLS

MR. PAULLEY: I wonder, Mr. Speaker, if we could go into second readings of government Bills, starting with Bill No. 15.

MR. SPEAKER: The proposed motion of the Honourable the Attorney-General, Bill 15. The Honourable Member for Fort Garry.

MR. WEIR: Could we have leave to have the matter stand? (Agreed.)

MR. SPEAKER: The proposed motion of the Honourable Minister of Mines and Natural Resources, Bill No. 38. The Honourable Member for Riel.

MR. CRAIK: Well, Mr. Speaker, in the absence of the Minister, I think I'd ask this matter to stand. (Agreed.)

MR. SPEAKER: The proposed motion of the Honourable Minister of Agriculture, Bill No. 31. The Honourable Member for La Verendrye.

MR. BARKMAN: Mr. Speaker, I think this Bill is important enough that I don't want to be guilty of holding it up any more so I will say a few words on it.

I think it is a very important step in the right direction because we all know that the shortage, the lack of veterinarians in our province is becoming a rather critical condition in the Province of Manitoba. It's not very often in my short life that I side with professional people, but I think this is a case where more concern has to be given to our veterinarians still remaining in the Province of Manitoba. There's no doubt in anybody's mind in this Legislature I'm sure, and I'm especially referring to the rural MLA's, many of them are working 14 and 16 hours a day, many are still only half finished by the time they quit working after a lengthy day, and I wonder if we realize, other than perhaps the rural members, the number of miles that many of these veterinarians engage or travel during a day's work. I just happened to ask a veterinarian the other day and he told me that he drove as many as 300 miles a day, although he did say that this was not an average mileage per day, but he said he had to do this at times and I think this alone is very time-consuming.

So I'm very happy, Mr. Speaker, to see Bill 31 coming up. I believe it's something that we've been waiting for. The first steps were perhaps made by the former government, and now the completion of this Act. So I think the fact remains that as this situation is becoming worse, we are not only maintaining our present veterinarians but we are losing those that have been in training. We're losing our present veterinarians to other provinces, and in fact I think to other countries. While we fully realize that this Bill will only help the situation to some extent, at least it will show the farmer or show the livestock producer - in fact we could include the dairy farmer and the poultry farmer - at least it will show these people that finally some relief is on the way. I think we could point out here that it will certainly need the full cooperation of every livestock owner operating in Manitoba. I feel that this cooperation is going to be badly needed because, after all, the Act is not a perfect one but it is a step in the right direction.

I understand also, Mr. Speaker, that some of the municipal people are somewhat reluctant to accept one of the three basic plans, the three plans being basically the cash assistance to the veterinarian in lieu of pay for transportation; and the second one, of course, that the government provide a clinic and pay out a subsidy. In fact I'm beginning to think that while at first I thought that the third plan, the Manitoba Municipal Plan - and the second one is called the Manitoba Plan - I'm beginning to think that that might be one of the more popular plans that

(MR. BARKMAN Cont'd) . . . veterinarians will be willing to accept, in fact perhaps even municipalities. But I don't think we should be too skeptical as far as the thinking of municipalities is concerned because it has been brought to our attention in this House quite often in the last two months or so that our municipalities are finding it hard to raise the moneys needed for many things, and in case of the Veterinarians Act, Bill 31, the municipalities again, as much as they would like to participate - and I think basically most of them will join - they are hamstrung or their budgets are limited, there's no maybe about it, and this is perhaps one of the reasons why some of them are somewhat reluctant to join this plan, although I don't think that the municipalities will hold up the overall planning of these clinics.

I was very happy to see in the Bill that villages, towns and cities will be asked to participate in this plan, because I think right now, while we've been talking gloom and doom as far as our agriculture situation is concerned, I think this is perhaps one situation where the tight budgeting and the tight moneys of municipalities will perhaps bring the municipalities and the livestock people closer together and might even serve as a good reason for helping this Bill 31 along.

MR. BEARD: We need a vet for all those Polar Bears.

MR. BARKMAN: I understand there are not too many as yet, so perhaps the polar bears are still in a state of health, or flux as the Honourable Member for Arthur usually says, and perhaps they can get along for a while.

Mr. Speaker, our livestock producers, whether they be poultry, dairy or otherwise, cannot afford to operate without a veterinarian, and I think the Honourable Member for Arthur brought out a good point when he was suggesting that perhaps we should be talking of satellite service centres. I think this is quite in order, especially for places like Brandon, Dauphin - and I don't dare mention Steinbach at this time because naturally they're a little closer to the City of Winnipeg.

However, Mr. Speaker, I don't wish to hold up this bill to any great extent; I think that it is very timely. And I believe that, coming back to the third plan, the Manitoba Municipal Plan, it perhaps will be more becoming to many districts and I hope that the people that planned this bill have taken some advice from the livestock producer and also perhaps from the veterinarian because there are going to be problems, there's no doubt about it, there's going to be a lot of decisions have to be made and I'm very happy that the bill suggests that some of the plans or the problems will be left to be changed to accommodate the local situation.

So, Mr. Speaker, I'm inclined to think that on the overall run that the municipal people will go along with this bill because they know the necessity and the dire need of organizing, of starting to organize these clinics, and I hope that while this bill has been sitting around for some days, I hope that its passage will be through in the very near future.

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

MR. McKENZIE: Thank you, Mr. Speaker. It's unfortunate that the Minister is not in his chair tonight but no doubt the acting Minister will pick up the slack and answer the questions, and I'm wondering who is the acting Minister in this group over here.

MR. BILTON: The Minister of Labour.

MR. McKENZIE: You, Larry? --(Interjection)--Oh, Harry is. I'm more concerned than I was this afternoon.

MR. PAULLEY: If I may, Mr. Speaker, may I suggest to my honourable friend that the quicker the bill is passed the quicker the Agriculture Committee will be called to consider the same, and this has been the request of my honourable friends opposite.

MR. WATT: Mr. Speaker, on the same point that my honourable friend is speaking on, who is the acting Minister of Agriculture?

MR. PAULLEY: There is, Mr. Speaker, and I'm sorry I haven't got my full notes with me. But I'm sure, if I may, Mr. Speaker . . .

MR. BURTNIAK: Mr. Speaker, I'll take that question from the Honourable Member for Roblin.

MR. WEIR: Mr. Speaker, on the matter of order raised by the Minister of Labour . . .

MR. PAULLEY: I didn't raise the point of order.

MR. WEIR: . . . the old rooster. Well you did raise the calling of the Agriculture Committee which is really where the bill is going, and I want assurance that it's the Agricultural Committee that it's going to.

MR. PAULLEY: My honourable friend I am sure -- I am sure that my honourable friend can be assured that bills dealing with agriculture will go to the Agriculture Committee.

MR. McKENZIE: Mr. Speaker, could we now have the answer from the Attorney-General We were both . . . at the same time.

MR. PAULLEY: I can assure my honourable friend from Roblin we'll take note of what he has to say.

MR. McKENZIE: Oh thank you.

MR. SPEAKER: Order please.

MR. McKENZIE: . . . Mr. Speaker, after that rhetoric exercise, and I don't still know who is the acting Minister of Agriculture. Is it the Honourable Minister of Tourism and Recreation? --(Interjection)--Thank you, Mr. Speaker.

Well, Mr. Speaker, I support the philosophy and the principle of this bill. In fact, it's one that we debated in our caucus some time ago and tried to formulate a plan whereby the veterinary services in the province could be improved upon, but I'm most concerned at this moment that the public relations that was so necessary to get the message across to the rural municipalities of this province, hasn't been coming through. There is great debate taking place in my constituency on the principle of this Veterinary Services Act and many of the questions are going unanswered, and it created sort of an exercise of difficulty between the farmer and the veterinary. I think I could say that the farmer today has other problems than the veterinary problems that are of a more serious nature and would like to recognize them, which we talked about this afternoon. But, in fact, is this centralization of the services? I think they're alarmed about the over-centralization which we have from the school system which becomes very expensive, or where is the cost factor going to be controlled in this bill? I'm told today that veterinaries are asking 45 cents a mile for travel. Is that a fact? Now maybe the acting Minister can answer that question. I'm asking him what's going to happen on the weekend, or how are these veterinary clinics going to be staffed? How many people will be staffed in one of these clinics? And maybe he can give us some of these answers tonight before we proceed with the bill. But in the main I'm . . .

MR. PAULLEY: Mr. Speaker, if I may interrupt my honourable friend, I wonder if we could have a little more quietness in the House in order that we may be able to hear the Honourable Member for Roblin.

MR. McKENZIE: Well, Mr. Speaker, I can speak louder if --(Interjections)--But there is a point here whereby a veterinary clinic of this nature in an urban society could perform a very useful service and deal with possibly dogs, cats, birds, small animals like that, and possibly in Steinbach they would have that type of a service. But I look at Roblin constituency where animals would have to be transported possibly 45 or 50 miles, how is it going to happen or what's going to happen when they get there? Who's going to do what? And so I'm sure the Minister will give us some of the answers to this question before we proceed with the bill.

MR. SPEAKER: Are you ready for the question? The Honourable Member from Birtle-Russell.

MR. GRAHAM: Mr. Speaker, I move, seconded by the Member for Sturgeon Creek, that 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 motion of the Honourable Minister of Labour, Bill No. 42. The Honourable Member for Swan River.

