

THE LEGISLATIVE ASSEMBLY OF MANITOBA
2:30 o'clock, Tuesday, August 18th, 1964.

Opening Prayer by Madam Speaker.

MADAM SPEAKER: Presenting Petitions
Reading and Receiving Petitions
Presenting Reports by Standing and Special Committees
Notices of Motion
Introduction of Bills
Orders of the Day

MR. GILDAS MOLGAT (Leader of the Opposition) (Ste. Rose): Before the Orders of the Day, Madam Speaker, I wonder if I could ask for clarification from the First Minister about a statement made in his speech yesterday regarding Bill No. 2 and the bill itself. I'm referring to the section of the rebate to the local taxpayer, and the bill itself reads that in the year '65 an amount equal to the lesser of one-half the portion of taxes levied in that year or \$50, which makes the maximum payment \$50.00. Does this apply however as \$50 to every taxpayer, or does this mean \$50 to every parcel of land, in other words, an individual who owns property in different places in a municipality or in two or three or six or ten different municipalities will he be entitled to a maximum of \$50 or a maximum of \$50 on each parcel.

HON. DUFF ROBLIN (Premier) (Wolseley): Madam Speaker, this is made clear in the bill where it refers to the parcel.

MR. J. M. FROESE (Rhineland): Madam Speaker, before the Orders of the Day I would like to direct a question to the Provincial Secretary. I think it applies to him. Does the original subscription for Hansard, of the second Session, will that also cover this present special Session of the Legislature? If not what is the rate, the cost of Hansard for this special Session.

HON. MAITLAND B. STEINKOPF (Provincial Secretary) (River Heights): Madam Speaker, could I get the answer to that question later today or tomorrow?

MR. ELMAN GUTTORMSON (St. George): Madam Speaker, I'd like to direct a question to the Minister of Health, I believe this comes in his department. Last week I believe it was a prisoner who was described as very dangerous left the Brandon Hospital, and I'm advised that the police departments of the province weren't notified for 24 hours after the escape was made. Could he indicate what the reason was for the delay, particularly when his description was broadcast and described as very dangerous.

HON. CHARLES WITNEY (Minister of Health) (Flin Flon): Madam Speaker, I have asked for an explanation of that matter from the department officials; it has yet to come but the standing orders at the Brandon Hospital are that once a patient goes missing the police are to be notified immediately.

MR. GUTTORMSON: I take it then that they didn't follow the normal procedure in this particular case.

MR. WITNEY: Madam Speaker, that I don't know because I've asked for the matter to be investigated.

MR. NELSON SHOEMAKER (Gladstone): Madam Speaker, before the Orders of the Day are proceeded with I would like to direct a question to the Honourable the First Minister or the Minister of Mines and Natural Resources. This is in regard to the one percent transfer tax, or whatever other name you want to apply to it. Will it apply to transfers that take place in 1964. What I'm thinking of is there must be thousands of transfers presently in the course of being transferred but not yet registered. When will the cut off day be in this regard?

MR. ROBLIN: Madam Speaker, I would suggest that questions on these bills should be reserved for the committee stage at which time I'll try and give a full explanation to my honourable friend on the matter.

MADAM SPEAKER: The adjourned debate on the second reading of Bill No. 4. The Honourable the Member for Selkirk.

MR. T. P. HILLHOUSE, Q. C. (Selkirk): Madam, I adjourned this debate for the purpose of checking certain changes in it to have been made in the Companies Act. I find that these changes have been made and I am supporting the second reading of this bill.

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

MADAM SPEAKER: I didn't hear the honourable member.

MR. FROESE: I beg to move adjournment, seconded by the Honourable Member for Brokenhead that

Madam Speaker put the question and after a voice vote declared the motion carried.

MADAM SPEAKER: The second reading of Bill No. 5. The Honourable Member for Seven Oaks.

MR. ARTHUR E. WRIGHT (Seven Oaks): Madam Speaker, along with the Honourable Member for Brokenhead I had the honour to represent our party on the Committee on Statutory Regulations and Orders. This committee met six times since the last Session in an atmosphere of co-operation and with a pleasant degree of informality. Many fine briefs were presented to this committee and especially the ones dealing with consumer protection. They were of especially high calibre and reflected keen public interest and concern along this line. There was complete agreement -- in looking at all the briefs, Madam Speaker, there seemed to be complete agreement that government action was necessary in protecting the consumer as the automatic mechanism of the market no longer gives adequate protection. This matter of credit buying is much in the public limelight today, in fact it's been said that one requires a higher education today in order to go shopping, because when you have to compute the ounces on the packages to find out whether the giant size is really the bargain that they claim it to be. I suppose that this is the reason for such interest in this.

My colleague, or at least a former colleague of mine, Mr. Orlikow, sponsored a bill in the Federal house and it was supported by all parties that an individual be allowed to go bankrupt similar to a firm, and I think that if some curb is not made pretty soon on the amount of credit buying and the way they are allowed to dangle the material things before the eyes of the public with no concern as to whether or not they can pay for them I think that this will become a necessity, because an individual will be able then to declare himself in receivership.

My colleague and I sensed a real concern from the briefs that were presented that the Unconscionable Transactions Act because of its limitations would provide a sort of false security by relieving the public or by relieving public pressure in its demands for more far reaching legislation protection. Although we believe the Unconscionable Transactions Act to be a step in the right direction it is inadequate because an aggrieved person must apply to the courts to resolve his problem. And if we agree that government intervention is necessary to protect the consumer, would it not be sensible to set up a department of consumer protection under the Minister of Industry and Commerce? The late Guglielmo Ferrero, the noted historian, once said that "this age will go down in history as the age of ballyhoo." One only needs to spend one night watching television to find the proof. And the late President Kennedy in a message to Congress in 1962 said, and I quote, "If the consumer is unable to choose on an informed basis, then his dollar is wasted. His health and safety may be threatened and the national interest suffers. On the other hand, increased efforts to make the best possible use of their income can contribute to the well being of most families than equivalent efforts to raise their income." This year in United States a bill, Truth in Lending Bill was approved by a Senate sub-committee. This bill would force full disclosure of finance charges in connection with extension of credit. President Johnson announced in February of this year a consumer education program, and it appears to us that after all education is the best protection.

As I said before, this bill is a step in the right direction only if we soon pass legislation covering the whole field of credit and not just a tiny segment. In our opinion every lender no matter by what legal device the loan or creation of credit takes place, should be compelled by law to divulge the true annual interest rate, and despite the howls of the finance companies it is possible to calculate the true annual rate of interest. In this age of converters and computers it is simple and practical. It is only reasonable to demand that annual interest rates be shown to at least an accuracy of within one-half of one percent, and this could be made acceptable within the legislation created. Madam Speaker, in supporting this bill it is my earnest hope that this government realizes that this small step must be followed by more competent strides along the trail of consumer protection.

