

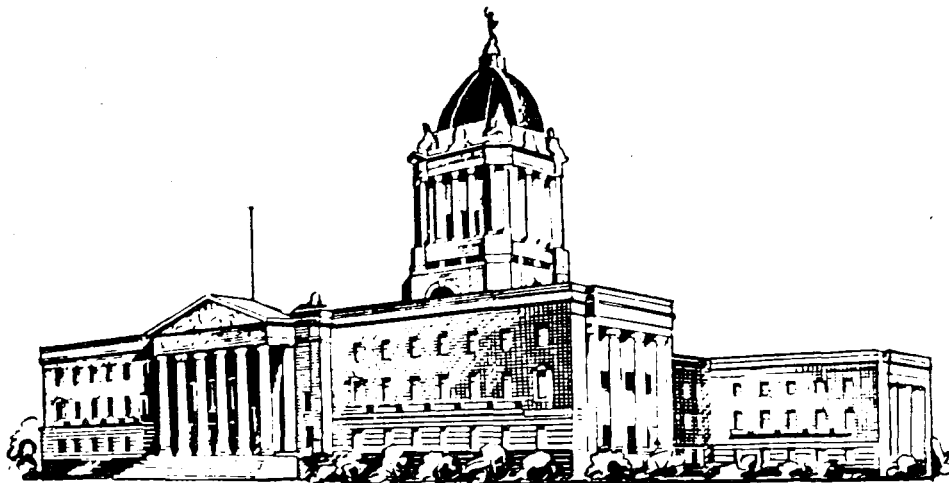


Legislative Assembly of Manitoba

DEBATES
and
PROCEEDINGS

Speaker

The Honourable Peter Fox



Vol. XIX No. 154 8:00 p.m., Monday, July 10th, 1972.

Fourth Session, 29th Legislature.

THE LEGISLATIVE ASSEMBLY OF MANITOBA
8:00 o'clock, Monday, July 10, 1972

Opening Prayer by Mr. Speaker.

MR. SPEAKER: Presenting Petitions; Reading and Receiving Petitions; Presenting Reports by Standing and Special Committees; Ministerial Statements and Tabling of Reports; Notices of Motion; Introduction of Bills; Oral Questions. The Honourable Member for Brandon West.

ORAL QUESTION PERIOD

MR. EDWARD MCGILL (Brandon West): Mr. Speaker, my question is for the Honourable the First Minister in connection with the operations of Manitoba's partner in the Tantalum Mining Corporation ownership, i.e., Chemalloy Minerals. Does the Handels Credit Bank A.G. of Zurich have an option to exchange \$3 million of debentures into 2 million common shares of Chemalloy Minerals?

HON. EDWARD SCHREYER (Premier) (Rossmere): Mr. Speaker, I believe that it was indicated on Friday by the Minister of Industry and Commerce and by myself, there have been a number of questions asked to which written replies will be presented in short order, I would hope tomorrow; and certainly in connection with the question just asked, I believe that a question very similar to it in substance has been asked and presumably that will be incorporated into the written reply. I would hesitate to say, attempt to say in any definitive way whether the honourable member's question, the applied assumption in his question is correct or not. I do know that on past occasions reference has been made to European companies as having an interest in a venture here in Manitoba, then we learned later that that was not the case.

MR. SPEAKER: The Honourable Member for Brandon West.

MR. MCGILL: A supplementary question, Mr. Speaker. In entering into partnership with Chemalloy Minerals, did the government of Manitoba enquire as to the possible shareholders in that corporation and was it disclosed to them that an option did exist?

MR. SCHREYER: Mr. Speaker, I believe I did indicate to the House on Friday that the MDC was apprised of the fact that there were some 7,000 shareholders involved with Chemalloy, and of course the precise number would be subject to change from time to time, but the substantial list was made available to officers of the MDC.

MR. SPEAKER: The Honourable Member for Inkster.

HON. SIDNEY GREEN, Q.C. (Inkster): Mr. Speaker, I'd like to correct a statement which I made this afternoon concerning the rules of court. It was my impression, Mr. Speaker, that they had to be approved by the Lieutenant-Governor-in-Council. I now see that they have the force of law without approval of the Lieutenant-Governor-in-Council. I believe that other than that what I said is correct.

MR. SPEAKER: The Honourable First Minister.

MR. SCHREYER: Mr. Speaker, in order to avoid any further confusion or misunderstanding with respect to the transactions that have been asked about this House now on a number of occasions with respect to Tantalum Mines, the Member, the Honourable Leader of the Liberal Party will recall that I indicated on Friday that answers I was giving were subject to confirmation by written answers, which presumably will be available tomorrow. In the interval, I should advise my honourable friend that with respect to the allegation as to whether or not Chemalloy had previously been able to acquire 60 percent of the equity of Tanco for 1.25 million, Mr. Speaker, I should make it clear to my honourable friend that upon checking, I find that both of us, the Member for Wolseley and myself, are in error to some degree with respect to the figures that we had used. However, as I say, we are both in error to some degree and this will be hopefully made more clear in the written replies.

MR. SPEAKER: The Honourable Minister of Finance.

HON. SAUL CHERNIACK, Q.C. (Minister of Finance) (St. Johns): Mr. Speaker, may I - possibly out of order - but may I have distributed a proposed amendment as I suggested might be proposed in connection with Mineral Acreage Tax Act. I think honourable members might wish to see the proposed one considered before we go into Committee of the Whole, which I hope will be tomorrow.

MR. SPEAKER: Agreed? (Agreed) The Honourable Leader of the Liberal Party.

