

THE LEGISLATIVE ASSEMBLY OF MANITOBA

9:30 o'clock, Monday, October 6, 1969

Opening Prayer by Mr. Speaker.

MR. SPEAKER: Presenting Petitions; Reading and Receiving Petitions; Presenting Reports by Standing and Special Committees; Notices of Motion; Introduction of Bills. The Honourable Member for Birtle-Russell.

INTRODUCTION OF BILLS

MR. HARRY E. GRAHAM (Birtle-Russell) introduced Bill No. 48, An Act to validate By-law No. 801 of The Rural Municipality of Shoal Lake.

MR. SPEAKER: Orders of the Day. The Honourable Member for St. Vital.

ORAL QUESTION PERIOD

MR. JACK HARDY (St. Vital): Thank you, Mr. Speaker. I would like to direct, not so much a question to the Minister of Transportation because I do not want to elaborate on something that happened over the weekend, but to the Minister of Transportation: when, Sir, in heaven's name is something going to be done? -- (Interjection) -- My apologies, Mr. Speaker. I was under the impression that the Minister was aware of what had happened on, again, the Perimeter Highway, because I did not want to introduce that into this Assembly for the purpose of having something done.

HON. JOSEPH P. BOROWSKI (Minister of Transportation)(Thompson): Mr. Speaker, the member knows very well that it's impossible to do anything at the moment. You do not build overpasses overnight. The budget has been spent for the fiscal year until March 31st. He knows very well that there isn't anything -- we're concerned, of course we're concerned. Many people have died there and probably more will die before an overpass goes in there. But if you want to point fingers or lay any blame point at the other end. They're responsible for deaths on that intersection.

MR. HARDY: Mr. Speaker, a supplementary question. I can appreciate

MR. WALTER WEIR (Leader of the Opposition)(Minnedosa): I think just as a matter of privilege that that is a statement that cannot sit on the record: The responsibility of the former government for deaths.

MR. BOROWSKI: The previous government was responsible for building these dangerous intersections and they must take responsibility for anything that happens on it.

MR. JAMES H. BILTON (Swan River): Mr. Speaker, of the House, I believe that remark as put forward by my Leader ought to be withdrawn by the Honourable the Minister of Transportation.

MR. WEIR: Mr. Speaker, governments are responsible for the condition of roads, but there are oftentimes accidents that occur that have absolutely nothing to do with the condition of the road and I must insist that the Minister retract the statement that the former government was responsible for deaths.

MR. BOROWSKI: Don't bring these matters into the House.

MR. WEIR: Mr. Speaker, I have made a request.

MR. SPEAKER: the Honourable Leader of the Official Opposition that there is a degree of responsibility that a government assumes and can be expected to assume but whether a blanket statement of the nature made by the honourable member is in order is certainly questionable in my mind.

MR. BILTON: Surely, Mr. Speaker, the honourable gentleman occupying the position that he holds as a Minister of the Crown has been challenged on a statement, surely for the well-being of the House he will do exactly that, particularly as you have spoken to him.

MR. BOROWSKI: Mr. Speaker, since we have taken over the benches on this side we've had questions and innuendoes from the other side. Every time somebody got killed on a highway or on an intersection somehow we're responsible because we're in office. This was highly improper and it's still improper and I'm simply saying that if anybody's responsible for these deaths it's that government. I stand by that statement.

MR. BILTON: Mr. Speaker, are you going to allow this to go on in this House? Everything the Minister said a moment ago has nothing at all to do with the statement we're referring to.

HON. ED. SCHREYER (Premier and Minister of Industry and Commerce)(Rossmere): Mr. Speaker, I think it would be helpful if those who are asking questions about some fatality

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(MR. SCHREYER cont'd.) or mishap on our highways would indicate the purpose of asking the question here. Then perhaps it would be easier to know whether the Minister should retract any statement.

MR. WEIR: Mr. Speaker, I think that the First Minister might have been in a position to comment on this matter of privilege had he been in the House when it happened. I also think, Mr. Speaker, that there was reasonable explanation. It was an indication as to when some work might be expected at a particular location. There was not a matter of responsibility for a death involved in the question from this side. If my honourable friend from the other side takes it in that light, fine; but it wasn't a matter of responsibility for deaths, it was a discussion about an improvement to a given section of road. If my honourable friend wants to say that there was something wrong in terms of the road, fine; but don't have him -- and I don't accept and I reject and he must withdraw the statement that we were responsible for the deaths.

HON. SAUL CHERNIACK, Q. C. (Minister of Finance)(St. Johns): Mr. Speaker, the First Minister was not present when the honourable member asked this question. I was. And I recall the question and the manner in which it was phrased was one saying it has happened again - and I'm not quoting him verbatim - but the implication was "it's happened again, what are you doing about it?" And, Mr. Speaker, there was not even reference to exactly what happened or the fact there was a fatality. It was just: it has continued, it has happened again and what are you doing about it. And if that's not a provocative remark I'm not sure what is and I would look forward now to reading Hansard to see exactly what was said, because I don't want to rely on my memory, but clearly there was not even a mention made as to where it happened, what it was that happened, but just a straight accusation and the statement well the Minister must know about it.

Now, Mr. Speaker, I think that the way that question was worded was an invitation for the kind of answer that was given. I frankly, personally, regret the answer, but I regret the question equally, and I think it would be better if we all got down to speaking in a much more courteous manner on both sides.

MR. WEIR: Mr. Speaker, I think I can't -- I have to rise again to say that I think that the way the question was was: when is something going to be done? The answer could have been "next year" or something like that or "it will be considered for next year's budget." The answer was: all of this year's money 'til March 31st next year is spent, was the answer that we got. And I don't think it's an accurate statement either. It may very well be that it's all appropriated and a direction as to where it's going to be spent, but I think there's likely a few funds sitting around there for between now and March 31st.

MR. BILTON: Mr. Speaker, on the same matter. The Minister of Finance it appears to me conveniently forgot the honourable member's earlier remarks when he said he didn't wish to bring the matter again before the House. He felt that the Minister was fully aware of what had happened. I do recall, as he recalls, that this particular location has been brought to the attention of the House on several occasions this Session by the honourable member that took the floor.

MR. CHERNIACK: This day, right now I don't know what location he's speaking about. The honourable member said: I want to ask a question but not so much a question as to make a statement, something along those lines and then said: when are you going to do something about it? I'm looking forward now to reading exactly what was said and I hope to read it in company with the Leader of the Official Opposition because I believe he is fair-minded and I think a review of the way the question was put would indicate to both of us whether the reaction was fair or not.

MR. WEIR: Mr. Speaker, I'm still -- I don't care what the question was, I'm not prepared to allow the accusation that the former government was responsible for the deaths that have occurred on the highways. I'm just not prepared to allow it to stand.

MR. SPEAKER: I'm wondering if we could not wait until this portion of debate

MR. WEIR: Mr. Speaker, I'm sorry I'm not prepared to wait. There's only one time I can bring this matter up and it's now.

MR. SPEAKER: May I remind the honourable members that there has been suggestion on both sides as to inaccuracy of our powers of recollection as to what in fact was said. It may be preferable to review Hansard and if there is a point of privilege to be raised or any other complaint to be brought before this House that it be brought then rather than now. I tend . . .

MR. WEIR: Is that your ruling?

MR. SPEAKER: It is not my ruling as yet. I'm merely commenting on what has transpired

(MR. SPEAKER cont'd.) up to this point. But I would urge both sides of the House

MR. WEIR: Mr. Speaker, I'm not prepared to let it rest unless you make a definite ruling on it. Because in my mind there is no doubt about what was said by the Minister of Transportation on that, and he pointed his finger over here and he said we were responsible for the deaths -- it didn't matter what it was that caused the deaths we were responsible for the deaths. And I'm not prepared to allow that to stand on the record for now, 'til this afternoon or tomorrow or any other time.

MR. SCHREYER: Mr. Speaker, perhaps that reply was ill-advised but I think it has to be taken in the context of the question, the way the question was put. And if there was even the slightest, in the question, to imply that procrastination on our part was somehow responsible for this mishap then I say that the answer should stand, ill-advised as it may have been. We have to look at both. We shall await Hansard.

MR. HARDY: Mr. Speaker, may I address another question to the Minister of Transportation?

MR. WEIR: Mr. Speaker, before we address any more questions I want your position on this matter.

MR. GORDON W. BEARD (Churchill): Mr. Speaker, before you give an answer to this, I think that maybe it's early in the morning, we've had a bad start. I would ask that you consider taking this under advisement and let's see exactly what was said in Hansard. As I understood the question, he said it really wasn't a question and he didn't want to make a statement and before voting I would like to see what was in Hansard. We're being asked to vote on something that we're not just sure exactly how the wording was. If we as politicians are going to put so much emphasis on "a word" then I think that we should see what's in Hansard first.

MR. SPEAKER: I will take the matter under advisement until such a time as I have an opportunity to review Hansard and determine exactly what was said and the order in which it was said.

The Honourable Member for St. Vital.

MR. HARDY: Mr. Speaker, I do not want to prolong this but the question was phrased in such a manner

HON. RUSSELL PAULLEY (Minister of Labour)(Transcona): Mr. Speaker, may I suggest to my honourable friend that you have announced to the House -- I don't want to get into the argument, I have my own views -- but I wonder if I might remind the Honourable Member for St. Vital that you have indicated you'll take this whole matter under your advisement, and that should close the matter at this time.

MR. SPEAKER: The Honourable Member for Churchill.

MR. BEARD: Mr. Speaker, I believe it is a little different in the Thompson area but I would like to pose a question to the Minister of Utilities. I'm just not sure whether it's the Minister of Municipal Affairs or not. In Thompson they're required to put a deposit of \$50.00, in most cases, before they get a phone installed in their house. I have had it brought to my attention that one person, particularly in Thompson, has had a \$50.00 deposit with the Manitoba Telephone System for almost seven years. I don't think he is getting any interest on this and if you added it up particularly at today's interest rates it would be at least half of what the \$50.00 deposit was in the first place.

MR. CHERNIACK: It's an unorthodox manner of borrowing money, Mr. Speaker. I'm not sure that the member has given sufficient information for me to be able to check it out. I'd either like him to -- well he might give me the details privately and I'll certainly be glad to make inquiries. He may not want to give the information openly now; there's no need to. If he gives me the name of the person, the address and particulars of the application I will certainly check it out.

MR. BEARD: Mr. Speaker, it is a charge against most people that apply for telephones because of the fact that there has been a large turnover in the area and sometimes they forget to pay their telephone bill before they leave the province.

MR. SPEAKER: The Honourable Member for River Heights.

MR. SIDNEY SPIVAK, Q. C. (River Heights): Mr. Speaker, before the Orders of the Day, my question is for the First Minister. In view of the statements of some of the Cabinet Ministers and his own statement, I think we can assume that TED is dead and Jack Burrell is alive and well. -- (Interjection) -- Well -- that's an assumption. I wonder if he would inform the House whether it's his intention to revive the TED Commission or any of its standing committees?

MR. SCHREYER: Mr. Speaker, TED is not dead. He lives, and perhaps in more lusty health than he did under the previous administration.

MR. SPIVAK: Mr. Speaker, I wonder if the First Minister would indicate whether it's his intention to call back into session either the Commission or any standing committees that it had?

MR. SCHREYER: Mr. Speaker, the Commission doesn't exist. The standing committees were disbanded with the publication of the report. I don't know what my honourable friend is referring to quite frankly because immediately subsequent to the publishing of the report the Commission no longer existed.

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

MR. PAULLEY: Mr. Speaker, I wonder if you'd mind skipping that item and deal with the proposed motion standing in the name of the Honourable First Minister, namely Bill 41, the adjournment in the name of the Honourable Member for River Heights.

GOVERNMENT BILLS

MR. SPEAKER: The adjourned debate on the proposed motion of the Honourable First Minister, Bill No. 41. The Honourable Member for River Heights.

MR. SPIVAK: Mr. Speaker, I listened with great interest to the presentation that was made by the Honourable House Leader in the absence of the First Minister when this bill was first introduced, and I found it rather amusing to compare the remarks that were made by him with the remarks that had been made by the Minister of Health and Welfare when he was speaking on behalf of the government in summing up the budget debate. Because it was pretty obvious from the statements that the Honourable Minister of Health and Welfare was saying that it was the impression of the government - and I may quote from the Honourable Minister, that "the members who were responsible for developing the TED Commission Report were most representative of the business community and in reading the report one had to judge the report and believe it to be suspect because in effect when one is listening to businessmen one has to expect that they are pursuing business interests."