MR. BILTON: Mr. Speaker, I am only going to take a moment on this bill and I hope I don't get the interference that we've been witnessing this last few moments. Mr. Speaker, it is a pleasure for me to tell you that we have gone through this bill and agree with it in principle, and look forward to further discussion in committee. There is just one thing I would say in passing and that is the powers of the Minister. I would much rather see another word than "otherwise" and it is not my purpose, as I said a moment ago, to hold up the committee but rather when this bill does go to that point, I intend to discuss that matter further. In the meantime, Mr. Speaker, we support this bill.

MR. SPEAKER: The Honourable Member for Lakeside.

MR. ENNS: Mr. Speaker, I beg to move, seconded by the Honourable Member from River Heights, that debate on this bill be adjourned.

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

MR. PAULLEY: Mr. Speaker, would you mind calling Bill No. 40.

MR. SPEAKER: On the proposed motion of the Honourable the First Minister, Bill No. 40. The Honourable Member for Rhineland.

MR. BILTON: Could this matter stand, Mr. Speaker? (Agreed.)

MR. PAULLEY: Bill No. 54, Mr. Speaker.

MR. SPEAKER: On the proposed motion of the Honourable the Attorney-General. Bill No. 54. The Honourable Member for Sturgeon Creek.

MR. F. JOHNSTON: Thank you, Mr. Speaker. I have gone through this -- well, I assure you this bill is not the changes in the Liquor Act that are in the other Act, and I have gone through this bill. I might say, Mr. Speaker, there must be an easier way of checking bills than shuffling back and forth through books and what have you, but they are only technical changes, as the Honourable Attorney-General mentioned, when he explained the bill. There are some questions in it that I would ask in Law Amendments but we have no reason to hold this bill up any more and I would suggest that it be passed on.

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

MR. SPEAKER: On the proposed motion of the Honourable Minister of Municipal Affairs. Bill No. 7. The Honourable Member for Birtle-Russell.

MR. GRAHAM: Mr. Speaker, could I ask the indulgence of the House to have this matter stand. (Agreed).

HON. HOWARD R. PAWLEY (Minister of Municipal Affairs) (Selkirk): Bill No. 3, Mr. Speaker.

MR. PAWLEY presented Bill No. 3 The Local Authorities Election Act for second reading. (Bill be dealt in Municipal Affairs Committee).

MR. SPEAKER presented the motion.

MR. SPEAKER: The Honourable Minister of Municipal Affairs.

MR. PAWLEY: Mr. Speaker, the Local Authorities Election Act is designed to be applicable in all local authorities in which elections are held to elect the members of the governing body or in which referendums are held for the purpose of obtaining approval of the electorate for creation of debt. The Act will be applicable in all municipalities and in all school divisions or school areas where the legislation creating these bodies make The Local Authorities Election Act applicable. The majority of the sections in the proposed Act come from either (a) existing provisions of the Municipal Act; or (b) existing provisions of the Provincial Election Act. An attempt was made to make the Local Authorities Election Act conform as closely as possible with the Provincial Election Act but at the same time provide the necessary machinery to serve more adequately the election requirements of local authority. Where deficiencies existed in the provisions of the Municipal Act, these provision deficiencies were eliminated by the introduction of features from the Provincial Election Act.

One of the greatest deficiencies in the Municipal Act appear to be in respect of matters of election offences and controverted elections. In these areas many of the provisions of the Provincial Election Act were included in the Local Authorities Election Act. Certain specific changes in principle have been embodied in the Local Authorities Election Act. The Main changes in principle are as follows: In Section 5 it will be noted that the minimum age for electors has been reduced from 21 to 18 years. The citizenship qualification has been removed in keeping with the philosophy that anyone who contributes to local government taxation whether directly or indirectly should have a voice in electing the bodies that had the responsibility of administering those tax dollars. Non-resident owners who are qualified to vote at municipal elections will include the owners of leasehold interests and Crown land which includes a large group of summer cottages. Section 10 requires the appointment of an enumerator, a returning officer and a revising officer. The latter will carry out the duties formerly performed by a county court judge. Under Section 11 the preparation of the traditional electors role is no longer required. A list of electors is required to be prepared annually or if council so decides, it may be prepared every three years. In the latter case there is provision for annual revision of the old list. See Section 17 subsection 5. Where enumerators will be appointed separately by municipalities and school division boards there is provision in Section 11 subsection 3 for statute. For example, whether it be the Municipal Act or the Public Schools Act, Section 46, subsection 3 provides that where a nomination is required to be accompanied by a declaration by the candidate, the declaration shall be in Form 9. This form then brings up the question of qualification of candidates for municipal office. It can be seen from this that property qualifications are no longer required and the age has been reduced from 21 to 18. The candidate is required to be a Canadian citizen and it will be seen from the definition section that this includes a person who on the coming into force of this Act is a resident of Canada and a British subject.

(MR. PAWLEY Cont'd)

Polling hours have under Section 53 been uniformly established to begin at 9:00 o'clock in the forenoon and close at 9:00 o'clock in the afternoon. The directions for voting as required in Section 65 and as prescribed in Form 11 are substantially changed with a view to simplification. The actual instructions for marking the ballot paper will appear upon each ballot paper itself as indicated in Form 21.

Attention has been paid to simplifying the act of voting and Section 84 will make it possible for an elector who has been omitted from the list to cast his ballot simply by taking the affidavit of elector as described in Form 13. Previously it was necessary to have two electors vouch for such a person, each of which electors was also required to take an affidavit.

An attempt has also been made to simplify the act of voting for the incapacitated voter. One who is unable to mark his ballot will now be able to have a friend accompany him into the voting compartment and mark his ballot for him. This will be in addition to his previous right to have the deputy returning officer mark his ballot for him. An elector who is unable due to physical incapacity to go in person to the polling place may vote by mail. All this is provided in Section 95.

The proportional representation system or alternative voting system as prescribed in Section 115 through 127 is pretty well a copy of the relative provisions of existing municipal acts. Part 3 division (1) dealing with election offences and contained in Pages 79 to 91 is taken largely from the provincial election act. Part 3 division 2 and 3 appearing on Page 92 to 106 inclusive comes for the most part out of the Municipal Act. Section 204 to 223 prescribes provisions for presenting bylaws to the electors.

Since a Standing Committee has recommended that Borrowing By-Laws of Municipalities shall not be submitted to the electors, it is likely that this part of the Act will be used sparingly; the occasions being the submission of such matters as hospital schemes to the ratepayers or electors as the case may be. Whether or not a matter such as this will require the vote of the electors or ratepayers will depend upon the provisions of the controlling statute such as the Municipal Act.

MR. SPEAKER: Order please, order please. The question arises in my mind, listening to the Honourable Minister's debate, whether the comments that he is now making may not be more appropriately made at some later point. My impression is that at this point we deal with the principle of the bill rather than going through it on a section by section basis.

MR. PAULLEY: Mr. Speaker, I believe you are correct, but if the Honourable Minister of Municipal Affairs does not refer precisely to the sections but the principle possibly of the sections he would be then in order.

MR. PAWLEY: That's right. I'm just about completed anyway, Mr. Speaker.

MR. G. JOHNSTON: On a point of Order, on a point of Order, I agree with you entirely. The Minister should be speaking on the principle of the bill not clause by clause.

MR. PAULLEY: We agree, too, Mr. Speaker, with your suggestion and that of my honourable friend the House Leader of the Liberal Party; and as I suggested, if my colleague does not refer to sections but rather the principle even if contained in the sections without precisely naming them then he would be perfectly in order.

MR. G. JOHNSTON: On the point of Order, Mr. Speaker, I'm glad the assistant House Leader agrees with me and I hope the Minister will proceed in that vein.

MR. PAULLEY: I'm sure he will, Mr. Speaker.

MR. PAWLEY: Well in view of this, Mr. Speaker, I think that we've more or less managed before the Point of Order was raised to race through the various provisions of this bill and I would wait then further discussion in the Municipal Affairs Committee level.

MR. SPEAKER: The Honourable Member for Sturgeon Creek.

MR. F. JOHNSTON: Mr. Speaker I would move, seconded by the Honourable Member from Birtle-Russell, with a little bit of regret at the size of the bill, that debate be adjourned.

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

MR. SPEAKER: On the proposed motion of the Honourable Minister of Education. Bill No. 57. The Honourable Member for Emerson.

MR. WEIR: Mr. Speaker might we have the matter stand please. (Stand).

MR. MACKLING presented Bill No. 41 an Act to Amend the Garnishment Act for second reading.

MR. SPEAKER presented the motion.

MR. MACKLING: I have 40 pages here, Mr. Speaker, of closely typewritten notes on this very extensive Act. Really I'm only joshing - it's only a one page extract. --(Interjection)-- Principles only, that's right.

This Act to amend the Garnishment Act, Mr. Speaker, has the effect of rendering an anomaly that existed in the previous arrangements in respect to garnishment inoperative. It was found that although it was impossible in the County Court of Winnipeg or the County Courts anywhere, under the County Court Act rules to garnish wages of a workman or employee before judgment, such was not the case in the Court of Queen's Bench and recently some of my more astute brothers-in-law have exercised the privileges of the Court of Queen's Bench rules and have successfully attached wages of workmen before judgment had been obtained against them. This, of course, is a technique that is a very harsh one in respect to workmen. In some instances, of course, it may turn out that the proceedings that are brought are improper or incorrect or without foundation, but in the meantime the workmen's wages, his salary, have been attached, tied up, at great discomfort, embarrassment and with great hardship to individual workmen.