HON. I. H. (IZZY) ASPER (Leader of the Liberal Party) (Wolseley): Mr. Speaker, my

(MR. ASPER cont'd.) question is to the First Minister. Is he still saying, then, that the agreements and the affidavits that are before the courts of Manitoba to the effect that Tanco acquired 60 percent, or Chemalloy acquired 60 percent of Tanco for 1.25 million, are wrong?

MR. SPEAKER: The Honourable First Minister.

MR. SCHREYER: Mr. Speaker, I am saying that I have double-checked and been advised that Chemalloy acquired 60 percent of Tanco, for not 1.25 but for approximately 2 million dollars, and I think my honourable friend will understand the way in which that came about when the written replies are tabled.

MR. SPEAKER: Orders of the Day. The Honourable House Leader.

HON. RUSSELL PAULLEY (Minister of Labour) (Transcona): I wonder, Mr. Speaker, whether we could continue the most interesting discussion on Bill 81. The Honourable Member for Sturgeon Creek . . .

MR. SPEAKER: Proposed motion - the Honourable Minister of Labour.

MR. PAULLEY: . . . was speaking just before we retired, Mr. Speaker, and I want to hear what he has to say.

MR. FRANK JOHNSTON (Sturgeon Creek): Thank you, Mr. Speaker. Obviously the Minister of Labour is trying to butter us up a little bit because he's in the bad books - as you know he's been a very naughty boy for the last few days.

Mr. Speaker, I was saying when the House was adjourned at 5:30 that what would happen in committee would be that there would be hearings on this bill, there would be people coming to be heard, and certainly I want to hear everybody that has an opinion on this bill come forth. But what I'm very concerned about after talking to a man who has a large company and a fairly large union involved with his company is that because this bill was only available on Thursday June 22nd, and could only be available to most people on the Friday, he has asked the president of the union in his shop for his opinions regarding this bill - before he were to make any submissions to any organization, he wanted to know the feelings of the men of his union. They were not able to give an opinion to date because of the complexity of this bill; and frankly, as has been stated, this bill is so complex that the members of unions - that is the workers giving impressions to the union - have not been able to give an opinion to the organizations, which the organizations or construction people or manufacturing people would certainly like to have. Because of the complexity it would seem that the government and the union halls want this bill passed before even the workers know too much about it or have had too much comment on it, because six months from now they'll start to realize the consequences and maybe they're just a little bit afraid of that, the government - the government is a little bit afraid of that.

Mr. Speaker, if this side could introduce a bill to this House and introduce a bill as complex as this or if we were in government and we introduced a bill as complex as this on June 22nd, Sir, and it received second reading on June 26th, and we were being pleaded with - and I must say pleaded with even to the point of the Minister putting his job on the line to have it passed to committee. The Minister seems to think that we don't want to have the hearings, but I tell you that the Member from Inkster and the Minister of Labour and the men on the other side of the House, Sir, the members on the other side of the House would be still jumping. They would be so mad if we tried to push legislation of this complexity through this Legislature that fast that they would be screaming in their seats. So, you know, I can't understand what is happening with this government that they would take complex labour legislation, the government who was standing up for the Minister of Labour, saying: We are doing this for the workers, pushing this through before the workers really know the complexity of the bill.

Mr. Speaker, I can assure you that it's wrong to push this bill through this fast. There are principles in this bill that I could never agree with. I cannot accept the government's plea that they will have all the hearings because I had the plea in '69, I had the plea in 1970, I had the same plea in 1971, and now we're getting it again and frankly I just don't listen to it any more. I know what will happen with the hearings - we get into third reading, Sir, on Bill 81, you ask a question, you get an answer, there's no debate in third reading and it's over with and the bill is just rammed through this House.

We are presently learning many problems, and when the Minister of Labour says he went to church Sunday morning, I don't doubt that; I don't doubt it at all; in fact I compliment him for it. But I should say, Sir, that if there was something happened within his church or something within his religion, that asked him to look to his conscience regarding any subject, I'm sure that he would do the same thing. So, Mr. Speaker, it obviously seems the question

(MR. F. JOHNSTON cont'd.) is: Whose ox is being gored, you know. If it's okay for you it doesn't really matter about anybody else.

Mr. Speaker, the Minister of Labour has also mentioned that the Winnipeg Hydro can go on strike and the Manitoba Hydro can't. And he's saying it's right that the Manitoba Hydro can because the Winnipeg Hydro can. Maybe we should take the attitude of the Member from Inkster when it comes to the educational bill and say maybe it's right that the Winnipeg Hydro shouldn't be able to go on strike because we have essential service. Essential service is important. Hospital people. The people you pay taxes for to run your hospital and make sure the health of this province is in good shape. You're now putting through legislation that you could have very grave problems with.

The policemen have been mentioned many times, Sir, and I have been a member of the St. James-Assiniboia Police Commission. For eight years I was on that Commission, and I assure you the policemen don't want to go on strike. I don't ever recall having any policeman present himself to me - maybe the Minister of Labour has - saying that he wants to go on strike. The very nature of the fact that the man takes that job, he takes a responsibility to his conscience that he wants to keep law and order. The man would definitely, in no uncertain terms, not want to see what could happen in two or three days if they went on strike. What the policemen of the area that I know best want is maybe a different situation as far as arbitration is concerned, the present formula for the arbitration board, etc., could possibly be changed. But here again an essential service, you are saying that they, that they want to go on strike. I disagree with the Minister, Sir, I don't think that they do in any way, shape, or form.