MADAM SPEAKER: Are you ready for the question?

MR. HILLHOUSE: Madam Speaker, I wish to move, seconded by the Honourable the

(Mr. Hillhouse cont'd) . . . Member for Lakeside the debate be adjourned.

Madam Speaker put the question and after a voice vote declared the motion carried.

MADAM SPEAKER: The second reading of Bill No. 6. The Honourable the Member for Ethelbert Plains.

MR. M. N. HRYHORCZUK, Q. C. (Ethelbert Plains): Madam Speaker, we are in agreement with the principle of this bill and feel that there is need for it. We intend to support it but there are certain objections that I intend to raise at the Law Amendments Committee, and I thought it only fair that the Minister be given notice of these changes so he could take a look at them.

The first section that I feel that there's some objection to is Section 5, where it gives the authority to the Registrar to refuse to accept an application. I think it's giving too much power to any one man and I don't think an applicant should be pre-judged. He should be given an opportunity to present his application and if he satisfies the registrar that he qualifies insofar as the provisions of the Act are concerned, the application should be considered. Then, in section 17, the penalty section, I notice that on a first offence the fines are the same for a corporation or an individual; on a second offence there is a discrepancy where the fine on a corporation is considerably higher than it is on an individual and I would suggest to the Honourable Minister that the same thing should appear for the first offence. Now there is one that really goes to the principle of the bill and that is 18 (a) and it reads that "the Lieutenant-Governor-in-Council may make regulations and orders not inconsistent with any other provision of this Act (a) exempting persons or classes of persons from the application of this Act in addition to those exempted under section 13 " I would suggest, Madam Speaker, that this is a matter of legislation and should not be a matter of regulation. You are actually giving the Lieutenant-Governor-in-Council the authority to amend a piece of legislation passed by this Legislature and at the law amendments I intend to raise those points. As I said before I think that it is only fair that the Minister know that they are going to be raised.

MR. E. R. SCHREYER (Brokenhead): Madam Speaker, I would like to make a few remarks in connection with this bill, and in a sense the remarks I have to make in connection with this bill could be applied to several of the other bills which have come before the committee on statutory orders and regulations -- and that is simply this, that while the committee took a good deal of time to consider in depth and in detail the various ramifications and all of the different clauses in the bill and so on, we tried to be very exact in our work so as to obtain the right balance between authority and ease of enforcement on the one hand and yet guard against too much discretionary power on the other. We took a lot of pain to see that we struck such a balance and yet we can find in this particular bill, Bill No. 6, and in other bills, such paragraphs, or clauses rather, as the Member for Ethelbert has referred to, namely that it gives such sweeping discretionary power to the Minister and to the Cabinet-in-Council that it makes the whole bill virtually meaningless in the sense that that paragraph itself could have been used by the Ministry, by the Cabinet, to achieve the end they have in mind by introducing this legislation. I know it's difficult to try to avoid having regulations or having clauses which allow for regulations -- it's difficult to avoid having this phrased in any way other than in a broad way, but at the same time year after year we seem to be slipping into this easy way out, namely, having a bill brought before us that might be, let us say, 25 pages long and we're very careful that each of the sections strikes the right balance between authority on the one hand and a guard against excessive discretionary power on the other, and then we slip in one very neat clause, perhaps only three or four sentences long -- and what does it do? It gives almost unlimited discretionary power to the Cabinet-in-Council and so I suggest to the Cabinet opposite that they and their legal draftsmen try and do just a little bit better in this regard.

Madam Speaker put the question and after a voice vote declared the motion carried.

MADAM SPEAKER: The second reading of Bill No. 3. The Honourable the Member for Lakeside.

MR. DOUGLAS L. CAMPBELL (Lakeside): Madam Speaker, I listened with great interest to the Honourable the First Minister yesterday and also to the Honourable Member for St. John's when they spoke on this bill. I regret that I have not had the opportunity of reading the Hansard so that I could have checked more carefully on the remarks. I listened to them very carefully but it's always possible to misinterpret what exactly the speaker is intending to say.

(Mr. Campbell cont'd) . . . So I considered asking the House to let the matter stand until I had an opportunity of perusing the Hansard to further inform myself with regard to those two speeches, but this is a special or extra Session, there is a tendency to try and get along with the work and we farmers would prefer I am sure to be back out in the country instead of in here carrying on the public business of the Province, but when we come here public business must be carried on, and it should be carried on with dispatch and I thought that I would make my small contribution by not asking to wait for those Hansards. If I in any way misinterpret what either of the honourable gentlemen said then I can only plead that I misunderstood what they were saying and I will attempt to clarify the matter later.

As far as the Honourable Member for St. John's is concerned I haven't much to say. If I caught the tenor of his remarks correctly I understood him to say that he thought this was rather a small matter, that it was very largely a technicality. It seemed to me that his suggestion was that perhaps The Legislative Assembly Act should be made less stringent than it now is with regard to contracts or contracts through second or third persons between the public service and members of this House. I disagree completely with that, Madam Speaker, I disagree on all counts with that. I think this is one of the responsibilities that we undertake when we come to this House, is that we divest ourselves completely of any connections that could by any stretch of imagination, certainly by any overt breach of the Act itself, bring us into the position where it could be felt that we had used in any way our position as a Member of the Legislative Assembly to secure some contract or in any other way obtain a beneficial interest. This is one of the obligations that we enter into and I'm sorry that the honourable member is not in his seat because perhaps if he were here he would object to my interpretation, but it seemed to me that he gave some examples of where even he had come close to offending against this Act and seemed to me at least to be indicating that there should be a relaxation of the rules under which we serve. I do not agree. I think that the Act as it stands is very good and that no relaxation should be contemplated.

It's most unfortunate, most unfortunate, when it happens that through inadvertence that there appears to be a breach of the Act. I would be the last to ascribe any motives to any member of this House that I would not be prepared to accept as pertaining to myself and it could be that some of us through inadvertence could sometime make a mistake; but if it is shown to be just a technicality, if it is shown to be just inadvertence then I think there is no question that the House is always inclined, and the public, to be quite understanding of the matter.