The statutory exemptions within the Act are presently \$100 per month for a person without dependents and \$165 per month for a person with dependents. The increase of exemption under Section 9 cannot be more than 90% of wages and the reduction of exemption cannot reduce wages below \$100 per month. In the present Act there is provision for application to a Court for variation in the exemptions where undue hardship would exist. The proposed amendments to the Garnishment Act would make these provisions that presently exist in the arrangements, the applications that are possible before a County Court judge possible in the Court of Queen's Bench as well, so that in the event that the exemptions are found to be inadequate by the individual whose wages or salary has been attached after judgment, then an application can be made to Court for variation in the exemptions. Now I understand that this provision is not too frequently resorted to but nevertheless it is there as an added protection in respect to a workman who would be more than unduly affected by the provisions of the Act.

In addition, changes provide that a memorandum in respect to the garnishing order with all the relevant information, would be served upon the Garnishee, that is the employer, at the time the garnishment proceedings were taken out. This memorandum was a requirement in the Court of Queen's Bench; so the highest standard which previously prevailed in the two courts will now be provided in both courts and by virtue of the amendments to the Garnishment Act. Later on I'll be dealing with or introducing amendments to the County Court Act which will have the effect, in part, of removing the sections of the County Court Act which had dealt with garnishment proceedings, so in a sense part of the amendments to the County Court Act are a concomitant part or resultant from the changes in this present Act, the Garnishment Act.

The amendments to the Garnishment Act have been reviewed with Chief Justice Tritschler of the Court of Queen's Bench because the Court of Queen's Bench technique would be affected. So the result is - and the Chief Justice of the Court of Queen's Bench welcomes the change and welcomes the added facility to the Court of Queen's Bench to be able to review particular exemptions in any case where garnishment proceedings are taken in that court.

The result of these amendments, therefore, is to prohibit the attachment of wages of a worker prior to judgment being obtained and also to make the arrangements that are possible in the County Court, or the provisions that are presently possible in the County Court in respect to applications for variation in the exemptions allowable under the Act to be made also in the Court of Queen's Bench. In effect then, this is most desirable legislation and I certainly endorse its early passage.

I also would like to mention that it's our sincere desire that the Federal Garnishment Act might be amended to comply with ours inasmuch as employees who work in Flin Flon and yet nevertheless reside in other jurisdictions, might come under the provisions of our Act and thus get the complete protection that our Act provides.

I think it's very necessary legislation, very commendable legislation and I heartily endorse it and ask for its early passage.

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

MR. BOYCE: Mr. Speaker, I wonder if I may be permitted a question of the Attorney-General?

I notice that this and other bills are cross reference to the Revised Statute of Manitoba

(MR. BOYCE Cont'd) . . . 1970. I wonder if he could give us some indication of when the members will get their copies of the Revised Statutes?

MR. SPEAKER: The Honourable Member for Fort Rouge.

MRS. INEZ TRUEMAN (Fort Rouge): Mr. Speaker, I move, seconded by the Member from Brandon West that the debate be adjourned.

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

MR. SPEAKER: The adjourned debate on the proposed motion of the Honourable Attorney-General. Bill No. 58. The Honourable Member for Fort Garry.

MR. WEIR: Could we have this matter stand, Mr. Speaker.

MR. SPEAKER: Second Readings, Bill No. 59. The Honourable Minister of Education.

MR. MILLER presented Bill No. 59 an Act to Amend the School Attendance Act for second reading.

MR. SPEAKER presented the motion.

MR. SPEAKER: The Honourable Minister of Youth and Education.

MR. MILLER: Mr. Speaker - and I'll deal only with principals as has been suggested from the opposite side - with principals, and supervisors and students in my case.

We are attempting to amend The School Attendance Act which we feel is somewhat out-dated and really is operating in a somewhat archaic manner. It has been traditional for the Department of Youth and Education to supervise school attendance and to enforce the provisions of The School Attendance Act, and to receive and maintain all the necessary documents and reports relating to school attendance, and I can tell you it's kept a lot of people busy running around, filing a lot of information and a lot of files. This may have been necessary, and I don't doubt it was necessary when there were a lot of small schools in the province, when the units of administration were very very small and so they had to pretty well look to the province for this sort of assistance. However, with the enlargement of the school systems into divisions, with the development of sufficient administrative staff which has occurred because of the creation of the divisions, the need for this set of external supervision has left, and really the functions have pretty well become as I say, superfluous.

In order to check on this I asked that the school board be written and their opinions sought. We did write all the school divisions in Manitoba. We received replies from 34 of the school boards, 31 of them favoured turning over the responsibility to the local authority, three had some reservations, mostly they were questions, but none actually opposed them. And in fact we find that the school divisions are in any case doing this work and what has happened is that-- what is being done by the department is simply repeating the process. This is not a very efficient way of operating, it's a costly way, and it's estimated that by streamlining the operation we could save some money; it's not a great amount of money, but since we are seeking any possible way of operating more efficiently, the estimate is that we might be able to save somewhere in the neighborhood of \$30,000 in this year of operation. I might point out too that this was one of the recommendations of the operation productivity which was made available to the department. It was their suggestion that we look at the Attendance Branch and to see whether or not it could be phased out. I'm satisfied that it can be phased out, that the school divisions are quite capable of looking after it themselves; that they now have the staff to do it and that the government and the department's removal from that field will in no way disturb the school system.

There are also some minor changes in the bill itself, one dealing with apparently a very old requirement that a council, a Municipal Council could appoint an attendance officer if the school board failed to do it. I think this goes back to the days when there were small one-room schools and the Council felt that perhaps the school board was not attending to its business. But again, because as I say these are no longer valid and are not really the situation in Manitoba today, we are eliminating that requirement too.

We are also eliminating the requirement for the census to be taken as it is now - I think it's July, I think it's two census - July 15th, to measure the anticipated enrollment. That is no longer a requirement. A census can be or will be taken if the school board so desires, - feels it needs it; or the Department of Education feels it needs the information for programming of school construction and so on. But the annual type of census will no longer be required. I don't think it's necessary any more. I think it is both a saving in time and again in dollars to the local school divisions.

There's some redefining of terms. It's interesting that I have to tell the House that the very first amendment I'll be bringing in when we go into Law Amendments will be a very simple

(MR. MILLER Cont'd) . . . one, it will be eliminating some verbiage which the bill really is attempting to eliminate in its very first clause, and then out of habit I suppose, the drafters of the bill continue to use the old expressions and the old terms even though they just introduced a new word, a new definition which supposedly would encompass all the other descriptions. So I'm simply advising the House that there will be a minor change at Law Amendments Committee simplifying the language which was the intention of the bill in the first place.

I believe this deals with the general principles of the bill, Mr. Speaker, and I trust that they will be acceptable to the House.

MR. SPEAKER: The Honourable Member for Riel.

MR. CRAIK: Mr. Speaker, I'd like to move, seconded by the Member for Arthur, that debate be adjourned.

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

MR. MACKLING presented Bill No. 60, an Act to amend The County Courts Act, for second reading.

MR. SPEAKER presented the motion.

MR. SPEAKER: The Honourable Attorney-General.

MR. MACKLING: Mr. Speaker, in introducing this Bill, it's a relatively short Act amending the County Court Act, I should give the members some indication of the ramifications of the change involved in this very small amendment.

Under the present County Courts Act and The Court of Queen's Bench Act there is a little variation in respect to the right of the judges of the two courts in respect to rule making. The judges of The Court of Queen's Bench pursuant to the Court of Queen's Bench Act formulate their rules and their rules become operative immediately they formulate them. The Act makes that provision that there is a delegation to the judges of the authority to make rules for the courts. Now in the County Courts Act, the provision is that the proposed amendment would remove the necessity of the rules having to be approved by the Lieutenant-Governor-in-Council. Now this seems like a very insignificant matter but it was proposed some time ago and very serious consideration was given I am sure by the previous administration to this seemingly small amendment, but concomitant upon the changes in the rules - or this right to make their own rules - comes a consideration of the actual working of the court, and one of the things that has concerned me particularly is the change in court structure over the course of time. Initially at one time the County Court was much the inferior court and the Court of Queen's Bench was the superior court and there was a marked distinction between the class of actions that were tried in the two courts and the formality of treatment of causes of action that came before them. But gradually over the course of time, the County Court has become a court of almost the same jurisdiction in many ways as the Court of Queen's Bench. Various types of action are heard in the County Court that could well have been heard in the Court of Queen's Bench. For example, although the County Court jurisdiction is limited to \$2,000 for almost all cases, yet the County Court has the right exclusively by statute to deal with all cases dealing with Mechanic's liens for example, and some of these cases go to the many hundreds of thousands of dollars; so there have been over the course of some years jurisdictions that have been assigned to the County Court which have had the effect of raising the stature of this court and the calibre of the court from the point of view of an inferior court to that really of a superior court.