You haven't opened up the fireman's agreement. The firemen definitely would represent themselves to you or I would believe if there was a secret vote among firemen and policemen, I am sure you'd find that those men do not want to go on strike. The firemen that I have known in the city where I was an alderman would go and fight a fire anywhere to go and save life and limb and you couldn't convince them to do otherwise no matter what.

Mr. Speaker there are many other areas in this bill, they have been labored long and loudly, and I can assure you that as far as I am concerned, the principle of this bill, many of the principles are wrong. I stated when I was speaking in second reading, Sir, that this bill has many good features and could probably be the best labour legislation in the North American Continent, but there has to be further hearings on many of the areas which are hazy. To me there are many open-ended sections where the board could interpret any way they liked; to me there are sections that if you took them to court the judge would have to throw out, and that is poor legislation. We, in this Chamber, should be expected to present better legislation than that for the people of Manitoba, and to say that this is for the workers and not give the workers a complete chance to fully understand what is before them, the same as it would happen if it was treated like a White Paper, is unfair and really a little bit unconstitutional because this bill is devastating and will change the lives of many Manitobans.

MR. SPEAKER: The Honourable Member for Birtle-Russell.

MR. HARRY E. GRAHAM (Birtle-Russell): Thank you, Mr. Speaker. So far in this debate, Mr. Speaker, we have had as far as I can recall no one who has really said anything yet about the implications of this act that affects the agricultural economy in the Province of Manitoba. And I have been somewhat concerned, Mr. Speaker, over a particular section in the act which deals with the application of this act, and one section in particular in that act and it says: "This Act applies to unions and employer organizations composed of or representing or claiming to represent those employees or employers".

Mr. Speaker, in this province, in the agricultural community, we have had divergence of opinion in the past, and I hope that we will have some divergence of opinion in the future because if you can't see both sides of the picture in the agricultural community, then I think that we are lacking something. Agriculture in the past, in the words of one of the leaders in the agricultural community, and I refer to Mr. Franklin when he said that there is more politics in agriculture than there is in politics. And you know, after looking at this act, and some of the other acts before the House, I am inclined to agree with him.

If this act applies to the farm organizations in this province, immediately one begins to ask the question, which organization does it apply to and which organizations does it not apply to? Because, Mr. Speaker, you can find farmers in this province who are very enthusiastically endorsing one particular group and another group of farmers who just as enthusiastically do not endorse that philosophy at all and espouse another particular point of view as regards to the

(MR. GRAHAM cont'd.) agricultural community. And I would be quite interested in finding out, if it's indeed possible to find out, if this act does apply to the farmers in this province - and if it did to which group would it apply because we hear talk about a 35 percent as being required for a vote, and I can see a possibility arising where a minority in this province could actually affect a majority with regards to being the official spokesman for the agricultural community in Manitoba.

That in itself is a problem, but our problems in agriculture are not just confined to the province alone, they are mainly national in scope - and I have been quite concerned for some time about some of the activities that occur in respect to another act which is still presently before us, and the activities in that act with regards to marketing and so forth. Probably one of the most reasons for concern, I think, was evidenced in the past week in a farm magazine which receives wide circulation throughout Western Canada and I refer, Sir, to the Country Guide; and the July issue of the Country Guide where they are talking about a problem that has been raised in a province in Canada, and I refer here, Sir, to the Province of Quebec. And I would like to read this article into the record, Mr. Speaker, because I think it would apply equally as well to the Province of Manitoba; and I am now quoting from this article: "Quebec's 95,000 farmers will vote this fall on a proposed single labour-union-type organization - thanks to passage of Bill 64, the Agriculture Syndicate Act, in the provincial legislature. Bill 64 rode a stormy months-long course through the legislature and agriculture committee."

And here I would like to digress for a minute, Mr. Speaker, and refer again to the way that this was handled in Quebec where they took months to discuss this issue and here in a matter of a couple of weeks, we are trying to settle this Bill 81 which is an all-encompassing one whereas the Quebec was just dealing with agriculture only. And I would again quote, Mr. Speaker: "The act sets up the framework for a single organization to represent all farmers and collect compulsory membership fees of \$15 per year through a marketing checkoff. This would be the first time the Rand formula (a labour union technique whereby workers pay fees in a unionized plant whether or not they take out active membership in the union) has been applied to a farm organization. The one-union plan has been bitterly opposed by certain Quebec farm organizations - particularly co-operatives ideologically opposed to its compulsory aspects. But the province's largest farm organization, (the UCC) has goaded the government to speed passage of the bill." --(Interjection)-- Well I asked . . . "The 30,000-member UCC seems likely to become the bargaining agent if a majority of Quebec farmers accept the one-union concept. In fact, UCC has already begun amending its constitution in preparation for representing Quebec agriculture. For starters, it has renamed itself the Union of Agricultural Producers which Jean-Marc Kirouac, UCC secretary-general, describes as a move to secularize the organization and make it representative of 'all races, religions and language groups'. While the bill represents a hard-fought victory for UPA, a bigger hurdle remains. Before the single organization plan can become effective, 60 percent of all Quebec's farmers will have to vote and 66 percent will have to vote yes." A two-thirds majority. "Only then can UPA be certified as the bargaining unit for all Quebec farmers. The definition of absolute majority was a concession to the bill's opponents. A carrying majority was first defined as a 50 percent affirmative vote from 50 percent of Quebec farmers."