I do not know, except what I heard the Honourable the First Minister say yesterday, of any case that is before the courts. I understood him to say that one had been brought before the court, that he was glad that it had been brought before the courts. If that's what he said, Madam Speaker, then I would like to ask him if he's glad that this matter has been brought before the court, why did he not bring it before the courts anytime within the last several months, because this matter has been common knowledge for some time -- it's certainly been common knowledge in this Chamber -- and why did he not bring it before the courts? This, Madam Speaker, is where a question of this kind should go. It should go there if there's the slightest doubt of it being anything but the merest technicality. I know that the Honourable the First Minister can easily say to me that he knows of occasions where there have been remedial bills passed in this House during the time that I have been sitting here. He can quite probably say to me that he finds no record of my having raised my voice in protest. I shall not take the time of the House to mention the few cases with which I am personally acquainted. The couple that I remember distinctly were ones where it seemed to me that it was very evident that it was a mere technicality and a remedial bill seemed to be the proper procedure.

I remember, however, when two Cabinet Ministers of our group, of the group in which I sat, resigned from our Cabinet, I being a private member at the time, because of the suggestion of a conflict of interest. They resigned from the Cabinet, not from the House, because the matter turned at that time on the question of them using information gained in the Cabinet for their own private ends rather than a matter of membership of the House, and they did not re-enter the Cabinet until after the Royal Commission that had been appointed had exonerated them, the Royal Commission being composed of members of the court. And I say that these matters when they come up should go to the court, that that's what should have been done, and that this is what the Honourable the First Minister should have done.

(Mr. Campbell, cont'd)

I know that there was discussion of a draft bill during the spring session. I realize that. I am aware that the Honourable the First Minister spoke of that during his TV appearance some three months ago, and on that TV appearance, Madam Speaker -- the Honourable the First Minister will not be astonished when I tell him that I watched it and listened to it most carefully and that some of my friends were even so interested that they took a tape recording of it, on which I have a copy -- and in that TV appearance the Honourable the First Minister admitted that he was concerned about the matter. He admitted that he knew of the possible conflict of interests when the gentleman who is the subject of this bill was taken into the Cabinet. --(Interjection) -- Well I shall have to refer to the TV. John Dafoe asks the question, "When Mr. Steinkopf entered the Cabinet then you were aware that he was --- had an interest of some sort in land in that area and that this was land that you conceivably might want for an Art Centre?" The answer from Duff Roblin, "Yes, that's right."

I repeat, Madam Speaker, that the proper place for a matter of this kind is the Court. It is manifestly unfair and unreasonable, undemocratic, for we folk in this Chamber to be asked to pass upon a bill where the matters are so complex and by which we are asked to say that The Legislative Assembly Act in our opinion, on the basis of the facts that have been given to us, should be declared to have no effect. What are the Courts for? This is their job, not ours. And I say that when the Honourable the First Minister said yesterday that he was glad that this matter had been referred to the Courts, he's the man who should have referred it to the Courts months ago.

But to me, Madam Speaker, this matter is not so simple as it would appear by reading this bill. I said before that it seemed to me that the Honourable Member for St. John's was pleading for a relaxation of the rules. I don't think we should have any relaxation of the rules. I think we should have them very, very strict, Madam Speaker, because in these days when government is in so many areas of the peoples' lives; when they are expanding further and further all the time; when there's a tendency among a great many people to wonder about just where democracy is going; to wonder if there isn't a better form of government; to wonder how well the public servants are doing their job; if under these circumstances when there's any question at all, we decide a question of this kind instead of sending it where it should go, to the Courts, then in my opinion we're striking a blow at the very roots of democracy. Because the matter is not simple.

Now, let's look at it, first and foremost. This, Madam Speaker, in my opinion is the most unusual arrangement that I have ever heard of between a government minister and a private citizen. Just speculate on the fact that the Honourable the First Minister of this province, an experienced public servant of great ability, asks a private citizen of outstanding ability, a businessman of proven capacity, to assemble for him some land in an expensive part of the city that will be used for a public purpose. And he asks -- now that's quite understandable -- I think that's a quite reasonable proposition -- he asks that man of course to keep the negotiations in a way that they won't know that it's the government that's doing it because of course the prices would go up -- but after the honourable gentleman, displaying that business acumen for which he is noted, has assembled the property, can anyone believe that at that time this government would ask him to put up the money. Why put up the money? Why at that stage would he not say to the government, "Put me in funds." Of course, to assemble the property is the logical thing to do. But at that stage why in the world, why would this government, Madam Speaker, that yesterday without a single blush on its individual or collective face, ask the taxpayers of this province for \$20 million more in new taxes, why would they ask a private citizen, albeit a well-to-do one, to put up money for them -- a considerable amount of money it's true -- why would this be done? This is the most unusual arrangement. Not unusual to ask the honourable gentleman to assemble the property. Not at all. A very sound business deal. But to ask him to put up the money. And this is what brings the matter into conflict with The Legislative Assembly Act. Because in plain terms what The Legislative Assembly Act says is that no member of this House by himself, or through some other can have an agreement, or a contract or other with the Province of Manitoba whereby he's going to get public money. This is the protection that I speak about. This is the responsibility that we assume when we come in here. This is what The Legislative Assembly Act says. And,

(Mr. Campbell cont'd) Madam Speaker, this very bill that we have before us now speaks of an agreement that was made. I don't know whether that agreement was in writing or whether it was verbal. I rather gathered from the TV show that it was more or less an ad hoc and verbal agreement. Well, that makes it all the more unusual perhaps. This is most unusual. but this bill speaks of an agreement, and last spring we were told that money was paid from public funds to the honourable gentleman who is the subject of this bill.

Now, read your Legislative Assembly Act. If there is an agreement and public money is paid, and to anyone who reads as he may run, it's evident that The Legislative Assembly Act has been contravened. The Honourable the First Minister said himself on the TV program -- and repeated it yesterday, if I heard him right -- that he was concerned about this matter. Well if he was concerned, having regard to all the complications of this matter, why in the name of commonsense did he not refer it to the Courts?

Well, Madam Speaker, in my judgment this arrangement simply didn't make sense and because it didn't make sense, then it gives rise to people asking questions about what was the reason, and what was behind it? I am in no position to make a statement, but I ask my honourable friends, would the publicity that has been given to this matter, would it have come forward if it had not been for the questions that my honourable friend asked in the House last year. Yet the Honourable the First Minister on the TV program to which I have referred said that he felt that the moment this matter was raised that it then became incumbent upon him to give the full explanation, a complete and clear explanation about it. Well now we'll see how clear that explanation was.

I say to you, Madam Speaker, that the person who will perhaps be victimized by this unfortunate proceeding is undoubtedly the honourable member who has recently left the Chamber; but the person who is to blame for the situation in my opinion is the Honourable the First Minister. Because here he takes a man who is a novice in the political field; a man who is unacquainted with The Legislative Assembly Act -- albeit an experienced businessman -- and he gets him into this unusual, unreasonable deal -- a moment ago we were talking about the Unconscionable Transactions Bill -- well if there was ever an unconscionable transaction it was the one that they asked my honourable friend to perform for them and put up the money. My honourable friend the First Minister gets him into this arrangement, allows him to be paid public money, and later on takes him into the Executive Council.