I find it rather amusing that the government has taken the vehicle of the TED Commission as a basis for bringing forth the legislation that's proposed to try and solve once and for all, and I think it has to be solved, what I would consider some of the indiscretion that has been used by the members on the opposite side when they were in opposition in dealing with some of the transactions of the Manitoba Development Fund.

I think it is significant to point out, and I must make reference again to the Minister of Health and Welfare's budget speech, because in my opinion he discredited the TED Report in no uncertain terms. He said it was suspect. He quoted from Adam Smith and he referred to the interest of the dealers. . . .

HON. SIDNEY GREEN (Minister of Health and Social Services): Mr. Speaker, on a question of privilege. I never said the TED Report was "suspect". My honourable friend appears to want it said that I said it was suspect, but I never. I indicated that not everything in the TED Report would even be adopted by my honourable friends, and that everything has to be looked at from the point of view of where it came from, and that I then quoted from Adam Smith as one guide as to how to look at this type of information.

MR. SPIVAK: Well, Mr. Speaker, I'm quite aware of what the Honourable Minister has said, I have it in front of me, and for his benefit, and for those who may not have been present, I think I would like to read it for him. And then I would tell him that in my opinion, based on what he said, he discredited the TED Report. Now he may quarrel with my opinion, he may very well quarrel with it but I'm suggesting to you, Mr. Speaker, that in fact he did discredit the report.

MR. GREEN: Mr. Speaker, on the same question of privilege, my honourable friend said that I said the TED Report was suspect. Can he find language to the effect that I said that the TED Report was suspect?

MR. SPIVAK: Well, Mr. Speaker, for the benefit of the record may I just read the following: Page 1139 of Hansard: "Mr. Speaker, the Member for River Heights with his fixation in favour of businessmen says, well, what about the TED Report? Are you ignoring

(MR. SPIVAK cont'd.) what 400 people, 400 fine creditable citizens of the province of Manitoba advised us to do? Well, Mr. Speaker, those 400 citizens, and I respect all of them, one thing we can say for them, although they were slightly representative, they were most representative of the business community. And, Mr. Speaker, I have no quarrel with business. When I'm listening to lawyers I expect them to be advancing the interests of lawyers." I would suggest that when you listen to lawyers you suspect that they're advancing the interests of lawyers. "When I'm listening

MR. GREEN: The honourable member is begging the question. Does he find language to the effect that when he said the Honourable Minister of Health and Social Services said the TED Report was suspect?

MR. SPIVAK: Well, Mr. Speaker, I can understand the sensitivity of the Minister of Health and Welfare in view of the statement that's been made by others in this House, and in

MR. GREEN: In view of the fact that I didn't say that.

MR. SPIVAK: and in view of the statements that have been made by the First Minister in connection with his addresses down east. But nevertheless, the fact of the matter is, and I'll continue: "When I'm listening to labour people, Mr. Speaker, I expect them to pursue the interests of labour people; and when I'm listening to fishermen I expect them to pursue the interests of fishing; when I'm listening to doctors I expect them to be pursuing the interests of doctors; and when I'm listening to businessmen I expect them to be pursuing the interests of businessmen". Well I suggest that then -- (Interjection) -- I'm sorry. Well, I don't think that those who were responsible for the TED Report were interested in pursuing the interest of businessmen, and that's a judgment. I suggest as well that the Minister in doing this, in making this statement which was supposedly government policy, has attempted to discredit the report. And whether he likes it or not, this is an interpretation that I've made, and it's the only interpretation that can be made from what he said.

MR. GREEN: Mr. Speaker, the honourable member is begging the question - if he will read Hansard he will read that the Minister of Health and Social Services said the TED Report was suspect. On a question of privilege, Mr. Speaker, I would ask the honourable member to withdraw the remark that I made that statement.

MR. SPIVAK: Mr. Speaker, I'm sorry if there was any misunderstanding. It's my opinion, and my belief, that the Minister in his statement in fact suggested that the TED Report was suspect; not that he said it was suspect but he suggested the report was suspect. That's the only context in which I made that statement and I'm sorry that was misunderstood.

Now in talking with the interests of the dealers and talking on Adam Smith's statement, a quotation, which again would confirm my belief that he believed that report to be suspect, was made. Now it's very interesting because one of the other statements that the Honourable Minister said, when he says: "Well heavens no, don't adopt the TED Report - at least that part of it. Mr. Speaker, we're going to look judiciously at the TED Report. May I even be so bold as to say that we're going to look scrupulously at it and make sure that what is recommended in the TED Report is in the interests of the people of the Province of Manitoba and not just one sector of the population." I suggest, and in looking at the statement that the House Leader read into the record in connection with this bill, that (a) we have to look at it judiciously; and (b) we have to look at it scrupulously to find out why all of a sudden the government is now interested in using the TED Report to justify some of the actions that they are going to undertake.

HON. HOWARD R. PAWLEY (Minister of Municipal Affairs) (Selkirk): Are you disappointed?

MR. SPIVAK: Well, I am disappointed because I think that you have twisted, for your own advantage, the economic advisory board that's been proposed, and are using it improperly in this case - improperly in this case - to handle the situation which you yourselves have put yourself in. I think that if some of the statements had not been made you would not have had to deal with the matter of the Manitoba Development Fund in the way that you have.

I suggest as well, that much of what is in this Act was not necessary. It could have been done without putting it in the Act. It seems to me rather ludicrous to find that you are now suggesting that you're going to have an economic advisory board examine the matter, when you yourself had the right to examine the matter and make the determination yourselves. Who has a better right to the records than the government itself. Who has a better right to question the officials and the people involved than the Minister himself.

MR. PAWLEY: have the right to be disappointed in Law Amendments?

MR. SPIVAK: Yes, and I am.

MR. PAWLEY: And you are?

MR. SPIVAK: Yes.

MR. PAWLEY: expect you to cheer.

MR. SPIVAK: No, I know that you didn't expect me to cheer, but you also expected me . . .

MR. PAULLEY: Well, we're sorry to disappoint you because we're doing what you thought we should do.

MR. SPIVAK: There was never any suggestion that the Economic Advisory Board - TED - would ever deal with these matters. There's not even any suggestion in the TED Report -- (Interjection) -- Well, I'd like you to show me the actual wording which would indicate that. There's no suggestion that I know that this was to be the case.

But I may say that now that the government has taken the position to bring in this bill, and to in fact develop some window dressing on this, which I suggest could have been done without legislation, almost in all cases except probably the appearance before the committee and in turn the question of whether a member of the legislature could be a member of the committee. I think there's certain questions that have to be asked. Who is to be on the advisory board? Secondly, has it been formed? What businessmen, if any, are intended to be appointed? And if it hasn't been formed, when will it be formed? Are we going to be advised of this before we finally pass this on third reading? And in turn, how many members of the legislature are going to be members of that committee? And will the members of the legislature only be from the government caucus? Or are they going to include members on this side? I think all of these questions have to be asked before any intelligent evaluation can be made of what is proposed. I suggest, I've already read into the record and I'm not going to read it in again, that the chapter dealing with the TED Report on the Economic Advisory Board has no relevance to what is being proposed in this legislation, notwithstanding the fact that it's attempted to be documented by the government in their presentation.

Now, it's a curious thing that the Minister of Finance in dealing with the Fisheries Bill the other day, suggested in answer to a question that was put to him, that the Ombudsman would be a person who could examine the situations in connection with the Fisheries Bill, and if in fact the Minister had not exercised the discretion correctly, the Ombudsman could investigate that and then he could make a recommendation to the government and that was good enough. And when the suggestions came from this side, that in fact this situation should be reviewed by the Ombudsman in an impartial and private manner, that that suggestion was no good although it had some relative merits, and that that suggestion because there was redress claimed was not good enough, and because this had been such an issue that has created so much interest that it had to be dealt with in a separate way. I cannot see the logic of the positions, the conflicting positions of the government who would suggest that the Ombudsman could be used in the Fisheries Act, and suggest that the Ombudsman could not be used in the other Act.

There was a suggestion, and I've already indicated in a question to the Honourable First Minister, in an article that appeared by Mr. Len Earl - who's the senior citizen of the press corps here - an article that appeared in the Financial Post that the capitalization of the fund was to be changed from 5 million to 25 million dollars. I regret the fact that this capitalization change is not here before us, and I look forward to the time that it will be included because there's no doubt that the Fund's activities are going to be important in the further development of the province as they have been so far, and it's going to be necessary for greater expansion and greater investment by them in carrying out the functions that they have undertaken.

Well, Mr. Speaker, at this point, I would simply suggest that it was not necessary for this legislation to be brought forward, that it could have been done in the main by Order-in-Council. I must be very suspect at this point, -- (Interjection) -- yes, that's sure - that members of the Legislature are going to be placed on the committee, because obviously we have 13 members of Cabinet - all of whom have a right at Cabinet level and through the Minister to be able to review that matter without having to be put on this committee. So that would leave the remaining members of the caucus as ones who could be selected to be put on that committee to do the investigation. And, of course, I think that this is incorrect; because if in fact members of the Legislature are to be placed in a position of examining the details and affairs of the Fund, then I think it will be far better to have members on all sides doing that review. I suggest as well that it would have been far better, and still would be far better, that instead of having members of the legislature do the review that the Ombudsman - whoever he will be - be given that responsibility and be given the opportunity to review that impartially,

(MR. SPIVAK cont'd.) and to deal with it and then make his recommendations to the government.

So we will look forward to finding out from the government: When will the advisory board be formed, or is it formed? Who is on the advisory board? What businessmen do they have on it, because obviously this has to be reviewed in a business manner? What members of the legislature are going to sit, and how many, and who they're going to be? And then we can make some judgment as to really what the intention of the government is in connection with this matter; and I think we have to do this because we have to examine what the government has done judiciously and we have to be very scrupulous. Because obviously government in introducing this are only interested in their own interests; just as the businessmen are only interested in their own interests in the TED Report; just as labour men are only interested in pursuing their own interests; and just as the farmers or any other group is interested in pursuing their own interests. And in using the logic of the Minister of Health and Welfare, we may say on this side that we have to be very suspect at this point, and we have to examine very carefully - very carefully the purpose and why the government has introduced the Bill in this manner.

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

MR. JACOB M. FROESE (Rhineland): Mr. Speaker, I have no intention of delaying the bill. I would like to have this bill passed and go to committee so that we could probably have further discussions in committee on this.

I realize that there are provisions for members of the legislature to be on this commission or committee whatever it is, and probably those who will be sitting on the committee will be privileged in many ways, that they would get a better view of the operation of the Fund.

I was very interested to hear the Member for River Heights and the remarks that he made. No doubt, he's better informed of the Fund and its operations than many of us members are because he's been more involved with it, and that his views on the matter are probably quite valid. I certainly would not dispute them. However, as I have been a member of the opposition for these many years, and have been critical of certain aspects of the Fund's operation, I rather felt that I could support the legislation, at least I'm quite willing to support it on second reading and find out about further developments that may take place in the committee. So, with these few words I'm willing to let the matter pass.

I was also very interested in the remarks made by the Honourable the Minister of Health the other day when speaking on this particular bill. I haven't had time to review and assess it at this point but I will do so in the intermediate period between now and Law Amendments Committee meeting.

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

MR. PAULLEY: May I now call on the adjourned debate on the resolution standing in my name, dealing with the special committee of the House to consider the rules.

MR. SPEAKER: The adjourned debate on the proposed resolution of the Honourable Minister of Labour. The Honourable Member for Lakeside.

MR. SPIVAK: In the absence of the Honourable Member from Lakeside, I wonder if this matter can stand?

MR. PAULLEY: I wonder now, Mr. Speaker, whether you would call second reading of Bill No. 44, in the name of the Honourable Minister of Municipal Affairs?

MR. PAWLEY presented Bill No. 44, an Act to Amend The Municipal Act (2), for second reading.

MR. SPEAKER presented the motion.