Well, Mr. Speaker, I won't go on to read the rest of the article but I want to point out again what a section in this act refers to, and it says this act applies to "unions and employer associations composed of or representing or claiming to represent those employees or employers." Mr. Speaker, with the advent of compulsory marketing, a farmer could conceivably be classified both as an employee and an employer because with the single marketing concept he is tied in completely to the whims of the marketing organization and in that respect the price he receives for his product becomes his salary as an employee of that organization. --(Interjection)-- The Minister of Labour, Sir, tells us that this does not apply to the agricultural community and I believe him, Mr. Speaker. I think he is quite right when he says it does not apply to the agricultural community today. Today it does not apply but tomorrow is not too far away, Mr. Speaker, and we note the movement in Quebec and I say to you, Mr. Speaker, it's just a question of time until an action that is taken in Quebec in agricultural fields will soon be taken across the Dominion of Canada. --(Interjection)-- And it's not here now and I'll agree with the Minister of Labour that it's not here now but he is providing the framework which will make it possible in this province for it to happen very shortly. And this, Mr. Speaker, is due cause for concern in the agricultural community of Manitoba.

(MR. GRAHAM cont'd.)

An interesting point also, Mr. Speaker, is the fact that these organizations are all - as this article pointed out - are already gearing up and preparing themselves even though the legislation hasn't passed as yet, and I think the same applies here in the Province of Manitoba that the labour unions are already engaged in making their plans for a massive movement on their behalf just the minute this bill receives final approval. And these are the large international unions, who many repeatedly in this House have asked the question, do they really represent the workers in their demands or in their needs or are they more concerned with protecting the interests of big unions rather than the worker. I am sure there are others in this Chamber, Mr. Speaker, who are going to also speak on the question of the effects that the passage of this bill will have on agriculture but at this particular time, Mr. Speaker, I just wanted to bring this one point up because I think it's a matter of concern and should be considered in the light of Bill 81 that's before us at the present time.

MR. SPEAKER: The Honourable Member for Churchill,

MR. GORDON W. BEARD (Churchill): I won't be holding up the bill very long or holding this debate up very long, Mr. Speaker, but since I intend to vote to let the bill go to committee I thought I should state the reasons - my thinking on - I'm certainly no union expert nor will I ever profess to be one. I do show some concern about some of the small business operators and when I talk about small business operators I talk about possibly somebody operating with maybe two, four, six people working for them, and I think that the programs and policies that reflect their operations certainly shouldn't be the same as ones that are considered for industries such as International Nickel Company or large mining industries or other large corporations because certainly the conditions of employment are different and the conditions of the operation in which the man that owns the business is entirely different. I think he requires a little more elbow room to move around in.

Now I say this recognizing that the people that work for small service industries have to live just the same as somebody working for a large industry has to live, and probably that's the horns of the dilemma I am faced with when I approach the problem of small industries. But I still state that there is a problem when you're faced with a union that is moving in on a small business, and I believe that unions and the people that are heads of unions have to respect the fact that they could quite easily break or bring down a small business operator because they are being unrealistic in a demand. Because they are trying to bring the same type of program to those that are working in a small business equal to that who is working for a large business in which the corporation have funds and the availability of capital and money, and operations that allow them to pass along a great deal more in wages and additional amenities much easier - or in fact they have the opportunities to pass along these amenities which small businesses just don't have if they want to stay alive. And so while you might say then if a man can't afford to pay the wages then he shouldn't have the industry, but then you wipe out the small service station; you wipe out the small grocery man; you wipe out all the small services that we all require on a day-to-day basis whether we be a member of the union, or whatever position we hold in the community. So we all require the services of these small businesses in our communities, and we have to be careful that we preserve them in one way, shape or form, and I think that we have to be mindful of them when we give unions a free hand to move into small businesses. And I say to the Minister that he should caution and be prepared to caution unions when they take a look at the small businesses.

As far as automation is concerned, I think automation will always create jobs, and they will always of course eliminate jobs, and where is the balance? I think it is struck somewhere between the government responsibility, responsibility of education, and of course the responsibility of the industry that is profiting by bringing about the automation. But by and large, somewhere along the line, again government profits by bigger and better industries, more modern industries, and so I believe that they, too, must be called to share the cost of automation and continue to share the cost and the responsibilities just as union will have to be asked to share those costs. I think we must be careful not to hold up progress.

Then as far as the automatic checkoff goes there are union dues, and then there's the religious protests that have been reaching all of us. But as some have said before, those that are protesting, most of them I do not believe have been subjected to the unions; and those that have I hardly believe are going to turn over the results of the good negotiations or the good things that come out of union negotiations back over to their favorite charities, etc. And so, if they are

(MR. BEARD cont'd.) asking that they be allowed to turn over the dues that would be normally payable to unions, to charities, I would go along with that, if that was the will of the rest of the people; but on the other hand they are asking, I am asking them now, what they are prepared to do with the extra additional funds that they're going to derive out of the hard work and the negotiations that have come to them through the activities of the unions that are working on their behalf. And whether they belong to the union or not they are getting the benefits of the work of those unions. I don't believe that unions necessarily are unreligious, and I am thoroughly convinced that you don't have to give up your religion to belong to a union, and I believe that most of the people that belong to unions do have their religions. So I think that the people that are protesting today would have to take a careful look again, and I would look forward to hearing from them during committee and just see exactly why they are really protesting this particular section.