I do not blame for the inadvertency -- I pass no judgment about what happened outside or before -- for the inadvertence I do not place blame upon the Honourable the Member for River Heights. I place the blame where it squarely belongs, on the First Minister who should have known, who was acquainted with The Legislative Assembly Act, and did not protect his friend and his colleague. This excellent businessman, but a novice in politics, was merely doing what he himself called a volunteer civic duty, and where does he find himself? And my honourable friend could have put this matter beyond peradventure of doubt by the proper procedure of referring the matter to the Courts of this province; and this was not done. And for us at this stage, Madam Speaker, for us to dare to decide upon it here would in my opinion be one of the gravest errors that has ever been committed in the history of this province. Think of it. That we would take the responsibility, that we would dare to take the responsibility here, to say on the limited evidence that we have -- and contradictory evidence at that, to which I shall refer -- to notwithstanding The Legislative Assembly Act, this is all right, this whole thing is washed up. No, Madam Speaker, no, this is not the way to conduct the business of this province.

Now, Madam Speaker, apart from the primary question of a senseless business deal -- I think it was that -- there have been so many unanswered questions and so much conflicting information and, I'm sorry to say misinformation, that an aura of suspicion was just certain to develop in this area, and that aura of suspicion was shown in the TV series of which I spoke, because one of the questionnaires there asked quite frankly "did there not appear to be a conflict of interest here?" It was just certain to develop. Now one unanswered question is the one that I posed a moment ago. Would this matter have come before this House and the public if it had not been for the questions raised last Session by the Honourable Member for St. George. I don't know. I ask the question. There are others. One case of conflicting information is that we were informed last spring -- and here I'm of course referring to the draft

(Mr. Campbell cont'd) bill I expect that the most of the members in the Opposition at least saw this draft bill, and I refer to it for the simple reason that the Honourable the First Minister referred to it in the TV appearance -- and in that draft bill it was stated categorically that Maitland Steinkopf was repaid from public monies of the Crown, a large sum of money, plus interest thereon, in respect to one of these transactions that's mentioned in this bill. That was stated categorically.

I remind you again of the two terms in the Legislative Assembly Act, the fact of an agreement and public monies being paid. That was in the draft bill last spring, Madam Speaker. The bill before us now in dealing with the same transaction states that no part of the said repayment was in fact received by Maitland Steinkopf. Last spring the information in the draft bill was that Maitland Steinkopf had repaid to the Provincial Treasurer the interest that had been paid to him. Why would he repay the interest? Why should he repay the interest? If this was the open and shut business deal that we're talking about, why, why would the interest be repaid? Why should it be repaid? But that's what was stated, that he had repaid it. Obviously, in my opinion, it would be a device to permit the statement to be honestly made, which is made in the present bill, that he has derived no financial benefit or advantage from the agreement. This I am prepared to believe, quite prepared to believe it, but where did this combination of circumstance and agreement and the paying of public monies, where did it leave my honourable friend for River Heights? And that's the question the courts should answer, not this House.

I suggest to my honourable friend who has a majority to put a bill through this House, if he decides that that's the thing to do, I suggest to him that he will make the greatest error of his political career to date -- I can't speak of the future, he appears to be heading for one or two that I could mention -- he would make the greatest mistake of his political career to date if he would use the majority in this House to push through this House a bill that does something that's very much in the public mind and that only the courts should be asked to decide. I speak with some knowledge of the facts, after the many years that I have been in this House -- quite a while on that side of the House; quite a while on this side of the House -- when I say that it's very easy for a government majority to stifle the line of questioning of the opposition who would want to bring matters out. It's very easy for a government to push through a bill in spite of everything that a minority can do; but I say that it's a bad thing for democracy to do that kind of thing unless they're absolutely sure of their ground. So much for conflicting information.

What about misinformation? I said that I had evidence of misinformation. My Honourable Friend the First Minister on the TV program to which I referred said that he had considered this matter at last Session, that he had a bill ready, that he considered putting it before the House, but that at that stage of the House it required unanimous consent in order to proceed with it. Madam Speaker, that is not correct. That is a wrong statement. It perhaps required unanimous consent to get it through in the way that government at times wants to get certain measures through in the last days of the Session, in the rush of business, with as little discussion as possible, with as little light of publicity as possible thrown upon it, it may have required unanimous consent in order to achieve all of those objects, but it did not require unanimous consent in order to put that bill in here. We could have stayed here as long as was necessary to consider that bill. Madam Speaker, this is not the kind of information or misinformation on which actions of this kind should be predicated.

I repeat my theme, Madam Speaker, that this bill should not be proceeded with. The matter should be referred to the court by the government, not wait for someone else to take the action they should have been anxious to take. I'm sure there are some questions that the court would want to ask. I'm sure there are questions that we will have to ask here unless there is an agreement that the proper course will be decided upon and this bill be held until the courts get a chance to review this matter. Some of the questions should be answered. I'm sure the courts would go into this more fully. It is a complex matter and it needs the facility, the training of the courts to sort all these matters out and to exonerate the honourable gentleman, if that is their decision; from what is now a cloud hanging over his head. First and foremost, was there a written agreement? I think that should be answered. And why such an unusual arrangement? I think this should be explained. Were public monies actually paid to

(Mr. Campbell cont'd) the honourable gentleman? I know what the bill said last spring. I know what this bill says. Which is the fact? Did the payment include interest? Was the interest accepted? Was it later returned? If it was returned, when was it returned? Why was it returned?