MR. PAWLEY: Mr. Speaker, in explanation of this Bill I would first mention that the present legislation in the Province of Manitoba requires the assessor to value all property liable to assessment. This legislation has been interpreted in two different ways: The provincial municipal assessor has as a matter of practice not placed property on the assessment role while it is under construction. On the other hand, the director of assessment for the Metropolitan Corporation has carried on a long standing practice in the City of Winnipeg of adding partially completed buildings to the assessment roll.

Bill No. 44, before you, proposes an amendment which would exempt buildings from assessment while under construction until the building is substantially completed or occupied, or for a period of not more than two years from the commencement of construction, whichever occurs the first.

Furthermore, Mr. Speaker, I would submit that this legislation is equitable legislation.

(MR. PAWLEY cont'd.) As mentioned, there appears to be two applications of the law at the present time within the province. This would place all assessment on the same par if the municipality chooses not to withdraw from the provisions of this bill; or it should be noted that a municipality may, if it so sees fit, withdraw from the benefits of this bill. It's permissive legislation.

Secondly, this legislation will move a long way, particularly in the Winnipeg area, in assisting the City of Winnipeg in competing with the attractive features that are sometimes offered by the other larger cities throughout the Dominion. At the present time it's known that Winnipeg is in stiff competition with Vancouver and Toronto and Edmonton for development.

Our honourable friends have spoken a great deal in the past week about the need for development and investment in the Province of Manitoba. They appear repeatedly to take the position that this government is not concerned about investment and development in the Province of Manitoba and that this government is doctrinaire, doctrinaire. But, Mr. Speaker, the provisions of this bill demonstrates fully by acts - by acts, Mr. Speaker, that this government is pragmatic, that it is concerned about bringing about development and it has demonstrated this by way of this bill. Therefore, Mr. Speaker, I leave this bill before this House for consideration.

MR. F. JOHNSTON (Sturgeon Creek): Mr. Speaker, I would like to move, seconded by the Honourable Member from Roblin, this debate be adjourned.

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

GOVERNMENT RESOLUTIONS

MR. PAULLEY: Mr. Speaker, I would now like to introduce a resolution. Mr. Speaker, I beg to move, seconded by the Honourable the Attorney-General that

WHEREAS it is desirable to develop better public understanding of Manitoba's economic situation and of the extent to which economic growth is providing adequate opportunities for employment, rising incomes and a better distribution of the amenities of life, and;

WHEREAS it is desirable to provide a basis for appropriate action by the Government and the Legislature toward creating and maintaining the best possible climate for business and industry compatible with the interest of the people of the Province, and;

WHEREAS better basic information leads directly to better policy decisions for the promoting of economic growth;

THEREFORE BE IT RESOLVED that a Standing Committee of the House called "On Economic Development" be established at this session and that such Committee be appointed annually by the Special Committee of seven members referred to in Section 68 (1) subsection (1) of Rules, Orders and Forms of Proceedings of the Legislative Assembly, and;

BE IT FURTHER RESOLVED that for this session the following be appointed members of this Committee: Hon. Messrs. Schreyer, Evans, Uskiw, and Toupin, Messrs. Doern, Gonick, Fox, Johnston (Sturgeon Creek), Jorgenson, Froese, McBryde, McGill, Patrick, Sherman, Spivak, and Turnbull, and;

BE IT FURTHER RESOLVED that this Standing Committee on Economic Development consider its terms of reference to be to maintain continuous surveillance of the progress of Manitoba's economic development and the activities of the Government affecting achievement of provincial economic goals as suggested in the TED Report to the Legislature.

MR. SPEAKER presented the motion.

MR. PAULLEY: His Honour the Lieutenant-Governor having been informed of the subject matter of this proposed resolution recommends it to the House.

MR. SPEAKER: The Honourable Minister of Labour.

MR. PAULLEY: I may say, Mr. Speaker, that this resolution is fairly well directly associated with the TED Report and the recommendations of that report in having established in the House a Standing Committee on Economic Development. I'm sure my honourable friend, the Member for River Heights, will be most receptive to this resolution. He has indicated through questioning me on a number of occasions when it was going to be introduced. It is now introduced; I'm sure, as I say, Mr. Speaker, my honourable friend will welcome it.

MR. SPIVAK: Mr. Speaker, I wonder if the honourable member would permit a question? Will the Standing Committee meet this session?

MR. PAULLEY: It is my intention, Mr. Speaker, to call this committee together for the purpose of organization if nothing else.

MR. SPEAKER: Are you ready for the question. The Honourable Member for River Heights.

MR. SPIVAK: I move, seconded by the Honourable Member for Fort Garry, that debate be adjourned.

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

MR. SPEAKER: The Honourable Minister of Labour.

MR. PAULLEY: I wonder if you'd mind calling the resolution standing in the name of the Honourable the Attorney-General.

MR. SPEAKER: The proposed resolution standing in the name of the Honourable the Attorney-General.

HON. AL. MACKLING (Attorney-General)(St. James): Mr. Speaker, I move, seconded by the Honourable Minister of Labour,

WHEREAS The Ombudsman Act makes provision for the appointment of a Special Committee composed of seven Members of the Assembly to make recommendation to the Lieutenant-Governor-in-Council;

THEREFORE BE IT RESOLVED that a Special Committee of the Legislature composed of the Honourable Messrs. Schreyer, Mackling, Paulley, Messrs. Fox, Johnston (Portage la Prairie), Sherman and Weir, be appointed with power to meet during the session of the Legislature or during recess after prorogation to consider such recommendation.

MR. SPEAKER presented the motion.

MR. MACKLING: Mr. Speaker, His Honour the Lieutenant-Governor having been informed of the subject matter of this proposed resolution recommends it to the House.

MR. SPEAKER: The Honourable Member for Fort Garry.

MR. BUD SHERMAN (Fort Garry): Mr. Speaker, I move, seconded by the Honourable Member for River Heights that debate be adjourned.

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

MR. PAULLEY: I wonder now, Mr. Speaker, would you kindly call the adjourned debate on second reading of Bill No. 40.

GOVERNMENT BILLS

MR. SPEAKER: The adjourned debate on second reading of Bill No. 40. The Honourable Member for La Verendrye.

MR. STEVE PATRICK (Assiniboia): Mr. Speaker, the member is away at the present time. He's expected later on, but if anybody else wishes to speak may do so provided the debate will stand adjourned in his name. But if there's anybody else, I'm sure that there's many members wishing to take part in the debate can speak.

MR. PAULLEY: If no one wishes to speak, we can let the matter stand, Mr. Speaker.

MR. SPEAKER: Agreed to stand in the name of the Honourable Member for La Verendrye.

MR. PAULLEY: Mr. Speaker, I wonder if you would now mind calling Bill No. 45 standing in the name of the Honourable Member for St. Vital.

MR. SPEAKER: The proposed motion of the Honourable Member for Winnipeg Centre. The Honourable Member for St. Vital.

MR. HARDY: Thank you, Mr. Speaker. In connection with Bill No. 45, I think all members of the Assembly can appreciate that there's a certain relationship between Bill 45 and Bill 44 inasmuch as the one pertains to the City of Winnipeg itself, whereas 44 allows permissive legislation in order that other area municipalities may participate in the same type of endeavour.

After perusing this Bill 45, it is our contention that in fact, that perhaps in some respects it applies to the core of the City of Winnipeg itself and I can assure that Honourable Member from Winnipeg Centre that it is the general consensus of opinion of the suburban areas of Metropolitan Winnipeg that this action probably should be undertaken in order to revitalize that portion of the City of Winnipeg. We appreciate the fact that without the hard core of the City of Winnipeg -- or perhaps I should put it in this manner, that the suburbs and the core of Winnipeg itself are complementary. So with those few remarks, Mr. Speaker, I would only advise that the members on this side of the House are in complete agreement with Bill 45.

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

MR. PAULLEY: I wonder now, Mr. Speaker, whether you may call Committee of the Whole House.

MR. SPEAKER: Committee of the Whole House. The Honourable Member for Elmwood.

MR. PAULLEY: Mr. Speaker, the motion for you to leave the Chair was not presented by the Honourable Minister of Mines and Natural Resources.

HON. LEONARD S. EVANS (Minister of Mines and Natural Resources)(Brandon East): Mr. Speaker, I move, seconded by the Minister of Consumer and Corporate Affairs, that Mr. Speaker do now leave the Chair and the House resolve itself into the Committee of the Whole to consider the following bills: Bill No. 10, No. 20, No. 34, No. 36, No. 37 and Bill No. 38.

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

COMMITTEE OF THE WHOLE HOUSE

MR. CHAIRMAN: Bill 10, The Fisheries Act. We're dealing with Section 29, Page 12 of the bill and an amendment thereto, moved by the Honourable Member for River Heights. Passed --- The Honourable Member for Morris.

MR. WARNER H. JORGENSEN (Morris): Mr. Chairman, when the committee rose last we had just got through listening to the Minister in which he made some rather unusual statements dealing with the amendment that is now before the House.

My first remarks must be the remarks of Bernardo to Horatio in Shakespeare's play "Hamlet": "Sit down awhile and let us once again assail your ears that are so fortified against our story." What we these four months have seen the actual wording is too nice, but this was when they were watching the ghost of Hamlet's father appear. I simply want to re-emphasize that the situation that we're faced with today is not a situation that was contemplated when the bill was first drafted. The problem of redundancy is one that was anticipated, but I've never been quite convinced that the restructuring of the industry could not have taken place on its own accord and without any assistance from government if we had known then what we know today. The fact that the members of the industry appeared before the committee were able, I think, to pretty well convince us that there were some difficulties being experienced, then assurances had to be given that the restructuring of the industry was going to be allowed to take place without the government placing itself in the position of putting them out of business; and this appears to be what is happening. The limitation on the opportunity for the fish processors to restructure their industry without being forced out of business seems to be inherent in the suggestion that everything must be completed by May of 1971. It's quite simple for the Fish Marketing Board to continue to allow them to hang on till that time and then immediately that day has arrived they're going to be told that they are no longer required. And if it were just the fish processors themselves who were in difficulty and were complaining about this legislation then perhaps there might be the tendency for members opposite anyway to say that well, you know, they're just the fish processors, we don't worry about them.

But in Saturday's Free Press on October 4th we have evidence that there are other people that are not entirely happy with the legislation. I quote from the Winnipeg Free Press of October 4th, a headline saying: "Fish Market Lost, men tell Corney". It's nice to see that Mr. Corney was able to appear before the fishermen of the Lake of the Woods area. It goes on to say that there was a confrontation between corporation officials and local commercial fisherman. "Lands Minister, Rene Brunelle indicated that the overwhelming majority of Kenora-Rainy River district commercial fishermen are opposed to the wheat-board-marketing-type of scheme in its present form. In a straw vote that was taken before the meeting was held it was indicated that there were a fairly substantial number of the fishermen that were opposed to the scheme because they felt they were losing their particular market in the Kenora, Lake of the Woods area."

They also argued that the fishing industry isn't suited to a wheat-board type concept because grain can be stored where fresh fish only stay that way for a short time. Well I don't completely buy that argument, because if the price of fish are not what the fishermen feel that it could be or should be, they don't have the expense of going out to harvest that crop because it'll keep for another year; whereas in the Wheat Board operation that does not happen. A farmer lives in eternal hope that markets are going to improve and because of the fact that they have to continue to maintain their operations, crops are sown and it's a few months later that the crop is harvested. That is not true in the case of fish, so I think that the Wheat Board type of marketing system is very much suited to fish marketing.

(MR. JORGENSEN cont'd.)

I started to point out - when I was interrupted last Thursday, I started to point out that there was one aspect of the Wheat Board's operation that is not being applied here that could be applied in the Fish Marketing Board, and that is the opportunity for the fish processors and the industry to participate, just as they've participated before in the marketing and the processing of fish, without any difficulty at all. I pointed out that from the time that the Wheat Board was first set up, until today, there has been a considerable amount of restructuring within the industry and the government has not found it necessary to pay for redundancies within the industry because the restructuring of the industry itself took place on its own accord. Where there were a large number of flour mills at the time that the Wheat Board Act was first set up, they have pretty well disappeared and in their place have appeared seed cleaning plants as well as feed mills. And this, I'm sure, is the sort of thing that will be going on within the fish processing industry if they're given an opportunity.