We have heard a great deal about the public services, why public services shouldn't strike - and I go along with the majority of people, I guess all the people, that don't belong to public service say that public people in public service shouldn't strike. I think the majority of the people outside of the public service would say that those people other than themselves should not strike. But I think if we are saying that, then we in all levels of government should make sure that there is no reason for those people in government service to go on strike. And I think that is the challenge that the municipal governments and the provincial government and the federal government have to face up to, because after all they are the employers of the people that are in the important government services - by and large they are the people that are responsible for hiring these people that are so important come strike time. But immediately before the strike or those periods in between when negotiations take place, then all of a sudden these people aren't important any more, they're not thought of. And I would say to my friends in opposition that those that have struck off public service people, that they should not be allowed to strike, and say to them rather make sure that the people that are in government office that are the employers have some basis of continued negotiations to see to it that there is no need for strikes in the government public service areas. Now maybe I'm floating around on "Cloud Nine" when I say that, but I believe that that is the alternative. I think that is the program that we must face up to. I believe the reason for the strikes is that too often our government services have been asked to do the jobs equivalent to that that is carried on in industry, and yet we have failed to pay the price that is equal to that which is being paid in private industry. They do not have the amenities that go along with the same jobs and we take for granted that they have a civil service job and they should be satisfied and happy that they have that type of public job - so they should be happy. But I think today they've told us over and over again they can't live off that and they must have other things. And it's just not good enough to tell them if they're not happy then they better give up the job and go and find one some place else, that's not always the answer to them. And I think that it's only fair that if we're saying to them that we don't want you to strike, nor do we want you to have the chance to strike, then I think that we've got to make sure that the working conditions and the pay is such that they will not have to strike. And with those few words, Mr. Speaker, I will close off, but I'll say that I will support Bill 81 and let it go to committee so that we can hear what the public has to say to us at that stage.

MR. SPEAKER: The Honourable Member for Lakeside.

MR. HARRY J. ENNS (Lakeside): Thank you, Mr. Speaker. It's not my intention to belabour Bill 81 much longer than it already has but I have not had an occasion to speak on the amendment before us, Mr. Speaker, I want to just take a few minutes of the House to underline a few things. Mr. Speaker, we're not blind to the fact that the government, and in particular this Minister who would like to use this bill to brand the Progressive Conservative party as being anti-labour. If they want to have the privilege of going to the people or to the electorates the next election by pointing out to this group on this side of the House as being anti-labour because of our genuine concern and questions about the bill before us, Mr. Speaker, let me put it on the record for the Minister of Labour. This Minister has seldom, or seldom has a minister had such success in presenting legislation to any legislative assembly in my brief six years of history in this Chamber than the current Minister of Labour has had. Seldom, Mr. Speaker, has any minister had such legislative success in presenting legislation to this Chamber that was so quickly and unanimously adopted. Mr. Speaker, this minister brought into this Chamber an act having to do with the amending The Equal Pay Act, 66 I believe, and it was passed unanimously supported by the Progressive Conservative party. This minister

(MR. ENNS cont'd.) brought into this Chamber an act having to do with the Employment Standards Act Bill No. 72; it was passed supported by the Progressive Conservative party. This Minister, Mr. Speaker, brought in an act having to do with changes in the Workmen's Compensation Act; it was supported by the Manitoba Progressive Conservative party. This Minister, Mr. Speaker, brought in even such other acts as the Hairdressers' Act, the Barber Act, and they were also supported by the combined opposition. Mr. Speaker, this Minister also brought in Civil Service Superannuation Act having to do with superannuation problems in that particular branch of the service. This Minister brought in a Vacations with Pay Act No. 68, and it was supported by the Opposition.

Now, Mr. Speaker, Bill 81 comes before us late in the session, we think there are particular principles involved that at least merit the kind of attention that this government so far has ignored to give it. We believe, Mr. Speaker, that this bill deserves the kind of attention, Mr. Speaker, the kind of attention as a matter of fact that the Minister of Labour only a few nights ago was quite prepared to give the situation of the school question, the aid to private and parochial schools question. Oh, he's quite in favour of setting up a committee and studying that matter in between sessions and having that committee come back and make a report, Mr. Speaker, on the question of Bill 81. Bill 81 after all, Mr. Speaker, has and we recognize them, far reaching radical changes. Mr. Speaker, some people in the Province of Manitoba will feel that their particular religious freedom is being violated as a result of it. Some people right or wrong, but some people in the Province of Manitoba, some citizens in the Province of Manitoba are going to have difficulty within their own conscience in living with Bill 81. But, Mr. Speaker, this government, this Minister is the last one to be prepared to spend a little additional time in sorting out - a little bit of additional time in at least listening to the concerns that some of these people have. Mr. Speaker, that is why the Progressive Conservative party is asking for further time to deliberate this bill; this is why I will vote in support of the amendment before us to put off the passing of this bill at this time for six months hence so that we can take a second look at this bill, Mr. Speaker. And, Mr. Speaker, if that government and if that Minister wants with the record that we've established in this session with respect to labour legislation try to go out on the streets and into the by-ways of Manitoba and call us anti-labour, welcome to it, I'll meet him on the hustings.

MR. SPEAKER: The Honourable Member for Rhineland,

MR. JACOB M. FROESE (Rhineland): Mr. Speaker, I had a few points left the other day I couldn't complete in the allotted time. I don't intend to carry on for very long but after hearing the Member for Inkster this afternoon I think it was incumbent to me to get up and say a few words. First of all, I had great difficulty this afternoon when the leader of the Liberal party mentioned as to his stand and approval of the bill in principle, when he couldn't support all the provisions and some of the, probably major provisions of the bill. I certainly feel that when the principles are of sufficient importance I will vote against them, against the legislation, and I have done this right through except for one occasion. And I still remember that, that I was really later on chastized for supporting a certain bill when I didn't feel that it was quite important enough to oppose it because of a certain principle. But after that I made sure that if there are principles contained in the bill that I don't go along with, I will oppose the bill. And especially with this government, we should oppose it every time, because I am sure that the leader of the Liberal party will pretty soon find out if he hasn't yet, that this government is committed to a philosophy, and that if he thinks that they will accept certain changes in the bill that he doesn't go along with, that he can accept the bill on the proposition that it will be changed at a later time, I think he's got one coming.