Another example is in respect to expropriation. For some reason or other the previous legislatures have decided that in the area of expropriation the County Court should be the court to determine hearings - they're called arbitrations - in respect to matters dealing with expropriations; And thus in that court there are cases that deal with individual expropriations involving many hundreds of thousands of dollars. So my concern in dealing with the amendment that was sought here, was whether or not in fact this small amendment would have the effect of changing the structure of the court, changing the jurisdiction of the court by tacit consent to make the rules to an equal of the Court of Queen's Bench; so I was concerned, Mr. Speaker, to review with the judges of the County Court the type of rules that they had in mind to adopt, and one significant rule change has not been pursued. Now as some of my honourable friends may know on the other side, proceedings in the County Court have been much less formal in the matter of the pleadings that are filed. For example, in the Court of Queen's Bench, if a person wishes to put in a defence to an action there is no ready form in which they can write out a personal defence; whereas in the County Court for many many years attached to the



(MR. MILLER Cont'd) . . . to the statement of claim that's issued there is a form, it's a blue form --I hope that not too many have been served with such a form so that you wouldn't be too familiar with it - but the Honourable Member for River Heights I think is familiar with it, and on many occasions an individual who has received a statement of claim in the County Court has been enabled to write a simple defence on that blue form and mail it in or take it in to the County Court office wherever he or she lives and that in effect is a valid defence, or is a defence and it's deemed to be a defence when it's been properly filled in and signed by the individual defendant that carried out this action. So it has meant that the County Court has always maintained a vestige of being an inferior court and a court that used much more simple and unsophisticated pleading technique. That was one significant aspect of court pleading that clearly differentiated the pleadings in the Court of Queen's Bench from the County Court; because recently as most members might know the County Court judges have adopted very similar techniques in respect to the actual size of the pleading, you know, 8 x 10 sheets and so on; and I've been assured by the judges of County Court that despite their right to make their own rules, the rules that they will be adopting will again contain this provision for the simplified form of defence that may be filed by a defendant in that court.

I want to assure honourable members that the whole area of the relevant jurisdiction of the courts and this problem of, the jurisdiction from a dollars and cents point of view, of what cases may be heard by the court is under active consideration; and I'm very concerned of course in respect to the adequacy of the small debt court provisions. I'm satisfied that giving to the County Court judges the right to adopt their own rules will not have the immediate effect of removing the simplicity that has obtained in County Court procedures and making it very difficult for people to appear and plead their case. I'm assured by the judges that that will not be so.

The only rather significant aspect to this amendment to the County Courts Act, Mr. Speaker, is as I've indicated, the former provisions in the County Courts Act which provide for garnishment will now be taken out of the County Courts Act and will be consolidated into the Garnishment Act as I've indicated in respect to the amendments to the Garnishment Act, bringing the higher or the better standard of procedure applicable in the Court of Queen's Bench as well. With those few brief remarks, Mr. Speaker, I commend the passage of this Act to the House.

MR. SPEAKER: The Honourable Member for Fort Garry.

MR. SHERMAN: Mr. Speaker, I move, seconded by the Honourable Member for Swan River, that debate be adjourned.

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

MR. MACKLING presented Bill No. 69, an Act to amend The Regulations Act, for second reading.

MR. SPEAKER presented the motion.

MR. SPEAKER: The Honourable Attorney-General.

MR. MACKLING: Well, again Mr. Speaker, this is a very small Act. I would like to explain, however, the rationale for the Act.

The first amendment is an improvement on the existing languages of a section of the Act which utilizes the same phrase "has been available in printed form." No, no it's not the Fifth Amendment; I would plead the Fifth Amendment at this time if someone really went into it. In the past before the publication of a regulation could be dispensed with, the responsible Minister had to establish that the regulation: "Has been made available in printed form." The proposed amendment which is self-explanatory, represents an improvement in that it merely states that the regulation is available, with no reference to printed or any other form.

The second amendment is merely complimentary to the first which would require that in any case where the publication of a regulation is dispensed with, the notice that is published in the Gazette to this effect, shall also state the place where the regulation is available to the public. Now that may sound like just a little bit more gobbledygook to some of the honourable members, but I'm assured --(Interjection)--your assurance that it doesn't. Well, I'm assured that in some instances, some of the regulations that are required to be published pursuant to Acts are extremely long, extremely bulky and very technical, and the number of people who actually pursue a careful reading of the regulations may be very limited. An amendment to the regulations may only affect one small aspect of an otherwise very extensive set of regulations, but apparently the practice has been to publish the entire regulation again with the small amendments provided, and this has meant a great deal of unnecessary expense in publication, and I'm assured by all concerned that these amendments will not take away from

(MR. MACKLING Cont'd) . . . the right of individuals to have a full and frank understanding and knowledge of regulations.

One thing, one thing that I want to assure the House, is that in respect to the whole question of regulations, there has been for many many years a recognition that regulations under the various Acts are very difficult to find, and it's very onerous for individuals who are affected by regulations under an Act to discover in what way it has been amended or what in fact the various regulations are. But, as I have indicated to the House, now that the Revised Statutes have been completed -- and I must apologize to the Honourable First Minister who asked me where they are; I did assure the House that they should be available shortly, and I keep telling my honourable colleagues "soon" - I will make enquiry and undertake to the House that I will report on this during the next question period. I will take those admonitions from my colleagues as notice. I will report. I had assured the House that some time in April we would have them. But, as I've indicated, now that Mr. Rutherford has completed his work in respect to the statutes, he has agreed to stay on in service and is now actively engaged in a review of all the regulations under the various Acts, and I can appreciate that this is going to be a voluminous task; it's going to involve a great deal of time, and I can't assure honourable members when this work will be completed because I know that the work involved in the revision of the statutes was a very long, exasperating one and various committees of the House met for, I think, a period of over a year in reviewing the work of the legislative Revising Officer. But I can assure members that this work is being proceeded with and that in respect to the regulations, it should be possible, once the revision is complete, to again have all of the regulations of all of the Acts on a computer tape so that an entire volume of revised regulations under all of the Acts will be available, along with the Revised Statutes, so that anyone wanting to know what the regulations are under any particular Act will have them readily available and combined with that, as you can appreciate, the necessity for extensive publication of an entire regulation where there's only a small amendment made will be dispensed with, and I think that this will be a significant improvement from the point of efficiency, savings in expense and so on, and I commend this amendment to the Act to the House.

MR. SPEAKER: The Honourable Member for Rhineland.

MR. FROESE: Mr. Speaker, I beg to move, seconded by the Honourable the Liberal House Leader, that debate be adjourned.

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

MR. PAULLEY : Would you call Bill No. 66, Mr. Speaker, please.

MR. G. JOHNSTON: Well, Mr. Speaker, I wish to be heard on a point of privilege. Mr. Speaker, I think that the proceedings tonight are an insult to the members of this House. We've had the government Assistant House Leader introduce bills, and without leave or without consultation with other parties, dive around certain bills they do not wish to discuss. I'm speaking now of Bill 43. -- (Interjections) -- Mr. Speaker, on a point of privilege.

MR. PAULLEY: Mr. Speaker, on a point of order, not a point of privilege . . .

MR. G. JOHNSTON: On a point of privilege, I ask for your ruling. Can I not be heard on a point of privilege? Can I be heard on a point of privilege?

MR. PAULLEY: I rise on a point of order which I believe . . .

MR. G. JOHNSTON: Mr. Speaker, I believe a point of privilege takes precedence over a point of order. May I be heard?

MR. SPEAKER: Could we hear the honourable member's point of privilege?

MR. G. JOHNSTON: Without consultation with the Whips of the various parties, and taking it upon himself, the Assistant House Leader has seen fit to call bill after bill and avoid certain bills -- Bill 43 was avoided on the Order Paper. Bill 43 was avoided . . .

MR. SPEAKER: Order, please. Could the honourable . . .

MR. G. JOHNSTON: The point of privilege is that the House Leader, the Assistant House Leader is not calling the bills in order. . .

MR. SPEAKER: Order please.

MR. G. JOHNSTON: . . . nor has he consulted with other parties . . .

MR. SPEAKER: Order . . .

MR. G. JOHNSTON: . . . on the method in which he should call the bills.

MR. SPEAKER: Order, please. May I draw to the attention of the Honourable House Leader of the Liberal Party our Rule 20, sub-rule (2), and I would like the honourable member to consider that before rising on a matter of privilege.

MR. PAULLEY: Mr. Speaker, will you call Bill No. 66?

MR. SPEAKER: The Honourable Minister of Finance.

MR. CHERNIACK presented Bill No. 66, an Act to amend The Insurance Act, for second reading.

MR. SPEAKER presented the motion.

MR. CHERNIACK: Well, Mr. Speaker, I assumed that the honourable members have been waiting anxiously, including the Honourable the Leader of the Liberal Party, to talk about the Insurance Bill tonight, and indeed I am ready and willing to introduce this bill, which is an Act to amend The Insurance Act. Does the Honourable Member for River Heights wish to say something, Mr. Speaker?

MR. SPIVAK: Mr. Speaker, with all . . .

MR. CHERNIACK: Mr. Speaker, on a point of order, I bowed to the Honourable the Member for River Heights, but the Honourable Member for Lakeside is trying to make a speech from his seat, which is a very poor place for it.

MR. ENNS: Do you want me to make a speech?

MR. CHERNIACK: No, I deferred to the Honourable Member for River Heights who appeared to want to ask a question.

MR. SPIVAK: Well, Mr. Speaker, I did not want to ask a question. I simply made the comment that I do not consider the remarks of the Honourable Minister were particularly funny, in view of the fact that . . .

MR. CHERNIACK: Mr. Speaker, as a matter of courtesy, I thought it only right, as I often do, that when any member of the House wishes to ask a question I am prepared to listen to it, sometimes at the end of my comments but most often at any time that honourable members wish to ask an intelligent question. Now, I don't know whether the Honourable Member for Lakeside wished to ask a question. I don't want to put a quality to the nature of this question but if he wished to ask a question . . .

MR. ENNS: Mr. Speaker, in that event I certainly want to take the advantage offered by the generosity of the Minister of Finance. When will Bill No. 56 be introduced in this House?