But there is no opportunity to do that if they have the Act hanging over their heads, as it is hanging over their heads in this legislation with the deadline date being set for May of 1971. They have no way of knowing whether they are going to be considered by the Board to be redundant or whether they are going to be taken into the operations of the Board and given an opportunity to survive. Already we hear of fish processors setting up plants in the United States to take advantage of the opportunities that apparently are not going to be available to them here, and I honestly implore the Minister that he should take into consideration the possibility of losing that industry in this province if the Board, as they appear to indicate - although that is not what they said at the hearings but they've indicated this in several speeches throughout the province - if the Board are indeed going to take over the complete operation of the fish processing industry, if they're going to build plants and set up these plants, then surely the processors have a right to know whether that's going to happen or not. If it is their intention to do these things then there is obviously no room, no room for the fish processing industry within this province.

I noted that in the legislation, both the federal and the provincial legislation, there is no provision made, or there is no apparent provision made for the Marketing Board to utilize the facilities of the industry. In The Canadian Wheat Board Act there is a section which - and I'll read the section out - it's Section 4, subsection (4), clause (b). It provides that the Wheat Board can enter into contracts or agreements for the purchase, sale, handling, storage, transportation, disposition or insurance of grain. In other words, they're given the authority right within the Act to enter into agreements with the grain handling agencies so that they continue to form a part of this entire grain marketing organization. They have not lost anything as a result of the Canadian Wheat Board coming into operation.

I'm convinced that there is no need for the fish processing industry to be lost to this province as a result of this marketing board coming into operation. I'm confident that both of them can work, one beside the other, but there has to be some evidence and there has to be some provision within this legislation that this will happen. The amendment that is suggested by my honourable friend from River Heights gives the processing industry that assurance that they are going to continue to be a part of the industry, and if they're not, then they have some protection under the law. And I urge members to support that amendment on that basis.

MR. CHAIRMAN: The Honourable Member for River Heights.

MR. SHERMAN: Fort Garry, Mr. Chairman.

MR. CHAIRMAN: For Fort Garry, pardon me.

MR. SHERMAN: Mr. Chairman, I wish to rise at this point in support of the amendment moved by my colleague the Member for River Heights, on the grounds that there appears to me to be no justification whatever, Sir, for setting up legislation of this type that does not involve an avenue of appeal for aggrieved operators, for aggrieved processors and for aggrieved persons who are in any way connected with or involved in the fishing and fish processing industry in this province. It seems to me, Sir, that we are being asked to pass bad legislation.

I was interested in the remarks of the Minister of Mines and Natural Resources on this subject last Thursday and I think that his remarks reflected a sincere concern and a sincere compassion for the problems of the processors, for the problems of the industry as it exists today, and I have no quarrel with his conscientious attention to these problems and with his sincere desire to make the corporation work to the benefit of all parties and to make the industry as rational as is possible. But for all his talents and for all the gifts that he brings

(MR. SHERMAN cont'd.) to this particular function, he is after all, Sir, only human, he is not superman - none of us is - and despite his best intentions and his best efforts it's highly possible that the letter of the legislation will operate and mitigate very severely against an industry whose members have their financial and economic livelihoods at stake, and despite all the sincere and conscientious labours on the part of a sincere and conscientious Minister, I submit there is a danger that the legislation as it's presently worded will turn out to be extremely unjust and onerous, and I think the Minister would be the first to concede that best intentions don't always produce the kind of results we want, and he will bring the best of intentions to the operation of the corporation and to the operation and function of this legislation and I give him full marks for that. But there is certain aspects to written legislation that make it extremely difficult for even those men of the best intention and highest conscience to guarantee that justice will always be done and that the principles of right and fairness and justice will always be served.

What is happening here, Sir, is that we are faced with a piece of legislation that is bad legislation. I haven't in some time heard a sanctimonious and self-righteous dissertation to match that that came in connection with this piece of legislation last Thursday from my honourable friend the Member for St. Boniface, and I'm sorry he's not in his seat because I would prefer to say this when he was in the Chamber. As it happens, I will direct his attention to Hansard and I'll have to speak to him outside of the Chamber, but I would wish that he were here because I wanted to say to him that I found his remarks on Thursday to smack of self-righteousness and sanctimony when he talked to us about the fact that he found it difficult to understand the applications and implications of this bill and he found it difficult to convince himself that an amendment of the type proposed by my colleague from River Heights was necessary, and he really didn't know what was the right thing to do. He wasn't sure which was right and which was wrong. He was extremely concerned about it and therefore he suggested in effect that we get on with it, we pass the legislation and just do our best.

Well, I don't subscribe to that kind of law-making or that kind of attention to legislation, and I challenge my honourable friend in that area. The fact that he feels concern and anxiety for it is fact enough to interrupt the process of passage and to examine the legislation once again in the full detail of all its implications and ramifications, and I submit that to take the attitude that because it's difficult to comprehend, and because there are aspects to it which cause him worry and anxiety, is precisely the very reason why we should not at this stage necessarily get on with it in the form in which it presently exists. I think to take the line of least resistance - and I interpret his position as being one of taking the line of least resistance - is a serious and a critical mistake where legislation of this or any other type is concerned. If he feels that there are difficulties and there are hardships that are going to ensue, then we should stop and make sure that the phraseology and the implications of the legislation is changed so that those difficulties and hardships do not ensue.

To say that because it's difficult and because we've spent a lot of time at it that we should just leave it up to the good faith of all concerned and get on with it and pass it and see how it works out, I think is avoiding the responsibility of correcting legislation that is bad before us at this time and avoiding responsibility of ensuring that proper, fair and just legislation is the product of this Chamber. I don't care whether the legislation was Conservative in its original conception or not. I appreciate that the original concept behind the bill, and certainly the original concept of the Freshwater Fish Marketing Corporation, was one that was conceived and given first by the Progressive Conservative administration which immediately preceded the present government, an administration constituted of the party to which I belong.

However, Sir, that's no justification in my view for my supporting that legislation if I think it is faulty. I couldn't care less whether it's Conservative legislation in its conception. I don't care whether it's Conservative or Liberal or New Democrat or Chinese Confucianism, if it's bad legislation, Mr. Chairman, it's bad legislation, Conservative or otherwise, and it has no place in the statutes of our province. If it's bad legislation it should be corrected. It should not be on our books; it should be addressed by all of us and modified and improved now or discarded.

The fact is, and we heard testimony over and over again in Law Amendments Committee, the legislation as originally conceived and drafted has not worked out the way it was intended to. It's turned out to be extremely arduous and onerous and discriminatory and oppressive for the representatives of a particular industry in this province, and despite the good intentions of the

(MR. SHERMAN cont'd.) previous administration, the legislation has proven unfair and unjust where this industry is concerned.

Now at the time that the legislation was conceived and devised no one had any foreknowledge of that, but the fact is we now do have a four month record, four or five months of evidence that the legislation has proven to be as onerous and as unjust as I suggest, and to continue the error and perpetuate the mistakes and the contravention of the principles of justice that have resulted from it during its application these past four or five months is surely, Sir, just a case of compounded evil, a case of compounded error with no rationalization, with no justification, with no logic to it whatever.

So I reiterate the fact that it came from a Conservative administration and from the party to which I belong impresses me not one whit if it's bad legislation. I don't think any party has a monopoly on good legislation or bad legislation. Obviously the attempt, the effort and the thrust of the administration was to introduce legislation that would be helpful, and as it was constituted in letter, on paper, in the statute books, it looked as though it would be helpful but it hasn't proven to be helpful; it has proven on the contrary to be discriminatory and unfair. We now have an opportunity to correct that situation, to strengthen and modify and improve the legislation before it's formally and officially enacted, and I think that we shirk our duties if we fail to make those changes that have been pointed out time and time again by witness after witness in Law Amendments Committee as being absolutely necessary.

Mr. Chairman, reference has been made by my colleague from Morris to the fact that we already in this province have lost substantial of what used to constitute the fish processing industry. One need only cite one entrepreneur in that area, for example Booth Fisheries. Booth has gone, and does anyone seriously think that Booth will return? Does anyone seriously think that that particular operator or entrepreneur will return to operate in Manitoba? Who knows how many others in that industry will follow Booth's example and leave the province? Who knows to what extent the very death knell of an industry of substantial size and proportion is being sounded at this present time, and is being finalized in fact by the discriminatory and heavily oppressive legislation that is before us at the moment, that could so easily be improved and strengthened by a simple adherence to the principle contained in the amendment advanced by my colleague from River Heights. -- (Interjection) -- Yes, Mr. Chairman.

MR. EVANS: Are you suggesting that the amendment you propose would have prevented - and I'm not sure that your information is accurate regarding Booth Fisheries - but regardless, are you suggesting that your amendment would prevent this industry from leaving the province? I don't think you're correct.

MR. SHERMAN: Well, I think that the point is the inclusion of an amendment, Mr. Chairman, would make the legislation under which the fish processors and all others in the industry have to operate a much more just statute, a much - in my view - a much fairer and more compassionate machinery that presently exists, and it would tend to reassure the fish processors who are having a difficult economic time and who may be considering abandonment of their enterprises in this province, I think it would tend to reassure them that there will be a more charitable climate, economic climate for them to operate in and thus dispel some of the fears they have. And I fear for the result of those fears as far as the industry and the over-all economy is concerned.

The question the Minister asked me is a very difficult one to answer because we're really talking in a hypothetical area here. We're really talking psychology; we're really talking attitudes and impressions and cause and effect and spirit; and I can only answer in the manner that I have, that I think that if there is a discouragement among the industry at the present time, abroad in the industry at the present time; it would tend to persuade certain entrepreneurs I think perhaps to terminate their activities rather than persisting in the efforts that they have followed for so long to make a rational business enterprise out of their operation. I think there'd be a tendency under oppressive legislation to throw up one's end and give up the ghost. If there is a more charitable sort of attitude and mood implicit in the legislation, then I think a very strong case can be made that the fears of the entrepreneurs and the operators are dispelled, dissipated to a very large extent and that they're encouraged to continue in their operations here. I don't think we can afford to lose component parts of that industry any more than we can afford to lose component parts of any industry at the present time, and I cite the departure of Booth Fisheries simply as an example of an enterprise which provided return and livelihood for a certain number of people; I cite the departure of an enterprise of that kind as

(MR. SHERMAN cont'd) being costly in social terms in our province.

Mr. Chairman, let me put on the record a newspaper report which has just come to my attention this morning in fact, was mailed in to me and is clipped from the Winnipeg Tribune of last Thursday, October 2nd. It's a dispatch from Kenora, Ontario to the Tribune and it reads as follows - and I'm quoting now from the article itself, Sir, because I want it on the record. "Commercial fishermen on the Lake of the Woods feel they have been trap-netted into the Freshwater Fish Marketing Corporation. This was outlined in a brief they have presented to the Ontario government. They state they were told the decision to join or not to join would be theirs and voted unanimously against entering. However, they received summary notice that they would be taken over by the corporation as of September 15th. The fishermen are angry because they were not allowed to decide for themselves what course they would take. There is a fear that the internationally-renowned Lake of the Woods pickerel will be channelled into the Manitoba flow which is recognized as less choice than the local product and consistently lower in price. Last summer's prices were the best ever. One fishery sold its last lot to a private agent at 52 cents a pound for round pickerel. The corporation price is 48 cents, subject to revision." End of quotation and end of article, Mr. Chairman, but there is a case of suspicion and disenchantment with the operations of the Freshwater Fish Marketing Corporation on the part of individual private fishermen.

Now I'm not at this juncture, Sir, trying to make a case for the individual private fishermen in this province, because I think that to a very large extent wide sectors of the industry from the producers' point of view have benefitted under the legislation, under the operations of this corporation. But it's the processing industry, the enterprisers in that section of our economy who have suffered because of the unforeseen way in which the Board has acted in practice, because of the unforeseen ramifications and effects of this legislation.

Now my colleague from River Heights proposes an amendment which lessens the oppressiveness of the legislation, which provides an avenue of appeal, which provides a recourse and a hope for these fish processors, for the representatives of this industry and this sector of the economy, and holds out the opportunity at least to them for full justice, for fully fair treatment that will be applied regardless of the particular administrative staff that may be in office at the time of appeal, regardless of the shifts and the winds and the changes of fortune that can occur politically, regardless of the possible changes in the office of the Minister himself. It eliminates the danger and the fear of rigid inflexible regulation and injects a note of humanism and humanitarianism into the legislation that I think works no hardship on those intended to benefit, i.e. the fishermen, and saves and salvages and sustains that industry to which I have referred, which at the present time is on the verge of collapse, on the verge at least of departure from the field of economic enterprise in this province.