Mr. Speaker, the other day I mentioned a number of things that I opposed in the legislation and one of them is freedom of speech. This bill denies freedom of speech. This bill denies a person when he comes to a certain place of business and wants a job - the employer asks him whether he belongs to a union, he can be fined and he can be fined very drastically. The fine is set out in the act. For just asking one question he can be fined \$500, and if it's a corporation they can fine him \$1,000 plus some other fines that are stated in the bill. Is this freedom of speech? Not by any means. And I would like to see anyone get up and tell me this is freedom of speech. You're denying it, you're denying freedom of speech in this legislation. Let the Member for Inkster get up and tell us otherwise if he thinks it's otherwise.

The Member for Inkster this afternoon mentioned that some other organizations where the Lieutenant-Governor had certain powers to make changes, and soon, why doesn't he give the Lieutenant-Governor power in this case, under this bill, if he believes in it.

I would like to come to another point, Mr. Speaker. The Member for Inkster mentioned

(MR. FROESE cont'd.) this afternoon that in the records at the University of Manitoba, where he apparently is instructing, that he was being quoted or there was a book that was quoting him in regard to labour legislation. And I don't take exception to that, he's well versed in labour legislation and I'm sure that if he fights for something he'll do a good job. I know him that well, and I know he can do a good job. But not too long ago, a few years ago when the Roblin government was in power they brought in legislation making labour unions legal entities. This was after B.C. had done it, Manitoba followed suit, and they made labour unions legal entities. What did we hear? The hue and cry from the CCF group on this side of the House. My goodness, this was almost the end of the world making labour unions legal entities, and making them accountable to the law. This was a crime. And what do we find now in Bill 81, did they remove it? No, they didn't, it's still in there. Now it's either one of two things; either you were hypocrites at that time, or you've now embodied certain things in the act, in the legislation, so that you feel quite sure, quite easy about incorporating that into the legislation now. So it's either one. And I rather suspect that the legislation that is there will protect the unions to the extent so that they won't have to fear being termed legal entities and --(Interjection)-- well get up from your seat after I have spoken and tell us.

I would like to come back to another point that I tried to - well, I spoke on the other day, this is compulsory membership. The Member for Inkster says it's not compulsory membership, that they don't require a membership. But when every employer has to pay dues that amounts to the same thing, it's just the same thing as having a membership. There is no distinction between the two. And I'm opposed to compulsion - I'm opposed to this very strongly. I believe in voluntary associations but I don't believe in compulsory laws, especially laws of a government that has the word "democratic" in its name. I don't think you people are worthy of the name, having the word "democratic" in the name of your party. If you really were democratic then you would make it voluntary in this act for anyone to be - whether he wanted to be a member of the union or not, and he should not be required to pay the dues. The way it's being brought into the act now, a person in employment anywhere has to pay dues, and if he doesn't it's a crime. Then he's --(Interjection)-- sure, it's now termed a crime if he doesn't pay his dues - or he has to leave employment. It's either one of the two. And I have received a number of letters, and I would like to read one into the record --(Interjection)-- yes, I could read some more, but one will do. And I'm quoting now: "This letter is written to protest the proposed major changes in the Manitoba Relations Act. This proposed Manitoba Relations Act proposes that all employees must belong to the union if such a union exists, whether he or she desires to or not. Furthermore the percentage of members required to gain certification is reduced making it more and more likely to be required to join a union. Where is the - " Mr. Speaker, could we have some quietness on the other side. I'm quoting: "Where is the provision for persons requiring exemptions for conscience sake. Corinthian Six says: 'What participation has a believer along with a non-believer?' In view of this, a Christian could not maintain a good conscience and belong to a union. The employee is answerable to his employer as a servant to a master and is not accountable according to the scriptures to an organization such as a union." I think - digressing briefly - I think we should distinguish here. The employee . . .

MR. SPEAKER: Order please.

MR. FROESE: . . . is working for the employer, and not for the union. I think we have to distinguish. I'll carry on: "How do you reconcile these proposed changes with the Human Rights Act which provides for non discrimination against anyone regarding employment or any condition of employment because of race, creed, religion, sex, colour, nationality, ancestry, or place of origin?" Surely both acts cannot be upheld at the same time. Then he goes on to say: "I as a believer in the Lord Jesus Christ would be unable to work under the provisions of the Manitoba labour relations should my place of employment become unionized after January 1, 1973. I believe as a representative of the persons in this province that it is your duty to oppose this restrictive and unconstitutional Bill 81."

MR. SPEAKER: Order please. Order please. Is the letter signed?

MR. FROESE: Yes it is signed.

MR. SPEAKER: Very well.