MR. CHERNIACK: Mr. Speaker, since I have no control over the order, because, like the Honourable the Leader of the Liberal Party, I do not have the authority to instruct you, Mr. Speaker, on the order that is to be called, but judging from the precedent established . . .

MR. G. JOHNSTON: . . . question?

MR. CHERNIACK: Let me answer the first one, then I'll answer yours. Judging from the precedent established by this government, which has done its best to carry on its business in spite of the difficulties which it has for obstacles placed in its way, I would say the answer to the Honourable the Member for Lakeside is "soon". Now I'd like . . .

MR. G. JOHNSTON: Mr. Speaker, would the Minister permit another question? Would the government's front benches have the courtesy to inform the House when Bill 56 will be introduced on second reading?

MR. CHERNIACK: Mr. Speaker, it's unfortunate that the Honourable the Leader of the Liberal Party was so anxious to ask a question that he didn't listen to the answer to the question posed by the Honourable Member for Lakeside. I only finished answering his question, which was just the same as that of the Honourable the Leader of the Liberal Party, when the Honourable the Leader of the Liberal Party got up and asked the same question, so rather than answer the Honourable Member for the Liberal Party, I would have to say to him, read Hansard and you'll get the answer.

Now, Mr. Speaker, since we are anxious to proceed with the business of the House . . .

MR. MCKENZIE: Mr. Speaker, would the honourable member permit another question?

MR. CHERNIACK: Yes.

MR. MCKENZIE: Do I see your crocus wilting with all that hot air or is it being invigorated?

MR. CHERNIACK: Mr. Speaker, I can answer the question by saying that unfortunately I do not have the physical ability to view the crocus on my lapel in the same way that he does, but I will be glad to send it over to him. No, I'd rather not. Wilting as it is, I intend to present it to my wife who is up in the gallery and she will appreciate it much more than the honourable member will, so I must deny the honourable the member the opportunity to examine the crocus at close length.

But, Mr. Speaker, I hope I will not be further interrupted in my endeavour to introduce the subject of the Insurance Act to the House, because this is second reading and this is the first opportunity I have to make the comments that I think ought to be made on a bill which affects a large number of citizens of the Province of Manitoba who carry insurance, who are covered by private carriers and whose protection is necessary, as I believe it is, in order to be able to deal properly with the various features of the Insurance Act. So, Mr. Speaker, let me just mention what is intended in this bill that is before us, and I'm sure that honourable members present have indeed read the bill and therefore may well appreciate the value that is in it.

Mr. Speaker, the present statute that we have requires that insurers furnish proof of loss forms to claimants within 60 days of notice of loss, and Section 124 of the present bill provides that no court action on a claim may proceed until 60 days after proof of loss is filed. Well, Mr. Speaker, it has been found that there are occasions when the proof of loss forms are not readily available, and indeed are not provided by the insurer for some length of time, as the result of which it becomes very difficult, of course, for a claimant to be able to commence action since that claimant is barred from commencing action for some 60 days after the proof of loss is filed, so there is a hiatus between the requirement that a proof of loss form shall be given to the claimant and the 60-day period within which action cannot be commenced. So the amendment, one of the amendments, is designed to provide that in the event that an insurer fails to furnish proof of loss forms, then the position of the claimant shall not be prejudiced by the failure of the insurer to provide the proof of loss form.

Another feature of the Insurance Act, Mr. Speaker, is designed to ensure that money payments may be speeded to motor accident injury victims, and is designed to make it possible that an insurance company, which is prepared to make an advance payment but has not yet negotiated a final settlement, should be enabled to make a voluntary advance payment to an injured claimant - and I'm assuming that insurance companies would like to do that, because this is a permissive feature - then that insurance company may make this advance which shall be taken into account in the event of a subsequent court judgment, and provides also, as a protection to the insurer, that the advance payment is made without prejudice to the defendant, or of course to his insurer who is even more concerned. So that, as I say, the purpose of this legislation is to speed the money payments to motor accident injury victims and prevent long delays which always act against the interest of the claimant, who may be inclined to settle quickly and cheaply because of the need for some money in advance of the efforts which have

(MR. CHERNIACK cont'd.) . . . . . to be made to effect a proper settlement where both parties can be on more or less equal terms in negotiation, and where one party is not jeopardized by the fact that he is in need of money.

Then there is a feature, which I think has to be studied a little more carefully and I feel will be studied in the committee after second reading, which would make it a breach of the policy for the insured to drive the insured vehicle while his driver's license is suspended. If his driver's license has been suspended and he is in an accident, then the insurance company is not required to protect that driver, and there is a broadening of that provision which makes it a breach of the policy for the insured to permit the insured vehicle, which he owns, to be driven by any person who is a member of his household while that person has had his driver's license suspended, and this of course would arouse certain fears on the part of the members to be concerned as to whether or not this would in any way affect an innocent party who has been injured from being able to collect under the insurance policy, which of course you know, Mr. Speaker, is mandatory in effect and which, of course, the insurance companies would like to make compulsory, and yet with this provision in, there might be the fear that the innocent party might be adversely affected by this provision.

So, Mr. Speaker, I hasten to point out that while these amendments would take away the insurance protection from the driver whilst he is suspended, and of course from the owner of the vehicle who drives the vehicle whilst his license is suspended, or permits it to be driven by a person whose license is suspended, then the rights of the third party victims are protected under the "absolute liability provisions" which honourable members will find if they care to look in section 234 of the Act. So that it is clear that a person who himself drives while his license is suspended, or permits his vehicle to be driven by a member of his household whose license is suspended, is therefore in the position where the insurance company may claim that this is a breach of the policy and may then have a right of action against the insured, even though that insurance company is liable and must pay and protect the rights of third party victims.

I have tried, Mr. Speaker, in a cursory and summary manner, to review the effects of this bill. I commend it to members of this House and I would make every effort to see to it that if it passes second reading and proceeds to the committee stage, then it will be reviewed, I hope, in the presence of the Superintendent of Insurance, who will be able to clarify or amplify.

May I say in closing, Mr. Speaker, that these amendments that are contained in this bill are all recommended by the Association of Superintendents of Insurance of all the provinces of Canada for enactment in all the provinces, so it is a further effort to have uniformity of provisions across Canada, and the bill is designed to be brought into effect on proclamation for these important changes and the proclamation date is expected to be again uniform, a uniform date across Canada, so that all provinces will have similar coverage in all the provinces on the same terms of protection.

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

MR. JACK HARDY (St. Vital): Mr. Speaker, I beg to move, seconded by the Honourable Member for Charleswood, that the debate be adjourned.

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

MR. PAULLEY: Mr. Speaker, I trust it will not be criticized, instead of going on to Bill 67, that you now call Bill No. 56.

MR. SPEAKER: The Honourable Minister -- I'm sorry, 65?

MR. PAULLEY: No, I'm sorry, Mr. Speaker. If I said 65 it was by inadvertence, and a transfer of the numbers. Bill No. 56.

MR. SPEAKER: My apologies. The two are listed in sequence.

MR. PAULLEY: I'm the most relaxed man in the House. If my honourable friend was as relaxed as I am, he would be comfortable.

MR. SPEAKER: Bill No. 56. The Honourable Minister of Municipal Affairs.

HON. HOWARD R. PAWLEY (Minister of Municipal Affairs) (Selkirk) presented Bill No. 56, The Automobile Insurance Act, for second reading.

MR. SPEAKER presented the motion.

MR. WEIR: Mr. Speaker, on a point of order, does the Minister have a message from His Honour?

MR. PAULLEY: Mr. Speaker, the Clerk of the Assembly has now informed me this was

(MR. PAULLEY cont'd.) . . . . . done on first reading of the bill.

MR. PAWLEY: Mr. Speaker, the bill that we have before us this evening, Bill No. 56, is an extremely important one. One has only to read the newspapers of the province or to listen to the broadcast media to know that the question of automobile insurance is one of great public interest, so the bill that we are now beginning to debate takes on twofold importance. First, it is a major political issue, an issue which has motivated the people of Manitoba to become more involved with the political process. The discussion that is going on on both sides of this issue now is, in itself, a very healthy thing because it involves people. The second reason this bill is of extreme importance is that it represents a major step forward in social progress for the people of Manitoba. It is more than just another bill; it is a major piece of social legislation that will benefit the citizens of this province. When one views the bill in that light, it helps to put into perspective some of the debate that has taken place so far.

Every major piece of social legislation that has been proposed in the last 200 years has always been opposed by certain segments of society who had a vested interest in maintaining the status quo. This was the case with Medicare when it was first introduced, and with the Canada Pension Plan and with hospital insurance. Always, the opponents of such social legislation claimed that dire consequences would result from the proposed advance, and always their predictions of gloom and doom have proved exaggerated.

Let me give you an example. Most of the following assertions have been made at one time or another by those who are opposed to the principle of public auto insurance.

1. It should be left to private enterprise since public coverage would remove the enterprise and competition of individuals.
2. If public funds are utilized, political bureaucracy will be rampant.
3. A scheme of universal coverage by the state is Socialism.
4. A universal coverage will destroy initiative and ambition, and there will thus be a premium for comparative idleness to be taken out of the pockets of the laborious and the conscientious.

MR. G. JOHNSTON: On a point of privilege, I understand that on second reading of a bill the Minister should explain the principle of the bill and not make a political speech, and I ask you, Sir, to assert the rules of this House.

MR. SCHREYER: What's your authority?

MR. G. JOHNSTON: My authority is the well-known parliamentary authority; on second reading of a bill, the principle of the bill is explained, not a highly political speech. Well, Mr. Speaker, I ask you to make a ruling on this question.