I note that the Premier is scheduled to go this week into the Dakotas, North and South Dakota, with a party of eleven businessmen from our province, seeking new business opportunities in the north central United States. Well, my colleague the Member for Birtle-Russell asked in the consideration of this legislation the other day whether the party that the First Minister was taking to the Dakotas included any fish processors from Manitoba. And I submit, Sir, that that question was asked only half-facetiously. It certainly is at least a half serious question, if not a fully serious one. Are there any fish processors, are there representatives of that industry making the trip with the First Minister into the Dakotas to look for new business, or is the industry and the spectrum of enterprise in which they operate now so unattractive to them, now so oppressive and now so difficult that they have no interest in seeking out new business opportunities for themselves as operators and entrepreneurs in Manitoba, and that if they're going to operate an enterprise anywhere it's going to be outside Manitoba and possibly entirely outside the fish processing industry.

So, with those comments and remarks, Mr. Chairman, I add my very sincere appeal to the Minister and to all honourable members opposite to consider the merits of the amendment moved by my colleague from River Heights, to consider the advantages to Manitoba's economy as a whole and to dispense with the counter argument that we are fighting, and in my case I am fighting a piece of legislation that was conceived and drafted by members of my own party. As I said a few moments ago, I'm singularly and totally unimpressed by the fact that it was drafted by members of my own party and I don't think that that's any argument for my supporting it if it isn't good legislation. In the first place, I was not a member of the caucus that drafted that legislation, but that's beside the point. Even if I were, even if I were, it would be no justification for supporting the legislation now when it has proven in four months of application,

(MR. SHERMAN cont'd) without actual statutory existence or statutory authority, it's proven in four months of application to be oppressive and onerous and discriminatory.

So we have the opportunity, whether it was Conservative, New Democrat, Liberal or whatever, to grapple with that legislation now and make sure that it passes out of this Chamber into the statutes of this province and into effect in our society and our economy in fair and just and non-discriminatory form. This is what I appeal for, and I submit, Mr. Chairman, that the avenue of appeal that would be opened up to the entrepreneurs by the amendment proposed by my colleague from River Heights deserves the support of everyone in this Chamber.

MR. PAWLEY: Would the honourable member permit a question? Did I understand from the honourable member who just spoke, that the Booth Fisheries plant in Selkirk had closed down?

MR. SHERMAN: No, no I didn't. If I gave that impression, I'd like to correct it, Mr. Chairman. I wasn't referring to the Booth Fisheries plant in Selkirk, but I was referring -- what I really meant was certain enterprises of the Booth operation. I'm glad the Minister raised that question and we have the correction for the record, Mr. Chairman.

MR. CHAIRMAN: You've heard the proposed motion. The Honourable Member for Rhineland.

MR. FROESE: Mr. Chairman, I've listened with great interest to the previous number of speakers who have spoken on the bill and the amendment that is before us. I think this is a very very important bill that we're passing, or that we're considering at this point in this session, because as has been indicated by the government, this is just a forerunner of things to come. I always feel, and I'm sure that this is the case, that these marketing bills, marketing legislation that we're passing where you set up Crown corporations to take over, they are actually a conditioner to condition the people to socialism, to accept collective decisions that eliminate the individual rights and freedom that are theirs under the British North America Act.

Every time we're passing a piece of legislation of this type we're eliminating certain rights that individuals have at the present time. This is the case every time that you pass a marketing bill of this type. We have the experiences, we have the practical experiences of Crown corporations that have been set up in the past where you eliminate individual rights completely. The Crown corporations require monopolistic powers; otherwise they cannot exist and are unable to compete with competitive enterprise. This has also been shown over the past many years. Even the Canadian Wheat Board when it was first set up, it was set up on such a basis that it was voluntary and operated I think for one or two years like that. It just couldn't operate so they made it compulsory, because people were not taking advantage to sell grain under that system unless they had to, and this I'm sure is the case now with this bill, that people, the fishermen and the processors will find themselves in a position later on where they will be very sorry for what has been done and is being taking place right now.

Crown corporations require compulsion once they're set up as monopolies. This is the case with every Crown corporation that has these features, and you have to incorporate these features otherwise they cannot perform or exist. We have some very good proof of this from what has taken place in Saskatchewan over the many years. I have here a report in my hand of a submission that was made by the Premier of Saskatchewan, Mr. Ross Thatcher, at Salmon Arm, Wednesday, August 20, 1969, and he goes on to make a lot of statements which are really very interesting as to what took place during the many years that the CCF were in power in Saskatchewan and how the same principle that we're going to apply in this bill, once it's applied, how it stagnates development. "The question is frequently asked," he states here, "how did socialism take over, how did it last for twenty years? Out of the depths of the depression the Socialist Party, which literally promised to solve many problems, was born. Among other things the Socialists proposed: (1) to end unemployment," This is a very good thing in itself. "Secondly, to provide jobs by building socialist factories." And by referring to socialist factories, these are actually the Crown corporations that we're talking of and that's what we're considering under this bill. "Thirdly, to provide free medical and health services." This has come about, not only in Saskatchewan now but across Canada through the Medicare program. "And fourthly, to give a new deal to the farmers. Thus as a protest to the depression conditions in 1944, Saskatchewan elected a Socialist government."

MR. MACKLING: Would the honourable member yield to a question?

MR. FROESE: Later on when I'm through, I'll be quite happy to accept questions, but...

MR. MACKLING: I'd like to stop you when you're talking about Medicare.

MR. CHAIRMAN: . . . honourable member, but I hope he's not going to go into a long discourse on the Saskatchewan experience. I think he should attempt to limit his remarks to the proposed amendment and not range too widely.

MR. FROESE: Mr. Chairman, we're discussing the very fact, the results of what can happen under bringing in legislation of this type, and I think it's only right that we discuss what can happen under such legislation. We've had the experience in our neighboring province and I'm sure that we should be willing to hear what took place as a result of their actions and what we can expect in Manitoba if we're going to follow the same direction.

MR. CHAIRMAN: The Honourable Member for Logan, do you have a question?

MR. WILLIAM JENKINS (Logan): No, on a point of order . . .

MR. FROESE: I still have the floor . . .

MR. CHAIRMAN: The point of order of the Honourable Member for Logan.

MR. JENKINS: On a point of order, Mr. Chairman, we're discussing fish marketing here, we're not discussing Medicare.

MR. CHAIRMAN: The Honourable Member for Swan River.

MR. BILTON: That's not a point of order in my understanding, and if the honourable gentleman is satisfying you, I don't think it requires any comment from the floor.

MR. CHAIRMAN: I was simply trying to point out to the first speaker, the Member for Rhineland, that he should not get involved in a question of Medicare, etc., but if he's using that as an illustration he might . . .

MR. FROESE: I don't intend to discuss Medicare. It was just in the excerpt that was used by the Premier of Saskatchewan in his speech. I just briefly referred to it and that's all I'm going to say about Medicare. I don't intend to discuss Medicare at this point -- (Interjection) -- I'm just stating what he stated and I'll have my comments on it afterwards. Probably my friends across the aisle are not very willing to hear what took place there and probably don't like to be reminded of what the results were of the course that the government in Saskatchewan took in relation to . . .

MR. CHAIRMAN: Would the honourable member give us the source of his quotation again?

MR. FROESE: Well, it's an excerpt from a speech made by Ross Thatcher, Premier of Saskatchewan.

MR. CHAIRMAN: And the date and source?

MR. FROESE: Ross Thatcher is still the Premier of Saskatchewan and I think he's had a wealth of experience in what took place, because he took over from a socialist government that had been there for twenty years -- (Interjection) -- was a socialist at one time and was converted -- I was going to say "Thank God", but maybe I shouldn't say that.

So, if I may continue now, I think there's some very interesting paragraphs in this excerpt here. It says: "For 20 long years our people were subjected to a leather-lunged propaganda machine paid for from public funds which filled the air with plausible platitudes and clichés. You have heard some of them: tax the rich to help the poor." I think this is something very close to the ability-to-pay principle. "The capitalist is an exploiter of the masses," it says here. Then, "Only a planned economy is the answer to unemployment" and so on. These were the answers that they got from them. How did they succeed?

MR. MACKLING: Tell us what Ross Thatcher said about the fisheries.

MR. FROESE: I'm coming to that. "In 1944, the Socialists said they would solve the unemployment problem by building government factories." This is what we are proposing under this bill in connection with the redundant processing plants, as a province, that if they're declared redundant there is provision in the bill to pay for these and to take them over. If we can sell them to the Crown Corporation, well and good. But I am of the opinion that once they're declared redundant that the Corporation will not want them because they will be interested in centralizing the fish industry, as such, and will want new and modern facilities and in one central location.

I'm going on to say here: "Not only this, they promised to use the profits from these Socialist enterprises to build highways, schools, hospitals, and to finance better social welfare measures generally. Over the years they set up 22 so-called Crown corporations. Then a fiasco followed. Twelve of the Crown corporations went bankrupt or had to be disposed of; others were kept operating by repeated and substantial government grants." Here again, what do we see in Manitoba? What about the Potato Commission? We just had to put up \$55,000 this year to keep it in operation. We've already paid into the various marketing corporations

(MR. FROESE cont'd) from year to year to keep them in business and going. While this legislation is supplementary to the federal bill, what will happen if it doesn't work out? I'm not just too sure who's going to foot the bill. We just know in connection with the redundancies that the province will pick up the tab.

Then it also says: "The whole Crown corporation program became bogged down in a morass of bungling, red tape and inefficiencies. The experiment cost the taxpayers of Saskatchewan millions of dollars." Then what happened as a result? What were the reactions from the business in general to the Socialist experiment? It says here: "During the whole period the Socialist waged war against private business. They passed legislation giving the government power to expropriate and operate in any industry in the province. The making of profits was condemned as an unforgivable sin. The public and avowed objective of the Socialist government was to eradicate capitalism." Although I find that our First Minister of this province doesn't believe in eradicating it because recently he made trips down east and tried to instill confidence and convince the investment world to come to Manitoba and invest monies in Manitoba, so he surely believes that in those that we have to have finance to bring about development in our province.

What was the result in Saskatchewan? "Investors from Eastern Canada, from Europe, from the States, simply turned their backs on Socialists. Industry after industry looked over sites in our province only to by-pass Saskatchewan and locate elsewhere in Canada. Dozens of oil companies pulled up stakes, lock, stock and barrel and moved out of the province because of discriminatory legislation. Gas exploration ground to a complete halt. Prospecting in our vast north became almost non-existent. During the period Canada was experiencing the greatest economic boom in our history, Saskatchewan received only a handful of new factories. From 1945 to '63 more than a million new industrial jobs were created across Canada, yet in Saskatchewan during the 18 years of Socialism there were fewer jobs in manufacturing than existed in 1945. This, despite the investment of 500 million in Crown corporations." So here we see that they used the method of Crown corporations to further their objectives. As I've pointed out, Crown corporations cannot exist in a competitive enterprise system, that you need the monopolistic powers in Crown corporations in order to make them function and to keep them going.

There were some other results as a result of their program, and one is the matter of taxes. "Under the Socialist government the provincial debt went from \$150 million to 600 million. During the period more than 600 completely new taxes were introduced. Six hundred and fifty other taxes were increased. Per capita, taxes in Saskatchewan were soon substantially out of line with our sister provinces, one more reason why industry located elsewhere." These were also part and parcel of the results of the program and the direction that took place under the Socialist administration in Saskatchewan.

They mention another point here which I already stressed, and that has to do with the compulsory aspects of legislation of this type, and they go on to say here: "All throughout their regime the Socialist tended to use compulsion. Repeatedly their boards and agencies were manned by some social theorist who told businessmen how their businesses should be run. Everyone in the north was forced by law to sell their timber to the government monopolized Timber Board; every trapper, his fur to the government Fur Marketing Board." Now we come to the fishermen. "Every fisherman who caught a fish was forced by law to sell it to the government Fish Board." And we heard the other day from the Member for La Verendrye what happened to that board and to that industry. It went bankrupt. "Every purchaser of an automobile licence was forced to take his insurance from the government insurance company. They introduced a medical plan where every doctor would have been forced to receive his remuneration from the government." We have a slightly altered plan in Manitoba. "Only an aroused public opinion forced them to withdraw this contentious legislation. Drivers of government cars and trucks were instructed to buy their gasoline from co-ops."