MR. FROESE: I think it was circulated to other members of the House. We now find that if a member takes employment somewhere, if there is a union, if he doesn't pay his dues he is committing a crime. I think this is basically very very wrong and it should never be incorporated in legislation and in the statutes of this province. If this thing goes through it will be

(MR. FROESE cont'd.) a black day for Manitoba as a whole. The Member for Inkster argued that members working in a place with others, and if there was a union, and if the union worked on behalf of its members to get higher wages, that everyone should contribute to the cost. What about if the economy should be such that all of a sudden they should take a lesser amount than more. You're just considering the one side - to increase the salaries. But during the 1930's people had to take much less for their services and for employment and I think the Member for Inkster should take this into consideration as well - where would he then be? Because the dues that are being charged are much more than just the cost of negotiating a new agreement. We know this, we all know this. Because what are the labour bosses living from? The bosses of the labour unions, those are some of the highest paid people in the country - this applies to the United States as well. They get much higher wages than just about anyone else, and the Member for Inkster tries to make the point and lead us to believe that all they're charging is the cost of getting a new agreement. That's ridiculous, that's hypocrisy, that's irresponsible. --(Interjection)-- I didn't ask what Mr. Tritchler said. --(Interjection)-- Union bosses are living on gravy street, and he can't tell me otherwise. Those are the guys that live off the gravy of those who have to sweat and work hard, those are the people that just thrive, those are more or less the parasites living on other people's hard earned money.

I mentioned the other day of the provision in the bill about discrimination. The bill is very strong on that no one should discriminate against a union member. But what about the non-union member who doesn't subscribe to union principles, who doesn't want to be a party to it? He has no rights, there's no rights provided. Then why is the provision in there that results of a strike vote are not to be binding? What is the purpose of having a vote if it's not to be binding? Is it to give the union bosses leverage so that they can do as they well please and control the whole thing, and just leading the members to believe that they have a say when they actually don't have a say, isn't that what you're saying in the legislation? Why do you have the provision in there? I would like to hear your explanation on that one.

The purpose of bringing in legislation, new legislation, is to improve it. I don't see any improvements in this legislation from the previous legislation. In fact I think it's much worse as I've already stated on certain provisions that are in there. I certainly could never subscribe to Bill 81 as it is presently constituted, and I tried to bring in the motion the other day to hoist it. I was ruled out - well, not ruled out exactly - I could have had the motion stayed, but then they would have ruled me out on speaking. This is a ridiculous rule that we have in this House. Any minister of the Crown can bring in a motion on second reading, introduce it, and speak to it. Anyone on another resolution can do the same thing. When we make an amendment in this House, we are denied to speak on it. How ridiculous. I hadn't even spoken before, I hadn't spoken previously on Bill 81. If I had spoken previously it would have been a different matter, but I hadn't spoken on Bill 81 and here I made an amendment and I was not allowed to speak. --(Interjection)-- I had not spoken previously on Bill 81. --(Interjection)--

MR. SPEAKER: Order please. Order.

MR. FROESE: Well, I withdrew. I withdrew the motion, otherwise I would have been denied a chance to speak --(Interjection)-- I was honest. Now this afternoon, this afternoon the Member for Inkster was denouncing the belief that certain people hold - such as I quoted in this letter - of a Christian minority. I feel that this is very unfair, this should have never been done. I respect other minorities in this House. I think they should have a voice; they should have the right to bring their grievances to the House, whether it be through members speaking, whether it be through letters being circulated, or whatever form it is, they should have the right to do so. And then to hear the member speak the way he did, I thought it was in a very derogative way. And I certainly would not subscribe to a thing like that --(Interjection)-- as soon as I'm finished. And if the Act is going to be applied the way we heard this afternoon, then I am really fearful once the legislation is passed of what can happen and what will transpire.

Certainly using that principle, the farmers who are dependent on a crop, who are dependent on the graces and benevolence of providence, and certainly some people will get a good crop, others might be hauled out, we are completely dependent on. And I think we should recognize this, that not everything just comes about because of the labour unions, and of the unions themselves fighting for a certain cause. There are other forces; there are other powers that have to be recognized and not only the laws that we pass and especially in this labour bill.

Mr. Speaker, these are a few of the items that I thought I should cover. There are others, but I will not go any further tonight. I think I will have some further comments to make when

(MR. FROESE cont'd.) the bill comes before committee, and I do hope the members of the government, the front bench, will give consideration to some of the pleas by individuals who are writing to ask for certain exemptions, that these be honoured and that we not be forcing something on the people of this province which we might feel sorry for later. Thank you.

MR. SPEAKER: The Honourable First Minister.

MR. SCHREYER: Mr. Speaker, it's important enough to get the honourable member's view as precisely as possible, may I ask him his great reluctance to endorse that section of the act which has to do with dues for the collective bargaining unit - do I understand the honourable member correctly that he is opposed to what is in effect the formula that was first set forth by Mr. Justice Ivan Rand about twenty-five years ago which has been embodied in many collective agreements, including the City of Winnipeg since 1950 - 1950 - that it is right and defensible to require that a person although not being compelled to join the trade association must pay his fair share towards it, the equivalent towards it?

MR. SPEAKER: The Honourable Member for Rhineland.

MR. FROESE: I would like to in return ask the government why do you make --(Interjection)-- yeah, then the question won't provide the answer, why do you put the two together as one now? Why don't you have a membership? Those that want a membership can take a membership, and those that don't need not be members - and then have a fee for those that want to take membership, I go along with. But you're now joining the two together that they have to be members, and that they have to pay dues.

MR. SPEAKER: The Honourable Member for Thompson.

MR. JOSEPH P. BOROWSKI (Thompson): Mr. Speaker, I'd like to make a few comments on this bill before it passes the committee, and I'm sure it will. I've listened with some interest to some of the heavyweights that spoke on this bill. They certainly had impressive credentials, some mentioned how many years they had spent in the legislature, others how many years they've spent serving the public. I really don't have any credentials to present, Mr. Speaker, except my fading calloused hands which have worked all their lives, sometimes in the union, sometimes out of the union, but I've always worked. In all those years, Mr. Speaker, I've got to appreciate the difference between working for an employer that has a union, and one that has not. And I certainly think that anything that we can do as a government, or as a legislature, that can make it easier for the working people to band themselves into a group - and here it's called a union - then certainly they can improve their economic circumstances much easier and they will not run to the government every time they have difficulties.