MR. SCHREYER: Mr. Speaker, I'd ask you, Sir, not to be bullied into making any kind of ruling that is clearly unnecessary at this time. My honourable friend can go, if he wishes to, and make reference to speeches made on second reading of bills such as Medicare, Hospitalization, Canada Pension Plan, and he will find that it is very much in the same tenor as the speech being made now. Quite frankly, Sir, I think that the point raised by my honourable friend goes beyond being ridiculous.

MR. G. JOHNSTON: Well, Mr. Speaker, is it not customary when a bill is introduced on second reading, that whoever member or the Minister introducing the bill speaks on the principle of the bill? And he doesn't drag in arguments about Medicare or pension plans or whatever. He speaks to the bill and the principles which he hopes are embodied in the bill, and Mr. Speaker, I would like you to make a ruling at this time.

MR. SCHREYER: Mr. Speaker, it's precisely on the point. The Honourable Member for Portage mentions Medicare and the Canada Pension Plan and the principles lying behind the introduction of precisely those two pieces of legislation are the very same principle that lies behind this one. Therefore, there can be no question about the propriety.

MR. SPEAKER: I do not feel that the Honourable Minister at this point is in breach of any rules of this House. The Honourable Minister may proceed.

MR. PAWLEY: 5. Suggested that standards would be lowered.

6. Governments should only concern themselves with coverage for the needy and the creating or sustaining of such coverage for all classes is beyond the province and the power of government.

7. Governments cannot provide for the necessities of people.

8. Universal coverage is foreign to our country.

9. Requiring people to pay under universal coverage is dangerous and there is no confidence in compulsory equalization.

(MR. PAWLEY cont'd.)

All the foregoing are taken from statements made in the United States 140 years ago, in 1830, by opponents of tax-supported education for all children within the population. At that time, the battle against universal public education was fought as bitterly as is the current battle against universal public auto insurance. The statements I have read are from an article published in the Philadelphia National Gazette in 1830. Many of the great social institutions on which we pride ourselves today were criticized bitterly when they were introduced. Many were called Socialism, as if the mere mention of the word was a substitute for meaningful debate and discussion.

Mr. Speaker, this government is introducing this bill at this time not for dogmatic reasons, not because of ideology, not because we believe that the system we are proposing is the most practical way to solve the auto insurance problem. Now some of the honourable members opposite might try to argue that there is no problem, that everything is quite all right in the auto insurance field, but I think that most honourable members of whatever party, will concede that all is not right in auto insurance under the present private system.

Most recently, just last week in fact, the New York Times carried the following report: "Study finds auto victims regain only half of loss," by John D. Morris, special to the New York Times, Washington, April 28th. "The Department of Transportation said today that a survey showed that victims of serious traffic crashes and their dependents recovered in 1967 only an average of one-fifth of their losses from automobile insurance companies. Compensation from all sources, including life insurance, hospital and medical insurance, social security and disability pay, covered less than half of the 5.1 billion in estimated losses, the survey showed. Transportation Department officials said that these and other findings from an 18-month national survey constituted a startling and shocking picture. The study was part of a \$2 million auto insurance investigation commissioned by Congress in 1968. A total of 1,435 victims and relatives were interviewed. The losses included medical and hospital expenses, property damage, wages not received, transportation and funeral costs, expected future losses of earnings, and expected future medical costs. Only accidents involving death or serious injury were investigated. Serious injury was defined as one requiring one of the following: Two weeks of hospitalization; \$500.00 for other medical costs; three weeks of lost work or six weeks loss of normal activity for non-workers. Richard J. Barbour, Deputy Assistant Secretary of Transportation for Policy, said the study showed the way the automobile accident compensation system is working or, perhaps more precisely, the way it is not working. It is a system that is working very poorly, very inadequately, Mr. Barbour said at the news conference. It is indeed startling and indeed terribly disturbing from both an economic and a human standpoint."

The special committee set up by this government found many cases of inadequate or unfair compensation for accident victims, as did the Wootton Commission report study in British Columbia, studies in California, Alberta, and many other jurisdictions. And, to add insult to injury, the New Canadian Underwriters Manual for Auto Insurance came out this week. The rates for private insurance are up again, from 10 to 20 percent, and many vehicles have been drastically re-classified, so I hope we can dispense with the argument that all is right with things as they are now.

What we should be discussing now, indeed what we have an obligation to the people of this province to be discussing now, is what is the best way of solving this problem? The government believes that part of the solution to the problem is to make auto insurance compulsory for all motorists and to ensure that a number of key benefits under such insurance are payable without regard to who was at fault. We further believe that if we require all motorists to purchase such insurance as a condition of driving, then the government has an equal obligation to provide that insurance is the most efficient sold in the most efficient manner possible. There is no question in my mind that a public auto insurance plan run by an independent publicly-owned Crown corporation is the best way to do it. The figures from the Saskatchewan Insurance plan show quite clearly that on the basic coverage sold by that plan, 85 cents of the premium dollar is returned in benefits to the province's motorists. The corresponding figure for private insurance is about 63 cents. These figures have been confirmed by the Wootton Royal Commission in British Columbia. The savings come from a reduction in the cost of advertising, legal fees, agents' commissions, etc. The Saskatchewan experience with public insurance has also shown that even when the basic coverage is augmented by an additional package policy, the motorists in that province are still substantially better off than if they had to

(MR. PAWLEY cont'd.) . . . . . purchase all of their insurance from one private insurer.

I would like to deal, if I may, with two of the points that the private insurance industry has raised about government-operated insurance. First, it has been claimed that the Saskatchewan public plan is the only public auto insurance plan in the western world. In fact, the Saskatchewan plan is one of a number - Saskatchewan, Puerto Rico, New Zealand and New South Wales, the most populous state in Australia. The Government Insurance Office of New South Wales, for example, has been in existence since 1927 and has handled compulsory auto liability insurance since 1942.

But much has been made of the fact that other jurisdictions have not adopted a public plan. I think it is instructive in this regard to quote from an article on auto insurance in Consumer Reports Magazine. Consumer Reports, as many of you know, is a publication of the highly respected Consumers Union in the United States. It is widely known for its impartial assessment of consumer goods and services. In 1962, Consumer Reports called the public auto insurance plan in Saskatchewan the most economical insurance buy in North America. In January 1968, they returned to the subject of auto insurance and I quote: "Perhaps even the most avid Socialist would be foolhardy to think any state in the United States, let alone the Federal Government, is about to go into the auto insurance business. Even the Social Security system must tiptoe gingerly around the edges of the insurance industry interests. The present Congress voted down the modest proposal to extend Medicare benefits to totally disabled persons under age 65, yet the possibility is real that private insurance companies, by refusing to cover larger and larger segments of the population, who abandon at least a large part of their private enterprise position, then government would have to take over."

Let me repeat and stress one key phrase in that paragraph, "must tiptoe gingerly around the edges of the insurance industry interests." So Consumer Report hit the nail on the head. The question is not what is right in many jurisdictions, but rather, are governments willing to stand up to the insurance interests?

Well, Mr. Speaker, this government thinks that a public auto insurance plan is right. We think it will benefit the vast majority of the people of Manitoba, and this government is not afraid to stand up for what it thinks is right even if it means opposing the powerful insurance lobby. Furthermore, we think the people of this province, once they see the public plan in operation, will agree with us, and they, not a special lobby, should be our main concern here today.

Let us return for a moment to the Saskatchewan plan. The plan was established under a CCF government in 1946. The Liberals took over in Saskatchewan in 1964, but the Automobile Insurance Plan has not been changed, and let's be frank about this. I believe that the Liberal Government that took over in Saskatchewan in 1964 wanted to change the plan. They were committed to private ownership. On November 7, 1967, the Wall Street Journal carried a Page 1 story on the Public Auto Insurance Plan in Saskatchewan. Their reporter interviewed the Premier. This is what he wrote: "Government auto insurance has given us a lot of headaches, says Saskatchewan Liberal Party Premier Ross Thatcher. 'There have been plenty of times when I wanted to throw the plan into the Pacific Ocean, but,' he adds, 'I would have to admit that the plan is working'."

The same Wall Street Journal article also quotes a Liberal Party campaign worker in Regina: "The politicians, whether they're Liberal, Socialist or Conservative, will never change the auto insurance plan, because it has such firm support among the people."

On March 7th of this year, the Honourable D. Bolt, who was then the Minister in charge of the Saskatchewan Public Insurance Office, and a Liberal, had the following comment on the auto insurance question, and again I quote: "It is obvious that motorists in this province would have had to pay an additional \$5 million for the same coverage had we used the system in effect in other provinces. Ladies and gentlemen, I'm an advocate of private enterprise, but I can't ignore that fact. I would suggest to the auto insurance industry that in their continued attack on the Saskatchewan plan, they are taking the wrong approach. They are simply not on valid grounds in their criticism of the Act and of its administration."

In other words, Mr. Speaker, a government committed to changing public auto insurance in Saskatchewan has now come round full circle to the vigorous defence of the plan once they have seen its operation first-hand. The Liberal Government of Saskatchewan, perhaps reluctantly, have come to realize that there is a place for some publicly-operated services in our society. This is in marked contrast to some of the honourable members opposite. They are



(MR. PAWLEY cont'd.) . . . . . the dogmatic ones in this debate. They are the ones who cry private enterprise for the sake of private enterprise, even when it has been demonstrated beyond a shadow of a doubt that in this specific case the overwhelming weight of evidence supports a public plan.