Then they follow up with what took place as far as population was concerned, how the people left Saskatchewan, and while on the other hand, "virtually speaking, Saskatchewan stood still as far as development was concerned while the nation increased 60 percent. Two hundred and seventy thousand citizens left Saskatchewan to find employment elsewhere."

And then he sums up with a lesson that the people should learn from having a Socialist administration, a rather horrible lesson. He says, "If there are any who think that Socialism is the answer, I wish they would go to Saskatchewan and study what has happened to our province. Twenty years of Socialism gave Saskatchewan industrial stagnation, retarded

(MR. FROESE cont'd) development, oppressive taxation and major depopulation."

And he goes on to say: "We know that the private enterprise system is not perfect but it is still the best system devised for progress. Under this system American and Canadians have enjoyed the highest living standards in the world." This is what was said by the Premier of Saskatchewan who followed a Socialist administration that had been in power for 20 years, and I think we should take a lesson from that as he suggested, because I don't feel that Crown corporations are the answer to our problems here in Manitoba, and I don't feel that the Crown corporation that we are setting up under this bill is the answer to our fish industry in Manitoba. There will be repercussions, and we already have them because we know that the fish companies, the processors, already find it very difficult to operate. They cannot use local fish. Our fish are being exported and they have to import fish from the east and west coast, and even from other countries, to keep their processing plants in operation.

I don't think this is a very healthy thing at all; in fact I think it's a wrong policy to adopt for us here in Manitoba. I feel that we should process our raw products in our own province to the best degree possible and not have our raw product exported. Certainly we know what happened in Alberta with the oil industry. They took this attitude that the by-products had to - the raw product should be processed to a greater extent, a greater degree in the province, and as a result of the by-products from this they set up many many industries. This is what boosted Alberta and this has come about as a result of the policies that they brought into being in their government, and I think we should follow suit; I think we should do the same thing that they did out there.

There are other matters that probably need a little closer attention in connection with the bill. In my opinion, the Crown corporation has already created a very poor image of itself. We've heard that in committee. The processing people were very dissatisfied with what took place as far as management of that corporation; that they couldn't get a meeting; that they could not discuss matters, that they could not arrive at an understanding. Certainly this is very poor public relations and certainly this is an area that needs great improvement. By only having one representative on the Board - and as the Minister indicated just lately there might be a second one - but I rather feel that the representation that Manitoba has is far too small on that Board. After all, the major part of that industry comes from the Province of Manitoba and we should have a greater say in this project and in this corporation. Certainly the public relations that existed were very poor and this certainly does not inspire confidence in those people, and likewise this does not stay close to home. The press gets it, the articles that go out, and certainly the people of Manitoba themselves arrive at a decision where they also feel that the corporation is deriving a very poor image.

I would also like to comment in connection with the matter of appointing agents. We find that so many of the processing plants are not recognized as agents and therefore they as a result become redundant, because they will then not be used. I can see the corporations' point in this matter, that they would only like to deal probably with one business in a certain location, that they don't want to have to deal with three or four plants in one location. But, at the same time, I feel that if we allow this to happen, certainly then we should be prepared to take the consequences because we're the ones that are bringing this Act about, that are implementing it and bring these factors to bear.

I'm just wondering, these plants that will be put out of business, how soon will they be declared redundant? How soon will they be able to collect from the government? Is there going to be a reluctance on the part of the government to declare them redundant? And will this be a matter of probably procrastinating it over many years and probably letting the industry plants deteriorate, and as a result lessen the amount that would rightfully be theirs as compensation for such an industry? I think these are important matters that we should consider at this point, because I don't think once this Act is passed that we should shirk our duties. If we accept the principle to shoulder these responsibilities, then we should not be shirking them later on.

A further matter, and this was raised by one of the previous speakers and I think the Honourable the Minister of Agriculture asked this question or pointed it out to the committee, that if the corporation has been living within the Act to the present, certainly we cannot expect that they will change their course. They don't have to, unless very strong powers will be exerted to change the policy of the corporation that more fish will be processed in Manitoba and not exported across the line or to other countries in a fresh or frozen position. I think if we're going to change the direction, I think this should be written into the Act, that we know

(MR. FROESE cont'd) that this is going to happen. Otherwise, we can hope for something but it may never come to pass.

Then also, the amendment that is before us provides for an appeal, and I think the Minister should be interested himself that such an appeal be provided in the Act. I cannot see that the Minister will want to make these decisions on his own, completely on his own, without reference to the Court or without provision for appeal. I know that when the Development Fund Act was passed we set up certain appeals. I brought in an amendment at that time; it was accepted; and I feel that this government should be prepared to accept an appeal provision under this bill.

We have heard from the government when it was in opposition on this side in connection with South Indian Lake, just have confidence -- the government was saying have confidence in the administration, that they will do the right thing. The present government then in opposition rejected this. They did not have the confidence in the previous government at that time in connection with South Indian Lake. Now they're asking the same thing of us under this bill, that the Minister will do the right thing. Now we are supposed to have complete confidence in them that they will do the right thing. It's the very same thing that we had in connection with South Indian Lake, except this time they are in the position of the previous government. I don't feel that this is right. I don't feel that this is satisfactory. You made such a great row over it, and certainly you used it to the best extent in the election and I don't blame you for it, but certainly now you should be prepared to accept similar provisions in this bill. And I do hope that you will consider this.

Mr. Chairman, I think I had some more matters that I wanted to discuss. I haven't got them at my fingertips at the moment but perhaps I will have another occasion to speak to the matter on third reading. But, Mr. Chairman, I feel that the amendment before us is very worthy, it is one that should be incorporated in the bill, and I do hope that the government will give favourable consideration to this and support this, because otherwise the Act certainly is not acceptable to me.

MR. CHAIRMAN: The Honourable Member for Radisson.

MR. HARRY SHAFRANSKY (Radisson): Mr. Chairman, I listened with interest and great sympathy regarding the submissions made by the fish companies, but am amazed that honourable members who first saw the validity of such a bill now oppose and wish to destroy the intent of the bill. I am amazed that members of the opposition are again condemning their colleague who saw fit the need for Bill No. 10, the former Minister of Mines and Resources.

We listened to a speech from the Honourable Member from Rhineland who is quoting a speech of the Premier of Saskatchewan, and I can say that there is no more biased opinion that can be expressed than from the Premier of Saskatchewan with regards to whatever measures had taken place in Saskatchewan. -- (Interjection) -- He was a Socialist. Now he mentioned some of the companies that the former government of Saskatchewan, the CCF Government, had supported in order to maintain the industry in certain particular communities. It is my understanding that these were maintained primarily for the purpose to provide employment until better measures are developed. There was no particular condemnation from the honourable members from the opposite side when they came to the aid of the San Antonio Mine at Bissett.

Now to get back to Bill No. 10, I hear no concern about the fishermen. I feel that the former Minister had this concern when he had this bill introduced, and I think that it is primarily because he is what I would call -- I think some papers express a "red Tory." I feel that this bill should be passed since it is in the interests of those people who work the hardest and I feel that greater concern should be shown for the fishermen. Thank you.

. . . . continued on next page

MR. CHAIRMAN: The proposed amendment by -- the Honourable Member for Churchill.

MR. BEARD: You weren't that optimistic really were you, Mr. Chairman?

MR. CHAIRMAN: My optimism has failed me now.

MR. BEARD: I think there are several things that we must accept in this bill, and first of all is the philosophy of provincializing or nationalizing an industry and the problems that government can get into when they decide to take over. I think that certainly it has been brought to our attention the different pressures that can be introduced when you're trying to make an adjustment such as this.

But I would point out to members, as others have, that the primary purpose of this bill really was to help the fishermen when they introduced the Freshwater Fish Marketing Act. If it had not been for the position that the fishermen were in, then this particular Act would not be in front of us. It was almost a unilateral request, I might point out to the Member for Rhineland, that brought about this Act, because if he will recall, it was the fish producer, the fish processor, the government Department of Indian Affairs, the fishermen, there wasn't a soul that didn't say we have got to do something about the fish industry. They all decided that the only one that could do anything about it was the Federal Government, and this is where this bill comes in and I suppose it's a unilateral policy.

So I really reject the fact that this is nationalizing an industry, if we can call it that, for the sake of nationalizing something. I believe that this really was accepted by all parties. Maybe the Member for Rhineland says that he did not accept it on behalf of his party, but I certainly feel that all other parties did accept the philosophy that something had to be done in respect to the fish industry, and being the Member for Churchill I can say to you that it was certainly being kicked about for many years as to what should be done and this was the opinion of most, that they must make the appeal direct to the Federal Government.

But I think that first of all we've got to remember that the bill was first for the relief of the fishermen on the lake, and it is my opinion that everything else that takes place must be secondary to that principle of relief to the fishermen. Should this bill not achieve this goal then the real principle is lost. While the amendment champions the cause of redundancy of a hypothetical nature, it strays away from the original purpose of the bill which is control and regulating the marketing of the fish within the province.

I suppose the second purpose is to complement the whole industry itself, and of course complement the Fish Marketing Act which was passed by the Federal Government. Since the Churchill constituency probably provides the largest share of fishermen in this province and certainly a large share of the product, I am more than a little interested in what will take place from now on.

I think the redundancy of the primary producer and the redundancy of the fishermen will never come about, or would never come about if we could get a confirmation of some co-operation between the fishermen, the producer and the Fish Marketing Board. It is easy for us as provincial members to pass along the responsibilities to some other government, but I think that we must realize that it is only through the Fish Marketing Board in itself that we can come to some kind of an answer. I think that in some respects if we pass this amendment, then the redundancy would be encouraged by government if this amendment was brought about at this time.

But I do on the other hand say that I think that any industry or any business should be protected from government moving in in a high-handed manner and saying, "Well we're taking over. That's tough peanuts as far as you're concerned and you're out of business." I think that both this government and the Federal Government and the governments of other provinces have to do something about it.

I would at this minute depart -- I'm sorry the Member for Fort Garry isn't here, but he read from that article in respect to Kenora. I also recall reading it this weekend but he didn't go far enough. If he had read the whole article to us, then I believe at the bottom of that article they did admit that they had to look after fishermen as a whole rather than give way to a few fishermen who could have sold the pickerel at 52 cents a pound where they only got 48 cents from the Marketing Board. But others agreed that the Board was there to look after fishermen as a whole and not any one small group. Isn't that right?

MR. SHERMAN: Could I just rise on a point of privilege, Mr. Chairman, and say I read the whole article that I have in the newspaper in front of me. Perhaps the newspaper article was fore-shortened, but I read the whole article that appeared in Thursday's Tribune that I had in front of me.

MR. BEARD: Well, that's fine. There was one I would point out to the member on the weekend, a longer one - I think it was Saturday - that went further into it and they agreed that the Fish Marketing Board had in fact deprived some of the sale of additional four cents a pound, but then at the end they agreed, after Mr. Corney had talked to them, that perhaps the Board was set up for the good of all fishermen and couldn't take into consideration small parts of the industry, it had to be the whole.

Now then, I think that if we look into this amendment right away, or if we consider it right away, what I'm afraid of is that it would encourage some of the companies to declare redundancy immediately. I think that they're waiting in the bush for government to get into the position where they can take advantage - and there are some in the industry that admit it today - that they are in fact almost redundant, or have been for the last couple of years, and they're looking for a way to unload it unfairly on to government. And I say to them that this was what bothers me. I think that if the processors would get together and admit that they have to upgrade their operations, and if they can in fact go to Manitoba Development Fund - and I know I'm repeating myself of what I said in the Committee at Law Amendments - but these group of businessmen, if they're concerned, if they're really concerned about the fish marketing business, then I don't see why they aren't ready and prepared to say to the Fish Marketing Board: we want to continue on, we want to upgrade our industry and we want to get into the type of processing that will bring Manitoba the integrated industry which will get the most out of the resources.