I think it's obvious, Madam Speaker, that there's one body and one body only that should go into this matter. I regret that it has not gone to them before this. I would like so far as is within my power to remedy the deficiency and see that it goes to that proper tribunal, namely the Court. What I have said may appear to be harsh in some respects. I do feel keenly on this matter. I have seen my own personal friends on a few occasions suffer greatly under what seemed to me in their case to be simply a misadventure. I have seen two of them resign from the Cabinet. I was not personally present in the House but I know that in this chamber a member sitting on this side was actually read out of the party by the leader of his own group, in public. I know something of what has happened in the history back years ago. I'm so happy to be able to say that I do not think that we have very much of that kind of thing now. I was delighted in reading something in May's Parliamentary Procedure about the committee that sat there, sat in the Mother of Parliaments to consider the question of disqualification of members, and the committee that was appointed there took their work with regard to this disqualification of members so seriously that they held 28 sittings and presented a voluminous and carefully documented report; and one of the things there that struck me as being important was that they made, they recommended at least because this was a committee, they recommended to the House that when anyone, any person, feels that there is a disqualification against a member for sitting in Parliament that the place to take that was to the Judicial Committee of the Privy Council, and they made arrangements for that to be done, even by a private citizen. And I say this is a good principle to follow. But there was something else contained there that made me very happy, and that was the fact that the Clerk of the House reported to that committee that so far as corruption in connection with government contracts was concerned that there had been no case that had come to his attention, and this of course so far as members of Parliament were concerned, no case had come to his attention through the period of 100 years, and he had searched the records of that 100 years. I think this is a wonderful tribute to the Old Country Parliament. I think that we have a generally high standing in the Province of Manitoba here. I think we want to keep it that way. For that reason I say categorically that I'm completely opposed to the suggestions that I understood the Honourable Member for St. John's to make. I'm completely in favour of the fact that this kind of a matter should go to the courts, should go to the courts that as far as this province is concerned is the closest that we have to the judicial committee of the Privy Council in the Old Country, and I recommend that procedure to this government. I consider that it would be most unfortunate if this bill were pushed through rather than that procedure being adopted. And so Madam Speaker, I move in amendment, seconded by the Honourable Member for Selkirk, that all the words after "that" in the said motion be struck out and the following substituted therefor: "The further consideration of this bill be deferred until the Lieutenant-Governor-in-Council shall have referred to the Court of Appeal the question of Maitland B. Steinkopf's eligibility as of the 28th day of November 1962 to be nominated for a member of the Legislative Assembly, and until the said court shall have certified its opinion on the question referred."

Madam Speaker put the question.

MR. SCHREYER: Madam Speaker, I'm not sure what opinion to have about Bill 3. It seems to me that a person could be of two minds as to the nature and importance of Bill 3. On the one hand he could regard it as being a rather inconsequential bill dealing with a very minor technicality involved in interpretation. On the other hand you could regard Bill 3 as being fraught with the most dangerous kind of precedence for any legislative body to be setting and I for one, while I not long ago was of the opinion that this bill seemed to be in the first category, that is to say that it was not really all that important, that it was dealing with something having to do with a technicality in the law, I am now coming around to the view that even if there is a technicality and only a slight one involved, there are other ways of dealing with the problem rather than coming here and asking us on this side of the House to act in the manner of mere minions or stooges. Surely there are better ways to deal with the problem that results from sloppy housekeeping, which is in effect what the Premier and Cabinet of this

(Mr. Schreyer cont'd) Province are guilty of.

It seems to me that where you have a technicality in the law it can be resolved by taking it to the courts because the courts do not always interpret law according to the strict letter of it. There is also equity and that is a principle of British justice hundreds of years old. Why not rely on that? Have we all of a sudden lost faith in British law and equity as provided by judicial interpretation? And furthermore, just last session the Attorney-General of this Province saw fit, for whatever tactic I don't know, political or otherwise, to refer to the justices of the two superior courts in this Province, a question having some political overtones. I suggest that perhaps this problem that's facing us now could also be referred to these men in like manner. Why now suddenly refuse to follow a practice which he or this government itself set not very long ago? It seems to me that we are being asked here to rubber stamp three very important matters, as I have them noted here. First of all we're being asked to pass a law with ex post facto implications which is, we are told one of the most insidious, one of the most dangerous kind of practices to allow to happen in a country that calls itself or that supposes to have a constitutional government.

We are also being asked here to take action that would deal with a matter that is sub judice, and more than that, Madam Speaker, we're being asked to, in effect, pass legislation which would usurp from the courts their rightful power and scope. We know how distasteful it is to us here in this Assembly to pass legislation that has retroactive clauses, and in effect what we're being asked to do here is not just to pass a piece of legislation that has retroactivity to it but we're being asked to very deliberately pull out and extract from the courts a sphere of power, constitutional power, which they have always had. Now it's true, I certainly accept the explanation that has been given by the First Minister and by my leader and others who have spoken about this matter. I don't know -- when the Member for Lakeside was asking all of these questions, it seems to me there were some five or six questions of specific detail -- I don't know in what sense he meant them; I don't think it's important really in the context of what we're being asked to do here. I accept the fact, and I believe it to be a fact, that the Minister of Utilities got involved here with something that was the result of sheer inadvertence, but that being the case is no reason, as I have said Madam Speaker, to ask us in this Assembly to take the kind of course of action which the First Minister is asking us. To me it's simply the most stupid kind of precedent setting, trail-blazing we've been asked to do yet. It's all very well to say, "but we live in a constitutional system with government by the rule of law" and so on; the fact is, we'll be setting precedents and I object to that. Why not let it go to the courts? Why not let it go for judicial interpretation? Why not have enough faith in the courts' capacity for interpretation of statute and the application of equity to just leave it go at that; and if that still doesn't suffice the First Minister knows very well that on questions such as this if there is doubt have a resignation, have a by-election. It's not as though this would be the end of the world. It's not as though it would impugn anyone's character. It seems to me that when important matters affecting the public interest are concerned and when there seems to be an impasse, and this certainly seems to be an impasse, why not call a by-election so that the matter can be cleared up by the popular and if that isn't good enough, and if that seems to be the wrong approach, what is the alternative? Well the other one is to allow it to go to the courts, but under no circumstances I submit should the First Minister come here, introduce a bill asking us to pass legislation that is ex post facto that usurps the function of the courts and that, as I said probably now for the third time, seems to strike at the very root of constitutional government; and I for one, Madam Speaker, with each passing minute feel more inclined to oppose the proposal of this government.

MR. FROESE Madam Speaker, being one of the newer members of the House I haven't got the experience that some of the older members have but after hearing the Honourable Member for Lakeside speak on this bill this afternoon I am fully convinced that this is the right procedure to follow and that we should accept the amendment proposed by him. I think we are setting a dangerous precedent, as already said by the Honourable Member for Brokenhead, by allowing this bill to go through. Recently we had a situation in Alberta where the Premier there caused one of his Cabinet Ministers to resign and I think this should be the thing that should happen here in Manitoba, that we should follow the same procedure here.

I would have liked to peruse, or go through, the honourable member's talk once more

(Mr. Froese cont'd) before speaking here this afternoon, but I am fully convinced that this is the right thing to do and I will support him in it.

HON. STEWART E. McLEAN, Q. C. (Attorney-General) (Dauphin): Madam Speaker, the high tone of debate which has taken place so far encourages me to take a small part in this debate because I think there may be some misunderstanding about the function of the Court and the function of the Legislative Assembly of Manitoba in the circumstances with which we are dealing here.