The second question I would like to deal with is the question of competition. It has been suggested that a government insurance plan should compete with private enterprise. It has also been suggested that competition keeps rates down, and a government monopoly would in fact charge more. But let's look at the facts. In the auto insurance business today, real price competition is a myth. The Wootton Royal Commission, which took the most exhaustive look into auto insurance ever undertaken in North America, decided that there was no real competition in British Columbia's auto insurance rates. In fact, it concluded the auto insurance companies existed in a price-fixing cartel, and while there is little real competition on price for auto insurance, there is a great deal of wasteful duplication of money in advertising and administrative costs, and in commissions.

Auto insurance is one case where elimination of competition on the basic coverage will cut rates drastically, because all the wasteful duplication can be eliminated, and because it is a public plan its first obligation would be to pass those savings along to the public. In addition, experience in other jurisdictions, such as British Columbia, New York and Massachusetts, has shown that it is almost impossible to enforce compulsory auto insurance regulations unless the insurance is sold together with the license plates.

Mr. Speaker, with respect to the bill before us, it has two principal objectives:

1. To create a Crown corporation which will have responsibility for the administration of the automobile insurance plan; and
2. To enable the Crown corporation, with the approval of the Lieutenant-Governor-in-Council, to establish the specific terms, conditions, and announce of the insurance plan to be adopted the premium rate schedule, and many other of the administrative details of the program.

Members will appreciate the fact that many of the details of the proposed plan will have to wait for the publication of regulations. The items of most immediate interest, I know, will be the premium rates and the coverage. Inasmuch as the Crown corporation has yet to be established, and this should take some time, it can't recommend to the Lieutenant-Governor-in-Council what the rates should be. Furthermore, when members realize that the automobile insurance companies have only set their 1970 rates very recently, it is much too early to start determining what the rates should be in 1971. However, I would like to make some statements respecting premium rates and coverages.

First of all, our proposed plan will not perpetuate the existing proliferation of complex rating classifications, but we are convinced that the flat rating process used in Saskatchewan would not be acceptable to Manitoba. We intend to have a rate differential that reflects, on an area basis, the record of accident rates and claim costs in the province. This means that the two higher cost areas, which are Greater Winnipeg and roughly that part of the province north of the 53rd Parallel, will require one premium schedule and there will be a separate schedule for the lower cost areas which comprise the rest of the province. Therefore, while we have to await further studies in the filing of regulations before the actual rates are known, we can look forward with some certainty to a more simplified and reasonable rating system. An exact comparison between public and private rates in Manitoba will have to wait until those rates are established and the corporation is set up.

In the meantime, however, there has been a tendency in some quarters to pick examples from Saskatchewan's public plan and to compare them with the private coverage in Manitoba. Here are some examples I have chosen, which I believe are fairly typical. I will use, for comparison's sake, rates for 200,000 liability, \$100.00 deductible and all-peril; \$200 medical; 3(d) accident for a motorist who has had no accidents in the last three years. The rates in all cases are for 1969 and members will find an even more striking differential for 1970. The Saskatchewan rates are based on basic coverage from the public plan plus package policy, plus driver's license surcharge for under-25 drivers. The Manitoba rates have been taken from the Canadian Underwriters Association Manual.

First, an 18-year-old male owner, single, 1958 Chev. Belaire, private, Manitoba, Winnipeg, \$352.00; public, Saskatchewan, Regina, \$86.00.

Twenty-three-year-old male owner, single, 1963 Volkswagen, Custom, private, Manitoba,

(MR. PAWLEY cont'd.) . . . . . Winnipeg, \$236.00; public, Saskatchewan, Saskatoon, \$90.00.

Twenty-Four-year-old owner, married, 1969 Pontiac, Parisienne, private, Manitoba, Thompson, \$178.00; public, Saskatchewan, Prince Albert, \$102.00.

Forty-seven-year-old owner, married, son 20 years of age, daughter 17, 1967 Ford Fairlane V8 - this might be considered as a typical family man - private, Manitoba \$206.70, Winnipeg, public, Saskatchewan, Regina, \$100.00.

Fifty-year-old owner, married, occasional under-25 driver, 1969 Pontiac V8, private, Manitoba, Portage la Prairie, \$190.00; public, Saskatchewan, Prince Albert, \$103.00.

Thirty-year-old-owner, 1969 Pontiac V8, business purposes, private, Manitoba, Brandon, \$144.00; public, Saskatchewan, Prince Albert, \$100.00.

Now all that those examples prove is that it is possible to pick examples that will prove almost anything in this debate. I could have chosen examples that were even more drastically in favour of public insurance. I'm equally sure that a private company could pick examples that would seem to prove their point, but I think that people of Manitoba will be convinced of the benefits of the public plan once the actual premium and benefit schedule is set and I feel confident that their reaction will be one of overwhelming approval. It is our intention to develop a simplified rating classification to distribute premium costs on a fair and equitable basis. We intend to spread the cost of automobile insurance more appropriately between owners and drivers of motor vehicles by assessing a larger portion of the premium load on the drivers. We have in this province a demerit point system for drivers. There are some probable improvements that can be made in its structure and this then can be used to help determine drivers' premiums based on their driving records.

Now I would like to make some statements respecting coverage and these statements should be taken as a firm commitment on the part of this government. It is our intention to accept the recommended limit of \$50,000 for third party liability. However, we do want to take a much closer look at the \$200 deductible clause. We will be investigating this in considerable detail, taking into account various representations that have been made to us. Certainly, the deductible will not be more than \$200, and likely will not be less than \$100; so we can expect that the deductible should be somewhere between \$100 and \$200.00. I should add as an aside that there continues to be some confusion respecting the deductible clause, be it \$200 or something less. It is this: under our proposals for a comprehensive no-fault insurance plan, all motor vehicles registered in the province will be insured against collision, in all other accidental loss or damage not exceeding cash value regardless of fault. In the case of a collision involving two vehicles the driver of the car that was not at fault will not have to pay any cost to repair his collision damage.

Another recommendation of the Manitoba Automobile Insurance Committee will also be the subject of further investigation. This deals with a recommended \$50 per week indemnity for a 2-year period excluding the first year; For loss of income to a gainfully employed person certainly would not be less than \$50 a week. In all these matters of premiums and benefits and in other areas as well, the Crown corporation to be incorporated by the bill will be responsible for conducting further cost studies. Each area of improved coverage and benefit must be assessed against the cost that it will impose upon the motorist. One of the many features of a government operated compulsory auto insurance plan is a great saving to the administrative costs and commissions through the integration of the insurance program with the existing licensing procedures of the Motor Vehicles Branch.

There has been public discussion in which concern has been expressed that the payment of full premium at the time of licensing may cause hardship for motorists. We intend to study this matter further to determine what arrangements can be made for instalment payments. Whatever decisions are made in these areas they will not be permitted to interfere with the basic advantages that this bill will bring to the motorists of Manitoba, which are as follows:

- (1) A basic plan designed to return approximately 85 percent of the premiums collected from motorists in claim benefits. This would represent a savings of one-half of the administrative costs presently incurred under private plans.
- (2) Earnings from the investments of the fund of the basic plan will be used to reduce premiums or to increase benefits.
- (3) Uniformity in the coverages and the administration for all Manitoba motorists by the creation of one public agency, an agency which will be sensitive and responsive to public needs.

(MR. PAWLEY cont'd.)

(4) A compulsory auto insurance plan comparable to a public utility.

(5) The establishment of claims service centres throughout the province to facilitate economical and efficient claims adjusting service.

(6) A reasonable limit, a basic protection for all Manitobans without interfering with the rights of motorists to obtain additional or supplementary coverage. In addition I point out that the bill also allows the Crown corporation to provide supplementary competitive insurance coverage.

Now, the changes we are proposing in the auto insurance field are major ones. Their effect will be far reaching. So I would like to point out that this government will give every consideration to those citizens of this province who are adversely affected by the change in auto insurance system. That party that forms this government, Mr. Speaker, has long been concerned about the effects of changes such as this on people's livelihoods. Many of those who cry the loudest now about dislocation of jobs have been silent in the past when industry would move or merge or introduce technological changes and leave its employees without any compensation at all. The party that forms this government has shown its concern for the effects of dislocation in the past and will continue to do so in the future, whether that dislocation affects wage earners or those who earn their living in some other way. We are willing to discuss some fair compensation where it can be shown that basic livelihoods are affected, but this must be based on proven figures not on wild exaggerations of jobs that might be lost.

Mr. Speaker, I have only touched on some of the highlights of the bill before us. I hope that the coming debate on this bill will allow both sides to discuss all the relevant points at issue here. But I would like to make one final point. The very fact that such things as auto insurance rates and benefits are now a matter of public debate represents a major step forward, because with public auto insurance the coverage that Manitoba motorists will have can now be decided by their elected representatives and not in some board rooms in eastern Canada.

The regulations set under the public plan can be influenced by the people they will affect directly. This I believe is of prime importance. When the bill is passed the people of Manitoba will be the masters. This is their plan, they will benefit from it, and they will control it.

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

MR. WEIR: Mr. Speaker, in the few minutes that are left - and I would hope that if I come within a couple of minutes of finishing my remarks, that I might be allowed leave of the House to complete them; I think I will be that close, within a minute or two of 10:00 o'clock, Mr. Speaker.

Mr. Speaker, I'm happy that the Minister got around to discussing the bill about Page 10 or 11 of the comments that he made. It is interesting to note, Sir, that tonight, Manitoba's 100th anniversary, 100th anniversary of the time when Manitoba truly became a democratic province, that this Legislature is requested to give second reading to a bill, Sir, which assaults the basic principles of responsible government.