I too agree that while we can ship out a share of the fish in the raw state, or the round state as is usually referred to, I think that the more processing of it that can go on in this province then the more monies we will get out of it, because right now it is a losing proposition as far as the government is concerned and as far as the fishermen are concerned in the most part because there isn't any return for the fishermen out on the lake in the north. You'll find he's almost in the same position as that old song about the railroader who ended up working for the company store. This is the way the fishermen are in the north and they end up, by the time they finish the fishing season, they come back and the family has already by then accumulated more debt at the store on the reservation than they have been able to produce on the lakes. So there is this problem of working just for the sake of work and the returns are negligible, and unless there is something that can be done about this then I don't think the resource itself is of any value to the province.

Now where do you go from there? I think that you've got to say that the processors themselves have made money in the past, and I would point out to the Member for River Heights that one of the things that bothered me was the processors have not worried about the fishermen. They have not been concerned about the problem that has brought this Act about in the first place, not concerned enough, because they have allowed the end result to be the Act that is in front of us today, the Act that we considered for two or three years before it has been brought up, and when the review was being made it was said over and over again that the fish company, the processors that are involved in this amendment tonight, were the people that brought about the necessity for the Act. They were the cause of the problem, the fishermen were the people that were working for the company store, the company made money on the nets, the company made money on the fish, the company made money on the transportation, the company made money all along the line. What was left was what ended up in the fishermen's pocket, and generally speaking it was nothing. So I think that the company themselves have to accept a great deal of this problem that is maybe thrust upon them which they are trying to anticipate at this time by putting the pressure on this government and this Legislature to do something about it before it happened. And they caused it to happen over the number of years, and now they say, we want the protection before something happens to us; but they never did worry about the fisherman, not really, all along the line.

So now we find them in a position of manipulating. Who is going to take over the Fish Marketing Board and who is going to declare redundancy. And this is the problem. If we accept the amendment now then we allow them to settle this amongst themselves, and I think -- how? - because they're assured that they'll either make money operating through the Marketing Board or else they can get rid of their business -- they can't lose the member said. They couldn't lose before and everybody else suffered. I don't see why maybe the amendment couldn't be brought in another year if the board prove that they can't deal with the processors and deal with them fairly. Because there are cases, I find here -- of course one I brought up the other

(MR. BEARD cont'd.) . . . day about them deciding that they were going to declare one company as the company that were going to look after transportation, because this one company they chose out of the group had a couple of planes. But then when this company decided to apply for the charter, of course your charter was only issued on a temporary basis as far as the Air Transportation was concerned. This is one of the road blocks. The other company said, we're prepared to do this also, why not let all of us transport fish; but then Indian Affairs come back and set it right on the nut in the letter when they say to the board in respect to transportation - and this is from Mr. Connelly who is the Regional Director of Indian Affairs and Northern Development - that the product is a very high perishable product. It goes without saying that top priority for removal of fish from lakeside to proper processing or storage is most essential to maintain a saleable product. And he goes on to say, "In several instances when it was necessary for our Indian fisheries to rely on normal commercial carriers the wastage of the fish due to the poor quality resulted in the loss of many thousands of pounds and in effect rendered the fishery uneconomical."

Now, Mr. Chairman, where does the co-operation start from? Is it from the industry with the government, or the government with the industry? I am just not sure because you can get lost. If you look for redundancy as far as a processor is concerned then certainly you must leave a door open for transportation groups to come in and say, we want redundancy declared because of course we cannot haul the fish and then that makes us redundant. So there are not only the processors that are going to say they're redundant but many of the others who are in the industry themselves and I think that this is a problem that we certainly have to look into, and look into very carefully.

But the only thing that really bothers me is the fact that if redundancy is accepted as a real intricate part of this bill then you're going to find that companies are going to be saying to this government: we want to be paid, we want to be bailed out now, we don't want to be bothered anymore. I think that if industry can co-operate with the board instead of working against it the way it appears to be doing now, then I think that probably we can come to some fair analysis of what could take place. The fishermen were never against this type of adjustment; the processors have never said that they were really against it; the transportation companies never said they're against it, but now they all want to make sure that they've got jam on both sides of the bread, and I wonder just whether we should be opening this up this far at this time. I think that, of course, integrated industry must be the answer to this or else the whole industry will die itself. I feel that some people have said in Law Amendments that there were many people now out of work because of what has gone on. I don't really agree with that. I think that this if carried through would integrate industry in this province -- and we certainly can control it.

They talk about export companies moving over to the States and doing the processing. I don't believe that one bit, I really don't; because we're in control of that raw product here in Canada and we're the ones that can make the decision as to what is going to happen to that product. We don't have to sell it to processing plants in the States, we can process it here ourselves, and I think that this is one area that we must consider. I think that the redundancy must be accepted by the federal government and by the provincial government as a whole, because wherever this Act is brought in, in whatever province it is, there will be somebody that will say they are redundant. They've used Manitoba to ship the raw product to. This is for expediency in many cases, this isn't because they wanted to do Manitoba a favour. And I think that when you take that into consideration and the areas which are shipped into here, then certainly without Manitoba being a keystone area, or province, whatever you wish to call it, where the fish industry can ship the product then it would not be economical to develop this in some of the other parts of the provinces. So I say Winnipeg is an area that has taken advantage of this; it has been good for the industry in some cases, but really it has never passed on the revenues that it should have back to the fishermen.

So with these words, I'll close my part in the debate, but I say that we must watch out that we don't encourage industry to take advantage of this marketing act, we must on the other hand, tell the Fish Marketing Corporation that they've got to get down to the nuts and bolts of this and take into consideration the industry as they are making them redundant. And if Mr. Corney's group, or Mr. Harvey's group as you may wish to call it, are in fact making a company redundant, then if they're the ones that are doing it, then they're the ones that should be accepting the responsibility of paying for these people, and of seeing to it that governments as a whole look after this redundancy and not pass it along to the fishermen on the lake who it was supposed to

(MR. BEARD cont'd.)... support in the first place.

MR. CHAIRMAN: The Honourable Minister of Mines and Natural Resources.

MR. EVANS: Thank you, Mr. Chairman. Many remarks have been made here this morning that have been made in committee stage and I do not propose to answer some of the queries that have been brought up. I appreciate the remarks that have been made by the Honourable Member from Churchill. I think he made many excellent points.

I would like to underline one point that he made, and that is that the amendment will likely have the influence of reducing the number of companies now in the industry. In other words, I think he is 100 percent correct when he states that the rate of redundancy would be increased by the passage of this amendment. I have had some advice on this from experts in my department and the consensus is that you may be providing an inducement for people to leave the industry rather than to stay. I think this is something we should all be aware of. I for one look forward to the day, a couple of years from now possibly, a year or two from now, that the industry will be revitalized and reorganized to the point where we do further processing of fish. The trend is towards more fish processing, more packaging of fish, cooking of fish, processing it in different ways. Therefore I look forward to the day that there is a greater value added in the fish manufacturing business, the fish processing business, so that there will be more income rather than less earned and so that there will be greater wages, much better wages paid on the part of the industry than is paid today to the people who work in that particular industry.

Having said those few words, Mr. Speaker, I will sit down and hope that the question may be called.

MR. CHAIRMAN: You've heard the proposed amendment moved by the Honourable Member for River Heights, that Section 29 of Bill 10 be amended.

MR. CHAIRMAN put the question and after a voice vote declared the amendment lost.

MR. SPIVAK: Yeas and nays division, Mr. Chairman.

MR. CHAIRMAN: Yeas and nays. Call in the members. For the information of member of the Assembly who were not present, we are voting on the proposed motion of the Honourable Member for River Heights, that Section 29 of Bill 10 be amended: (a) by striking out all the words of subsection (1) immediately after the word "Corporation" in the sixth line thereof and substituting therefor the words, "and has as a consequence become redundant," -- shall I read it all?

All those in favour of the amendment please rise.

A COUNTED STANDING VOTE was taken, the results being as follows:

MR. CLERK: Yeas, 21; Nays, 23.

MR. CHAIRMAN: I declare the amendment lost.

The Honourable Member for Assiniboia.

MR. PATRICK: Mr. Chairman, I did not vote. I was paired with the Honourable Member for Rupertsland. Had I voted I would have voted for the amendment.

MR. CHAIRMAN: The Honourable Member for Churchill.

MR. BEARD: I was paired with the Honourable Member for St. Boniface.

MR. CHAIRMAN: Section 29 (1)--passed; Section 29(2)(a)--passed; (b)--passed; (c)--passed; (d)--passed. The Honourable Member for Rhineland.

MR. FROESE: Mr. Chairman, before we leave the section, it's been indicated now that the government will not accept any amendment in connection with this section and with the matter of providing for an appeal. I think it's rather a sad decision....

MR. PAULLEY: Mr. Chairman, on a point of order. I believe the vote has been taken on the subject matter being now raised by the, as I understand, the Honourable Member for Rhineland, and I....

MR. FROESE: I'm not speaking on the amendment that was before us; I'm speaking on the bill and the sections that we are passing.

MR. PAULLEY: Which section? -- (Interjection) -- Well, I didn't quite catch, but it seemed to me that the honourable member had made reference to the subject matter of the amendment, that's all.

MR. FROESE: Well, certainly I mentioned that the government was not accepting provision for appeal....

MR. PAULLEY: If he did then he cannot reflect on a vote that has already been taken?

MR. FROESE: Well, the appeal section still hasn't been passed, it's still up for passage.

MR. PAULLEY: It doesn't matter.

MR. FROESE: Oh, sure it does matter, Mr. Chairman.

MR. PAULLEY: All right, carry on.

MR. CHAIRMAN: The honourable member may proceed as long as he doesn't refer to a debate that's concluded.

MR. FROESE: As I pointed out before, that we're now faced with the same situation that we were on South Indian Lake, that you people then in the opposition did not want to accept the government as having the right to make the decision, and to have complete confidence in their decision. You objected to it at that time. Now we're supposed to accept the Minister's decision in all matters in this case; so it's the same situation as we had in connection with the South Indian Lake affair. I'm not sure whether I can accept the Minister's position in this case, with not having an appeal. Because it seems to me there will be a reluctance to declare certain industries that will not be able to carry on, to declare them redundant. I feel that we should have a clear indication that these industries that are presently functioning, and if they'll be driven out of business, that they will be declared redundant and that they will receive compensation. We're passing the legislation right now that will bring this about, and this is why I feel that it is essential that we have some indication at this point.

MR. SCHREYER: Would the honourable member permit a question?

MR. FROESE: Yes.

MR. SCHREYER: Well simply to ask my honourable friend if he is aware that the legislation that is now before us, is legislation that is identical in every respect, paragraph and clause, to the legislation passed by the sister provinces of Saskatchewan and Alberta, in order to accommodate the Federal Marketing Board's operations?

MR. FROESE: It could well be. I haven't checked it out. But, Mr. Chairman, the people out there haven't got as much at stake. We have far more at stake in Manitoba. We're providing so much more of the fish industry to the total legislation that is before us, and this province will have to bear a much greater cost in connection with redundancies than the other two provinces. I agree that the principle could be the same but certainly as far as I'm concerned, as a member of this House, I take exception to first of all that legislation of this type is brought in where we will be called to pay for these redundancies by having the corporation putting them out of business. I feel that they should receive sufficient room to operate, that there should be sufficient margin left to them so that they can operate.

Then, too, there is a very important point that was raised by the Minister of Agriculture the other day. If the corporation is operating within the definition of the Act as it presently stands, and if they can go ahead and operate on this business, I'm just wondering how much influence that government will have on the fish corporation to change its policy, and how much processing development we will have as a result? I am rather concerned that the processing will just phase out and that you will have very little say in the matter if this legislation is passed. I would like to hear from the government side as to their policy, what it will be and how much influence he will be able to exert in this matter.

MR. CHAIRMAN: (Section 29--passed) Section 30....

The Honourable Member for Birtle-Russell.

MR. GRAHAM: Mr. Chairman, on Section (29) 5 that's passed as amended, is it?

MR. CHAIRMAN: Yes, I'm sorry there's a slight amendment there - provincial auditor. (Section 30--passed) Section 31....

The Honourable Member for Souris-Killarney.