I think that the call to refer the matter to the court is perhaps advanced under a misunderstanding, that the court in some way is able to say that what was done as described in the bill entitles the Honourable Member for River Heights, who is the subject matter of our discussion, either to sit or not to sit in this Legislative Assembly. It must be understood that it is because, as indicated by the First Minister in his presentation yesterday, it is because there is a doubt about the position of the honourable member in relation to the provisions of The Legislative Assembly Act that the bill is before the House, and we would presume that a court might conceivably find that what has taken place by inadvertence was contrary to the provisions of The Legislative Assembly Act, and I think we would have to acknowledge that possibility, but that would be as far as the court could go and we would be no further advanced at this stage if that were the case, if that were their decision. This matter however, Madam Speaker, touches upon the question of the right, as I understand it, of the Honourable the Member for River Heights to sit as a member of this Legislative Assembly, and surely the only body that can deal with that matter is the Legislative Assembly itself, bearing in mind all of the traditions and rules which are associated with membership here and in democratic assemblies, and that we cannot, even if we would like to do so, shift that decision to the courts. The only matter with which the court can deal is the question of was there or was there not a contravention of the provisions of The Legislative Assembly Act, and in presenting this bill we have acknowledged that there may indeed be some doubt in view of the circumstances and the particular matters in this case. In this particular situation, which is the subject matter of the bill, it has been I think acknowledged that perhaps the situation arose by inadvertence, and with great respect I do not think that the Honourable the Member for Lakeside could have, or indeed would have, made his speech if in fact the Honourable Member for River Heights had never been a candidate or become elected to the Legislative Assembly. In other words if the individual concerned had remained simply as a private individual then there would have been no complaint. The inadvertence arose because what was done when he was a private citizen, as distinct from being a member of the Legislative Assembly, what was done at that time became inter-mixed with the duties and obligations which he undertook when he accepted nomination for the Legislative Assembly and later became elected -- and one can understand I think, all of us being human, that there could easily be perhaps through inadvertence an error, perhaps action not taken that might have been taken that would have made the situation clear beyond doubt. I would want to remind the members as well, Madam Speaker, that the matter of referring these items to the court -- some reference was made to action in that regard that was taken on another occasion earlier this year -- brought some considerable criticism from those who are now suggesting that this should be done, and indeed called forth from the Honourable the Member from Selkirk a motion expressing the regret, as he phrased it, of the House, on the highly improper action of the Attorney-General in flagrantly disregarding, as he said, the independence of the Judiciary when the Attorney-General requested an opinion from the court. Now, I advance, Madam Speaker, the point the same criticism, if that was a valid criticism at that time, it would seem to be an equally valid criticism now when we are dealing with a matter which pertains to the business of this Legislature and the rights and privileges of a member.

MR. LAURENT DESJARDINS (St. Boniface): A question -- is the Honourable Minister suggesting then that he was wrong last year in his action of last year or last session?

MR. McLEAN: The honourable member can make his own speech and his own suggestions when that time comes. I'm merely reminding the members, Madam Speaker, of what was said on reference to that previous matter. I suggest strongly, Madam Speaker, to the members of the House that this is a matter in which the facts are not complicated. They're fully capable of being discussed in this Assembly, and of being explained in this Assembly.

(Mr. McLean cont'd) They're fully capable of being discussed and explained and presented, questioned and examined by the members here as they undertake their tasks with regard to this bill and that it touches upon matters pertaining to the rights and privileges of a member of the Legislative Assembly and ought to be dealt with here by the Assembly.

MR. HILLHOUSE: Madam, I wish to move, seconded by the Honourable Member for Lakeside, that the debate be adjourned.

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

MADAM SPEAKER: The adjourned debate on the second reading of Bill No. 11. The Honourable the Member for St. Boniface.

MR. DESJARDINS: Madam Speaker, I beg leave of the House to have this matter stand.

MADAM SPEAKER: The adjourned debate on the second reading of Bill No. 10. The Honourable the Member for Carillon.

MR. LEONARD A. BARKMAN (Carillon): Madam Speaker, I have very little more to add than what was said yesterday on this bill. However, I do not see how I can vote for this bill when you start considering the intention of the contents of this bill. It seems to become more evident every day that school boards and municipalities are losing more of their autonomy on local government control. While I agree that the provincial government, or the provincial assessors, I should say, have done a terrific job -- in fact their personnel should be commended on the fine work they do -- I do not see why the government after paying half of the assessment bills, I do not see why the government can have a hundred percent control but no financial responsibility. I think we've had some poor experiences in the past in the line of auditors, or auditing, although I believe this has been fixed up since, and we should not -- we do not need to go through this again in a department as important as the assessment branch is to the municipalities of Manitoba.

Under 2 (e), while I have never opposed people having to try and work out their own livelihood -- and I think it is good for the government to try to recover welfare costs, where possible -- on the other hand the Honourable Minister and the government is aware that a large majority of the people living in unorganized territories are living there because they are already, in a lot of cases, in some financial difficulty, or why else would they not move to some other locality? Therefore, on one hand you are trying to put more assessment or responsibility on these people, and on the other hand the government is willing to impose more taxes on these people which is going to create an extra burden on them. Where then does the Michener Report come in when they indicate that welfare should be taken over in these types of conditions, and in fact for that matter in all municipalities? I am just wondering if this bill was intended only if a sales tax had been applied and not a number of taxes that may be hitting these people harder than a sales tax may have.

MR. MOLGAT: Madam Speaker, I rise to object to Bill No. 10 as well. I believe that the government could not have studied this fully. It is impossible I think that they would come forward with the proposals that they are making here if they had really analyzed the effect of these proposals on a number of areas in the province.

Most of the areas that are under local government districts are such because they are the poorer areas of the province. They do not have the tax-carrying capacity of the inhabited regions. They don't have the type of land that lends itself to regular agriculture. They are marginal areas. The problems in those areas are greater than in the municipalities. In many cases the welfare costs in those areas are greater than in the municipalities themselves. Quite frequently through no fault of the people who are there. But their possibilities of making a living just are not the same as they are elsewhere in the province and I speak on this matter, Madam Speaker, from first-hand knowledge, because a large part of my constituency is local government district. And I know of the welfare costs that exist in there, and I know the difficulties that the people in that area have. I've tried to work very closely with them. The Minister knows that I have been to see him on occasions and I thank him for the co-operation and assistance that he gave me, and we are making progress in those areas but they are not, Madam Speaker, in a position as yet where we can load upon them some of the charges that the Minister is proposing to load upon them here and I'm referring in particular to the welfare cost, because according to this bill, if it passes, it will mean that the

(Mr. Molgat cont'd) government will be charging against the local area contributions toward the cost of welfare in the local government district. Madam Speaker, I submit that those areas by and large -- oh, there may be the odd pocket here and there where this is not so -- but by and large those areas are not capable at this time to take on the welfare costs that exist in those areas, because the welfare costs are far out of proportion to the tax-carrying capacity of that particular district.