The Premier indicated just over a week ago, Mr. Speaker, on the steps of this building, when addressing the thousands of individuals who were exercising their democratic right, that there were really two issues facing Manitobans. They were, he said, the implementation of government automobile insurance and provision for those individuals who suffer loss of livelihood when the government plan is implemented. He said that the economic changes such as compulsory insurance often result in some dislocation for people that are involved. Mr. Speaker, considering the Premier's statement and the report from that kangaroo court that presented recommendations to the government that would bring - we believed that they'd bring recommendations that would parallel the Saskatchewan plan - considering, Mr. Speaker, that the principle advisors were drawn from Saskatchewan, you add all these things together, I think it could be expected that we might have had a plan similar and that we might have found it implemented in the same way. In Saskatchewan they have two statutes, one for the operating and the managing of the scheme and another which spells out the details.

You can imagine my shock, Mr. Speaker, when I realized that far greater principles, far greater causes for concern are created by the government's demands for dictatorial power as portrayed in Bill No. 56. Let's have a look at the bill. Let's have a look at it. Instead of setting out in black and white the actual provisions of the scheme these are reserved for the regulatory sections of the Act to be legislated by the NDP, by the Cabinet in secret session.

(MR. WEIR cont'd.) . . . . . In so doing the NDP government has wantonly and needlessly converted the straight forward consideration of an important insurance scheme into a callous assault on the basic principles of responsible government.

Let's look at just some of the regulatory powers that are in the bill. Regulations having the force of law, establishing such plans of automobile insurance and plans of a universally compulsory automobile insurance -- a monopoly, Mr. Speaker -- as they may designate. The bill provides that the NDP Cabinet or any successor, or any successor of theirs, Mr. Speaker, may amend and revoke such plans as they see fit at any time. It provides that a quorum of the Cabinet can dictate what damages, what losses, what injuries, what deaths, and what risks shall be covered in such a plan and they can dictate what the terms and conditions of these plans shall be.

The Bill gives the Cabinet power to dictate what different classes the drivers of Manitoba are to be divided into and to dictate what differences in premiums each class shall pay; to dictate who can be and who shall not be insured in the scheme without restriction; what benefits are to be paid; how much and under what circumstances; to dictate how long the coverage shall be; to dictate whether or not an extra premium or surcharge is to be imposed, the circumstances in which it can be imposed, the mode of its calculation and the amount and the manner of its collection.

While there is a right of appeal, while there is a right of appeal, it is completely illusory, Mr. Speaker, because such appeal has to determine the question on the basis not of the bill but of those very rules that the NDP cabinet itself dictates or amends as they see fit. The bill gives authority to the NDP cabinet to dictate what an owner or a driver in Manitoba can claim against non-resident drivers or against uninsured drivers or owners and the terms and conditions of the amounts he can claim or be paid.

The only limitation imposed on the scope of the regulations that are to have the force of law is that it is to concern the matters that the Cabinet itself designates. A self-imposed limitation, Mr. Speaker, can hardly be regarded as an onerous one. This authorization of dictatorial power does not even contain the limitation that is imposed in time of war respecting regulations made under the War Measures Act, to the effect that anything done under a regulation thereafter amended or revoked, shall remain valid.

So much for the provisions that reserve dictatorial power for the NDP cabinet to enact the laws in secrecy of the Cabinet chamber without discussion or explanation. Let's now review the matters of the Bill that deal with unprecedented invasion of privacy; at the same time, Mr. Speaker, at the same time as this House is considering a bill for the protection of privacy, The Bill requires all police officers to submit copies of all reports, statements and particulars, such as required under Sections 149 and 151 of the Highway Traffic Act, to the Insurance Corporation. The Bill requires every physician or surgeon who attends a person injured in an automobile accident to report respecting his patient those facts the corporation itself may prescribe.

The Bill requires an employer of a person who claims benefits under the scheme to supply such information about the earnings of his employee as the corporation itself may prescribe. The Bill provides that notwithstanding anything to the contrary, or any statute or any law, the corporation shall have access to all documents, all books, all reports, all records and other things and to all facilities of, belonging or available to any department, any board, any commission, any corporation, of or carried on on behalf of the government as the corporation itself, the corporation itself may deem necessary. -- (Interjection) -- as desirable. Well, Mr. Speaker, I haven't much time and I don't want to keep the members longer and I'm doing my best to finish in the time that is available to me -- on behalf of the government as the corporation itself may deem necessary or desirable for the better carrying out of this bill or the regulations. Such provisions, Mr. Speaker, would open up hospital records, social welfare records, tax records and police records. It is even broad enough, I believe, to authorize the tapping of a private telephone.

Never in the history of this province has such power to invade privacy been sought to be conferred on officers of a Crown corporation; nor are these officers required to give any undertaking to protect the confidentiality of these reports. As a matter of fact, Mr. Speaker, the bill provides that the corporation may make available any report received pursuant to the mandatory sections of the bill for inspection by any person or insurance company who pays or may be liable to pay for damages resulting. The Bill does not require the corporation to report

(MR. WEIR cont'd.) . . . . . specific information in its annual report. It requires, Mr. Speaker, the corporation to submit an annual financial statement; even the form of the financial statement to be dictated by the treasury board, a committee of cabinet. There is another aspect of this Bill that establishes not only the unfairness of the government approach but its deceptive disguise of it. It will be recalled that the regulatory parts of the bill recite the dictatorial powers to be delivered to the NDP Cabinet, including the right of prescribing forms

MEMBERS: Sit down.

MR. PAULLEY: Mr. Speaker, if you don't mind, I don't have to sit down, I'm acting House Leader. I note that the clock is now 10:00 o'clock. My honourable friend the Leader of the Opposition suggested that he may go over the hour of ten o'clock. There are others in this House as well as my honourable friend representing the official opposition party and myself as spokesman for the government party; we are quite prepared to allow my honourable friend to continue but I must respect as the Leader of the House, the will of all of the members of the House. We are prepared to give leave providing it is unanimous.

MR. SPEAKER: Agreed.

MR. WEIR: Mr. Speaker, I'd like to thank the House for leave to be able to conclude my remarks which won't be very long. The Bill states the observance of any terms or conditions established under subsection (1) shall be a condition precedent to the obtaining by any person of benefits insurance monies or indemnification provided under any plan.

A legal friend of mine, Mr. Speaker, pointed out that while the Manitoba Bill contains a clause that is comparable to a section in the Saskatchewan Act giving the courts power to relieve against forfeiture because of noncompliance in certain cases which it deems inequitable, that the Court of Appeal in Saskatchewan on at least two different cases have held that this power to relieve from forfeiture of a right already given, cannot be exercised when the right to remedy is barred. He points out that this Bill carefully avoids saying that anyone who fails to comply with any term of condition of the plan forfeits his right to any benefit or insurance money, but states instead that no person can obtain any benefits, insurance money, or indemnification unless the condition precedent is satisfied that he has complied with every term or condition of the plan. He also pointed out that this bill casts the onus on the insured to prove compliance with every term and condition of the plan. He stated that in his opinion the effect of all this was to force a citizen of Manitoba to prove that he has complied with every term and condition of the plan, no matter how trivial it was, before he could claim as a right any payment under it, and to render the courts powerless to do anything to relieve against its inequities. He said that the corporation would thus always be in a position to insist on its one-sided right and deny any ordinary citizen his insurance benefits any time the corporation was so minded. Such unfair provisions, ingeniously drafted though they may be, are not, Mr. Speaker, acceptable to the people of Manitoba.

What does this shocking piece of legislation add up to, Mr. Speaker. Firstly, it gives the Cabinet dictatorial power to make laws seriously affecting the lives of all those of us who drive or walk on the public highways, by means of Cabinet decisions arrived at in secret, without giving reasons and without submitting them to the examination of elected representatives of the people, for their scrutiny and the scrutiny of the press before they become law. Secondly, it authorizes the NDP cabinet to amend or revoke such regulations without notice, explanation or justification. Thirdly, it authorizes the corporation itself to pry into the privacy of private citizens involved in accidents whether it be medical records, hospital records, police files, social welfare records or the tapping of private telephones, and to make such information as it may see fit available to other parties. Fourthly, Mr. Speaker, it booby traps and mines the access of the insured to the benefits of the bill to such an extent that he cannot claim them as a right but only as a beggar. Fifthly, it fails to specify the particulars that must be submitted annually to the Legislature in the annual reports of financial statements of the corporation.

The primary issue before us is not what kind of insurance plan is to be introduced in Manitoba. The NDP party has seen fit to make sure of that by excluding the essential particulars of the plan from Bill 56. It is most unfortunate that the government did not see fit to proceed to concentrate on this serious and important issue involved in developing the best form of automobile insurance for the people of Manitoba. The NDP party submerged the insurance question by a wanton and a needless assault on the basic principles of responsible government. Neither the Progressive Conservative Party nor any self-respecting citizen can fail to respond

(MR. WEIR cont'd.) . . . . . to this naked attempt by the NDP government to assume dictatorial powers over matters important to the man on the street, to allow officers of a corporation to invade their privacy on an unprecedented scale and to force the citizens of Manitoba to beg and not demand their rights.

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

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

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

MR. SPEAKER: It is now 10:00 o'clock.

MR. PAULLEY: Mr. Speaker, I beg to move, seconded by the Honourable Minister of Municipal Affairs 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 2:30 Wednesday afternoon.