MR. EARL McKELLAR (Souris-Killarney): Mr. Chairman, I'd like an explanation by the Minister regarding... It would seem to me to be true that no member of the corporation or the manager is liable for any loss or damage suffered by any person by reasons of anything in good faith done or admitted to be done by him or then pursuant to, or in exercise or supposed exercise of, the powers given to him or to them under the act or regulations. Does this mean that the officials don't have to be concerned about carrying liability coverage? -- (Interjection) -- What I'm concerned about, the powers that the corporation have are -- well I would say they're unlimited. Do they not have to carry liability coverage? -- (Interjection) -- By the corporation?

MR. EVANS: This is talking about the individual. This is personal, we're....

MR. McKELLAR: Do they not have to carry liability coverage?

MR. EVANS: Yes. I think there's a difference between the responsibility of the

(MR. EVANS cont'd.).... corporation and the responsibility of individuals as persons, and this is normal I would think. If a particular.....

MR. McKELLAR: Mr. Speaker,..... someone out of business, the fishermen or....

MR. CHERNIACK: Mr. Chairman, may I suggest answering....

MR. McKELLAR: Will they not be held liable for their actions?

MR. CHERNIACK: Answering the question seriously, the section does refer to acts done in good faith. If there's bad faith involved I would certainly recommend that they should approach the honourable member and find out if they can buy liability insurance from him for acts of bad faith. But we're speaking of good faith. I don't know of any board which should be required or wish to carry liability insurance, but I suggest that that's a matter that he might explore in his private life.

MR. CHAIRMAN: (Section 30 (a) to (h) were read and passed)

MR. FROESE: Mr. Chairman, you mentioned (h). Could we have those amendments? I haven't got those amendments. What are we adding under that Section?

MR. CHAIRMAN: (h) as amended. The Fish Dealers Act, being Chapter 87 of the Revised Statutes. Do members have a copy of this? — (Interjection) —

(Balance of Section 30 and 31 passed) Section 32.....

The Honourable Member for Morris.

MR. JORGENSEN: Mr. Chairman, on Section 32, I notice there's a schedule at the end of the section dealing with the types of fish that come under the jurisdiction of the Act. I wonder if the Minister would undertake to — I don't know if this has already been done or not, I haven't seen a copy of it — but I should like to have a copy of the fish companies that were engaged in the processing and marketing of fish at the time that Act came into force. I wonder if the Minister would undertake to supply a schedule of those companies — as a matter of fact I would have thought that it would have been appended as a schedule to this Act — the number of fish processing companies that are in the business of processing and marketing fish. Would the Minister be able to provide members of this House, of this committee, with a list of those processing companies?

MR. PAULLEY: Mr. Chairman, I wonder if my honourable friend would place the questions that he is desirous of receiving the answer for by Order of Return. We're not aware of all of them at the present time. — (Interjection) —

Why do you say, no. I'm asking the honourable member who has made the request. That will facilitate the procedure, and I think it would be proper. I don't want any arguments about it.

MR. JORGENSEN: I'm not going to get into a quarrel over it either. I ask the Minister not necessarily to append it to this present bill. I'm not trying to delay the passage of this bill. I just wonder if he would provide us with that information at some time. It needn't be now; whenever it's convenient for him. But if it's more proper to do it by way of an Order for Return, I'll be happy to do that as well.

MR. PAULLEY: I only suggest to my honourable friend that in this way it would become knowledgeable to all the members of the House by virtue of that, rather than privately possibly between my honourable friend and the Minister.

MR. CHAIRMAN: Section 32 schedule—passed; schedule as amended passed. Section 32—passed. Preamble passed. Title passed. Bill be reported.

MR. FROESE: Mr. Chairman, I move that the bill be not reported.

MR. CHAIRMAN: The Honourable Member for Rhineland.

MR. FROESE: Mr. Chairman, I move that the bill be not reported. I feel that....
— (Interjection) —

MR. CHAIRMAN: All those in favour of the proposed motion of the Honourable Member for Rhineland please say aye. Those opposed please say nay. I believe the nays have it and the bill will be reported. (Bill No. 20 was read section by section and passed, as amended.)

Bill 34, An Act to amend The Civil Service Act. (Section 1 to Section 18 were read and passed.)

MR. CHERNIACK: I wonder if Committee would agree that you complete this bill page by page?

MR. CHAIRMAN: Leave? (Agreed. The remainder of Bill No. 34 was read page by page and passed.)

Bill No. 36, An Act to amend The Health Services Insurance Act. Section 1, (m)(1)—passed;... The Honourable Minister of Health.

MR. GREEN: Mr. Chairman, after the passing of Section 1, the next section that is referred to in the Act is Section 28, under the Bill Section 2, and I have an amendment to subsection (1) of Section 24 in the Act. It's now being distributed by the Clerk. And I'd like to explain to honourable members the purpose of this amendment.

MR. CHAIRMAN: Is the honourable member speaking on Section 1?

MR. GREEN: No, I'm....

MR. CHAIRMAN: We're not passed that yet. Not yet. Section 1, subsection (m)(1)-- passed; Section 1 passed; Section 2. The Honourable Minister of Health and Social Services.

MR. GREEN: The amendment is now being distributed, Mr. Chairman, and I just want to explain to honourable members the purpose of this amendment.

Basically, the amendment gives us the right by regulation to have different premiums for different groups of citizens, and it also gives us the right to remit the premiums. Now I'd like to hasten to assure the members that there is no intention to have different premiums for different peoples in Manitoba. The regulation is necessary at the present time to cover a specific situation. It appears that there are some employers who are under federal jurisdiction, notably the railways, who may take the position - and we are not certain of this because they haven't make it certain to us - who may take the position that Section 28 as now written and the amendment which is being referred to, which we will be coming to next, will not apply to them because the Provincial Government does not have the legislative jurisdiction to legislate to affect a contract which comes under federal jurisdiction. Now there is a whole body of law in this respect which has conflicted from time to time as to just when a federal company has to abide by a provincial law, but there is no doubt that it's the intention of the government, and I believe that it was the intention of all members of the House, that no employer get the savings that are intended to be given to an employee by virtue of the reduction in medical care premium, and I'll give an example.

If an employee comes under provincial jurisdiction and the premiums are reduced from \$117.00 to \$13.00, then the saving of \$103.00 has to be passed on by the employer to the employee and this does not cost the employer one cent. We went through this argument last year. It is at no expense to the employer and, on the other hand, it puts the employee in the same position as every other citizen of Manitoba in that he gets the premium reduction and then has to pay his proportionate share of the income tax as a quid pro quo. Now in the case of the railway employees, or employees - any employer in Manitoba who may take the position that he doesn't have to pass on the money - the employer now paying the full premium would pay \$13.00 instead of \$117.00 and would not pass that premium on to the employee. We don't know whether that is what they are going to do but we are not certain that they are going to do the other, because there are certain difficulties affecting their own administrative procedures. We want the right to increase the premium to those particular employees if necessary, so that their premium would continue to be \$117.00, that this premium would be paid in the same way as it has been paid by the employer to the Corporation, and then we would remit to the employees the excess over \$13.00 which every other citizen in Manitoba is getting, which would mean that every citizen in Manitoba would be treated uniformly.

This is the reason for this amendment. There is no other reason for it. We don't know whether it will be used, but we do have to have the power to do this in order to put all citizens of Manitoba in the same position. So let me just indicate what is intended by this particular amendment. If an employer does not pass the premium savings on to the employee, we want the right to increase that person's premium to where it was before, and then we want the right to remit in cash the difference between the reduced premium and the previous premium so that every employee would get the same savings.

MR. FROESE: Mr. Chairman, when we were in Law Amendments Committee I proposed an amendment and later on withdrew on the supposition that I would be able to bring it forward in Committee of the Whole. I feel I should have the right to submit my motion previous to the Honourable Minister's amendment because I think his amendment is conditional that the other thing will pass and....

MR. GREEN: Mr. Chairman, this amendment is not conditional upon anything. This amendment would give us more flexibility in dealing with the premiums. And for my honourable friend, had I been in Law Amendments Committee at the same time, it was my original intention to introduce this amendment at Law Amendments Committee. The only reason that wasn't done is because I was in attendance at the Welfare Ministers Conference on Thursday and

(MR. GREEN cont'd.).... Friday. But this amendment is to increase the flexibility of dealing with the premiums.

MR. WEIR: Mr. Chairman, might I seek some information out of the Minister? There is another class of person, but I wonder if he would be included under this amendment through regulation in the mind of the government, and this might be an individual who wasn't working under an agreement, certainly a collective bargaining agreement as it's normally recognized, but that the employer may very well have said out of the goodness of his heart he was providing some part of the premium. Now if this was the case, the employer may very well take the attitude now that he's paying through his corporate tax field rather than through the premium base and may withdraw what he may say was out of the goodness of his heart rather than by agreement, and that the goodness of his heart is now coming in through the Consolidated Revenue Fund as opposed to the pay cheque of the individual employee. Is the Minister -- do they contemplate dealing with applications by individuals whose situation might be in this area, because he's talking about uniformity and this would appear to me to be one area that is left, that even with the passage of this amendment, that if there wasn't something like that you fail to have uniformity.

MR. GREEN: Well, Mr. Chairman, I've thought of the case that has been posed by my honourable friend as well, but there just doesn't seem to be anything that can be done with that particular case and it may not be as horrendous as it sounds. That particular employer who is doing this out of the goodness of his heart could next week reduce the man's wages, could next week increase the man's wages, and where the relationship is one of sufferance, which is what my honourable friend describes, the Legislature is unable to deal with this, and I would say rightly so. This is a relationship which is maintained by the employer and his employee on the basis of their employment relationship and nothing else. The only thing that we can effect is an agreement which required the continuance of a certain level of payment; and where that agreement has required that the employer pay the Medicare premium, what we are saying is that any savings in that premium will be passed on to the employee.

The case that my honourable friend describes, if we tried to legislate it - and I'm not suggesting that we do - the employer could a week later say, "Well, okay. I'll pay your medical premiums but I'm going to reduce your wages by \$100.00 a year;" and a sufferance position, a sufferance position is not something that we can really deal with. So the uniformity that we are attempting to achieve has a weakness, and the Honourable Leader of the Opposition has pointed it out. We can only go so far and we are attempting to deal with a vast number of employees who may be affected; we are not even sure that they will be affected because our information from both of the railways, which would definitely be the biggest category in this area, is that they haven't decided what they're doing yet. And we want the position of telling them, and I happen to think that maybe they want us to do this because their position is that they have different situations across the country and I don't think that they want to make money on the employees' savings, and this will permit us to deal with the situation that the employee will make the savings and not the railways.

MR. WEIR: Mr. Chairman, I haven't got the same opportunity in terms of time to study the amendments that my honourable friend has, but the question I ask myself: is he not in fact taking the power within this amendment to deal with that and be in a position where he could, if he wanted to, pass a regulation which would increase the premium on the individual and pay it back, if he wanted to, to leave that employer in the same base, so that in actual fact my honourable friend says that he is not taking the legislation, but from the way I read it he is in fact taking the authority to be able to do that if he so desired.

MR. GREEN: The Honourable Leader of the Opposition is quite right in his looking at the legislation and saying that this could be done. I have therefore indicated to the House the reason why this legislation is desired. It's not so that we can change an individual's premium. If it were possible to do what my honourable friend suggests, if we had an employee who said to us that "if my premium was the same as it was before, my employer would continue to pay it," I'd be prepared to consider that. I don't happen to think that that is a real problem such as is the one that I described to my honourable friend, but his position with regard to the legislation is right. I mean, he properly interprets it.

MR. PAULLEY: Mr. Chairman, I wonder if this might be a convenient time -- well, it's under the rules of the House in any case. My honourable friend the Leader of the Opposition suggested he'd like a little more time.....

MR. WEIR: If the Minister would like to consider it over noon hour....

MR. PAULLEY: That's right. This is my purpose in rising now, Mr. Chairman. I move the Committee rise.

MR. CHAIRMAN: Committee rise. Call in the Speaker. Mr. Speaker, the Committee of the Whole has considered the following bills: Nos. 10, 20 and 34, and begs to report same....

IN SESSION

MR. RUSSELL DOERN (Elmwood): Mr. Speaker, I move, seconded by the Honourable Member for Flin Flon, that the report of the Committee be received.

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

MR. PAULLEY: Mr. Speaker, I beg to move, seconded by the Honourable Minister of Health and Social Services, 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 Monday afternoon.