There's a further consideration, that the people in that area have no control over the welfare costs whatever. The decisions as to the amount of welfare to be given, to whom it is to be given, when it is to be given, are made exclusively by the provincial government employees. The local people are neither consulted nor participate in it in any way and yet we are going to turn around, according to this Act, and make them participate in the financial burden involved. I submit that these areas are not in a position at this time, Madam Speaker, to do this, because the government is already proposing to load some other costs onto them. The Minister of Agriculture is going to impose a drainage levy upon them from now on, if I understood him correctly in his statements yesterday. I presume that the Department of Public Works is going to start imposing a road levy on them, if some of the bills that are before us are going to be proceeded with. And here the Department of Municipal Affairs is going to charge them with additional costs and in particular that of welfare, which is beyond the capacity of these people, a cost that they have no control over, a cost that is completely out of proportion with the ability of those areas to cover. I propose to vote against this bill on that basis.

HON: ROBERT G. SMELLIE, Q. C. (Minister of Municipal Affairs) (Birtle-Russell): Madam Speaker, if there are no other members wishing to speak on this bill I would like to close the debate.

The Honourable Leader of the New Democratic Party referred to a problem which arises only in the City of Transcona, so far as I am aware at the present time, and it would not come under this Act but it would come under The Municipal Act if any relief were to be offered to those people. The problem arises here because of the nature of a contract the individuals have made with the developer where they have purchased the house but not the land on which it sits and entered into a very complicated arrangement with that developer, so that the developer will still own the property until some 18 or 20 years after the date of the agreement and I can see no way in which we can give relief to those people as requested by the Honourable Leader. The whole system today is based upon the ownership of real property and if they have entered into this unusual agreement, knowing at the time that they did so that they were not becoming the owners of the property, and knowing that they do not pay taxes to the municipality but under their agreement they pay taxes to the developer, this creates an administrative problem which at the moment I can see no way around, and I regret that these people who are electors but who are not ratepayers within the meaning of the Act at the present time. I would refer my honourable friend however to the provisions of the Michener Report where it is suggested that the control over borrowing should be shifted from the present control of the ratepayer vote to control by the Municipal Board and I hope that he will let us have his views on that sort of control. This would meet the objections that he raises. There is also a suggestion possibly that in some instances a reference might be still had in appeal to the electors in the community. However, at the moment this is not a matter for discussion here because it is a different Act that we are discussing at this time.

The Honourable Member for Selkirk asked if there had been any application or petition from certain members of St. Andrews Municipality to leave that municipality. I have not received any such application or petition. On enquiry I believe that no one in my department has received any such request. The Honourable Member for Ethelbert Plains, the Honourable Member for Carillon and the Honourable Leader of the Opposition have all referred to another provision in this Act, namely, the one which would allow the Minister to charge certain costs to local government districts. And it's obvious from the remarks that have been passed by these gentlemen that they are not aware of the present situation.

The Leader of the Opposition suggested that the government hasn't analyzed the situation. I would tell the Leader of the Opposition that this is just simplifying a procedure

(Mr. Smellie cont'd) which is already in effect, and that it is not our intention by subsection (e) to charge any costs to local government districts that they are not paying today. There has been for some years past a levy on all of the local government districts for sharing of the cost of welfare in those districts in all of the districts except the four industrial town-sites of Mystery Lake, Lynn Lake, Snow Lake and Pinawa. This has been done under a section of the Local Government Districts Act, and it is a uniform levy of 5 mills towards the cost of welfare and has been done for some years past. Under the section of the Act on which it is being done at the present time it requires an Order-in-Council annually, and the proposal now is that it would be done by one Order-in-Council under this section of the Act, which would make it uniform and would not require a new Order-in-Council each year.

The Honourable Member for Carillon suggested that the assessors have done a fine job but that the government should continue to pay the full cost of assessment. I would refer the honourable member to the reference in the Michener Report on page 131, where Michener put the matter very clearly and in a very few words, and for the benefit of the honourable member I would like to read one brief paragraph from that report to the house: "Assessment of real property is strictly for the benefit of municipalities. This fact is not altered by assigning the administration of the service to the province for the sake of ensuring as much uniformity in assessment as is possible. We therefore recommend that the full cost of the assessment branch of the Department of Municipal Affairs be charged to the municipalities."

There are other reasons why this should be done. At the present time there are six municipalities outside of the metropolitan area that conduct their own assessments and pay the full cost of it. In those six municipalities there has -- not all of them but several of them -- there has been demonstrated a desire to use the provincial assessment services, and Michener in his report has recommended that these areas should be taken into the provincial assessment service, and it is our hope that this can be done in the very near future. At the present time we would have a staff difficulty in looking after our present responsibilities and taking on the additional responsibilities of these six municipalities, but we hope that these difficulties can be overcome and that they can be taken into the provincial assessment service as soon as possible. We would like to have the whole assessment service on a uniform basis at that time, and there is no longer any need now for the requirement of the government paying half of the cost which was necessary in the beginning when my honourable friend, the member for Lakeside, introduced the provincial municipal assessment service. It was necessary to subsidize this service at that time in order to convince the municipalities of the province of the desirability of a uniform assessment service. I think the very remarks of the Honourable Member for Carillon today have indicated that they are now convinced of that desirability, and with the other provisions that are being made at this session for the assistance of local governments, it is felt that they will be well able to take on this additional cost which over all of the municipalities of Manitoba, will amount to slightly over \$200,000 per year.

Madam Speaker put the question and after a voice vote declared the motion carried.

MR. MOLGAT: Yeas and nays, Madam Speaker.

MADAM SPEAKER: Call in the members. The question before the House, the adjourned debate on the second reading of Bill No. 10.

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

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

NAYS: Messrs. Barkman, Campbell, Desjardins, Guttormson, Hillhouse, Hryhorczuk, Johnston, Molgat, Shoemaker, Smerchanski, Tanchak, Vielfaure.

MR. CLERK: Yeas 43, Nays 12.

MADAM SPEAKER: I declare the motion carried. The adjourned debate on the second reading of Bill No. 2. The Honourable the Leader of the Opposition.

MR. MOLGAT: Madam Speaker, I beg the indulgence of the House to have this matter stand.

MADAM SPEAKER: Agreed? The adjourned debate on the second reading of Bill No.

(Madam Speaker cont'd)....14, the Honourable the Member for Emerson.

MR. JOHN P. TANCHAK (Emerson): Madam Speaker, I do not rise to oppose this bill. I believe that this is progressive legislation. I regret that we didn't have similar legislation two or three years ago. The honourable members across will recall that we on this side, the Opposition, and I include the people to my left, have been advocating more realistic teachers' pensions for the past five years, and I believe that this is in order now. This bill will make the pension scheme more attractive and will encourage more teachers to remain with the profession until age or health prevents them. The method of calculating pensions will be based on the average of the last 10 years of service or on the last 15 years of service, whichever brings them a better return, but I still would like to suggest that the government and the Minister consider a better scheme than that. I would like them to consider that the pension scheme be based on the average of the five best consecutive years of service by that teacher. Why do I say that? We should strive to provide the best possible pension for our teachers, because we'll all agree that all of us owe a debt of gratitude to our teachers. Most of us, or I can say all of us, would not be what we are if it wasn't for the teachers -- (Interjection) -- I didn't say good or bad -- I didn't include you.

Changing the basis of qualification would assure the teacher of a better pension, and I think we should strive for that. Now, why do I say that? With the present government, or I should say with our Premier's taxaphobia, we know that the cost of living will be going up -- has been going up, and will be going up. In other words, the value of our money is being depreciated, and I'm sure that we'll feel it after the new tax is imposed. So will the teachers. The cost of living will go up. Therefore an X number of dollars now may seem like adequate but the same amount of dollars in a few years, a few years hence, say ten years or less probably, will prove not sufficient. Therefore if the basis of qualification was changed they would naturally be receiving better pensions.

Now before I close, I wonder -- I heard the Minister make a remark yesterday when the question was asked of him why the bill was brought in, and he said it was simply to put this pension scheme more in line with the Civil Service Superannuation or Civil Service pension scheme. It is possible that the intention of the government is eventually to embrace the teachers in the Civil Service -- I don't know. Maybe that's not -- it's just for uniformity, but I would like an explanation.

I would like again to urge the government to amend this bill to read "the five best consecutive years of service" instead of ten or fifteen years.

MR. FROESE: Madam Speaker, just a few words before the bill is passed. I too, would like to congratulate the government on taking this step and providing interest on refunds where a teacher dies. I think this is long overdue and this is a good step forward. However, the 3% seems low to me because I would think that the funds that they hold would bear a higher revenue than 3 percent, without going into any risk of securities or so on. So that I feel that we should be advised at least what the rate of revenue is and what the difference is between the 3% and whatever they derive from it.

Then on the last Section 5 and 6, they say here, these provide that the interest payable with refunds will eventually be paid from the part of the pension from which the government contributes. Why the change? Could we have some explanation on these points?

HON. GEORGE JOHNSON (Minister of Education) (Gimli)....the debate on this bill I would like to briefly deal with the Member from Rhineland's question. (a) This money from (b) to (a) simply refers to the interest monies that will be paid by the government into the teachers' pension fund and it's no more complicated than that. I'm happy that the bill has met with such general approval by the Members of the House.

The Teachers' Pension Act, at the time that this Act was brought in by the Minister of Education at that time, he told of the desire of the many teachers and of the department to have the bill, the teachers' pension legislation conform as much as could be possible to the Civil Service Superannuation Fund and amendments, as I said the other day, to the Civil Service Fund having been contemplated and approved by the government it was only fit and proper for the government to bring in these present amendments to The Teachers' Pension Act, which we are very happy to do. I think generally the teaching fraternity are very

(Mr. Johnson cont'd) pleased to see the tremendous advances that have been made in their pension legislation over the past six years, and are very pleased with the fact that the 3% payment on death and refunds, the opportunity of the surviving widow or spouse to have interest rebate or an annuity recalculated at death. All the new money -- this is new money coming into The Pension Act, the 3%, entirely government funds, and in that respect I think it answers the questions of the Honourable Member for Rhineland.

MR. SCHREYER: Would it be in order to ask a question of the Minister at this point?

MR. JOHNSON: Yes.

MR. SCHREYER: I'd like to ask the Minister, referring him to the explanatory notes on the inside cover, in Section 5 and 6 of the explanatory notes. Mention is made there of refunds being eventually payable with interest -- and the term "eventually" there is certainly a strange word to use in a statute. Could you give us an idea of the time element there? "Eventually" could be one year, or five years, ten, twenty.

MR. JOHNSON: The interest starts to be calculated on the 1st of January.

Madam Speaker put the question and after a voice vote declared the motion carried.

MADAM SPEAKER: The adjourned debate on the second reading of Bill No. 9. The Honourable Member for Gladstone.

MR. SHOEMAKER: I beg the indulgence of the House to have the matter stand.

MADAM SPEAKER: Agreed? The adjourned debate on the second reading of Bill No. 12. The Honourable the Member for Portage la Prairie.

MR. GORDON E. JOHNSTON (Portage la Prairie): Madam Speaker, I beg the indulgence of the House to have this matter stand.

MADAM SPEAKER: Agreed? The proposed motion standing in the name of the Honourable the First Minister.

MR. ROBLIN: Madam Speaker, I think that I will ask this matter to stand until our next session so that there will be no question as to whether sufficient time has elapsed with respect to notice.

MADAM SPEAKER: The adjourned debate on the proposed motion of the Honourable the Member for Hamiota. The Honourable the Leader of the Opposition.

MR. MOLGAT: Madam Speaker, I too, would ask that this be stood until the next session.

MADAM SPEAKER: Agreed?

MR. ROBLIN: Madam Speaker, this brings us to the end of our Order Paper and normally I would move that we adjourn until this evening, but in view of the fact that a number of members have asked it to stand, I'd like some indication from them perhaps if they would be prepared to proceed this evening, because if not there's no point in coming back and I don't intend to rush them in this respect. So if I could have an indication from the Honourable Member for St. Boniface to begin with, if he would be prepared to go on tonight, I think we would like to come back and hear him.

MR. DESJARDINS: I would much prefer to go on tomorrow. There is some information that I should have by then.

MR. ROBLIN: May I ask the same question of the Honourable Leader of the Opposition with respect to his measure.

MR. MOLGAT: I wouldn't be prepared to go on with Bill No. 2 because quite frankly I am seeking information in that regard. I would be prepared to proceed at any time with the Throne Speech.

MR. ROBLIN: Well in that case, Madam Speaker, I will propose the adjournment now and suggest that we meet tonight to hear my honourable friend. I move, seconded by the Honourable Minister of Industry and Commerce, that the House do now adjourn.

Madam Speaker presented the motion and after a voice vote declared the motion carried and the House adjourned until 8 o'clock this evening.