We have in Thompson, as indicated by a press release this last week, the highest wages in Manitoba, and number eight in Canada. It didn't come about because of the generosity of the company or because of the progressive legislation of the government, the previous government or this government; it's come as a result of the men banding themselves into an economic unit and sitting at the same bargaining table with the company and negotiating an agreement. And I must say in the ten years that we have been out there, twelve years, we've had one brief strike, but outside of that it's been pretty peaceful and we've managed to negotiate a great deal for us, and I, for one, see the benefits for a workingman to get into a trade union. And I regret very much, Mr. Speaker, that some members have chosen this bill to launch a malicious, irresponsible slanderous attack on trade unions in general, particularly the Member from Rhineland who I believe is probably a better Christian than most of us here. I simply can't understand the charges he made last Friday, I believe, where he said something to the effect that if you don't toe the line they do away with you. That's a pretty serious allegation to make, Mr. Speaker, and I objected at that time . . .

MR. SPEAKER: The Honourable Member for Rhineland on a point of order.

MR. FROESE: Yes, I spoke last Friday, and I told them what my friend had said, in the organization this happened - this doesn't mean that the member is being killed. He was put off his job in no uncertain terms.

MR. SPEAKER: The Honourable Member for Thompson.

MR. BOROWSKI: Well, Mr. Speaker, I took the interpretation that he was somehow referring they had done away with him. But if the member knows of such matters, and there are some, he could have been more specific. We know, for example, that Hal Banks in the Seafarers International Union was a thug; that there was no democracy in there, and there was terror in that organization, and no legitimate self-respecting trade unionist supported the Seafarers International Union, they were condemned by all. We know there was the Hoffa

(MR. BOROWSKI cont'd.) situation and they paid the price - something I can't say for the blue collar, I'm sorry the white collar criminals like bankers and stock promoters who get away almost scot free. So it's unfortunate that the member lumped in the good unions with the bad ones because there are very few, precious few bad unions, and those that are there are very quickly weeded out by the law enforcement agencies, they are not allowed to get away with it.

One of the remarks made by the opposition though that I do have to agree with, Mr. Speaker, is the eleventh hour that this bill was brought in. The Minister of Labour stated that this is the most important bill in one hundred years and I agree with him, and I think that it's unfortunate that he should choose to bring in such an important bill at this late date. It's bad for the legislature, everybody's, what do you say? punch drunk, we're battle weary, we've been here a long time, and it's really very difficult to - and I'm not suggesting it's difficult for myself or the government's side because we have been working with this problem for years - I'm talking about the Opposition who unfortunately doesn't have too much in common with the workingman. I don't want the Opposition to get me wrong. I don't know of anyone here that works in a union shop that understands the day to day problems, that's unfortunate, I don't want the Opposition to get mad, you are my friends now, let's try and get along, but there is a problem. When I looked around here I didn't find anybody that worked, or had to negotiate an agreement, therefore they have some difficulty understanding the necessity of some of the sections, although I agree that some of them are bad and shouldn't be in there, but they have difficulty as I perhaps have difficulty understanding how the bar association or the judicial system works, you know, we don't appreciate those things as much as those that are involved in it. The Member for Lakeside, Mr. Speaker.

MR. SPEAKER: Order, please. The Honourable Member for Lakeside state his point.

MR. ENNS: As a past member in good standing in the American Steel Workers Union I object to the conclusions that the Honourable Member of Thompson just arrived at. --(Interjection)--. When was the last time you were in a union?

MR. SPEAKER: Order, please. The Honourable Member for Thompson.

MR. BOROWSKI: Mr. Speaker, I'm delighted that there is at least one steel worker on this side. I won't feel so lonely from here on in. The Member for Lakeside was saying that the reason that the government is ramming this legislation through is because they want the Yankee bucks for the election. You know I know he didn't mean that because - no, I'm sure he didn't mean it. First of all because it's not true. I have been in a union movement and in the party for about ten years, and I've always called them cheapskates, and they are; the trade union movement has been less than generous to the NDP and I would go so far as to say that come the next election, Mr. Speaker, that the guys who run the theatres, and the smut merchants will give more to this government than the labour movement.

MR. SPEAKER: Order, please. The Honourable First Minister state his point of order.

MR. SCHREYER: Yes, Mr. Speaker, my point of order is to ask the Member for Thompson if he would agree to make it clear for the record whether he meant that in a half bantering manner or whether he was serious, because I certainly thank him for making the first point of that sentence clear to the Opposition, I thank him for that, and would he advise whether he was being serious of half bantering when he made the latter comment?

MR. SPEAKER: The Honourable Member for Thompson.

MR. BOROWSKI: I suppose the answer, Mr. Speaker, is 50/50, I really was making a prediction. I'm not suggesting they're going to go out and solicit. I know the kind of people that are in the party - and I'm talking distinctly the "party" as the government - I'm sure that the party members in the office are not going to go out to these smut pedlars and ask for donations, but I believe, I'm making a prediction that they'll come in there with a hat full of bucks and say here take it boys, you really made us wealthy with that Bill 70 - assuming it goes through.

Mr. Speaker, I have received letters, like I'm sure every member of this House, quoting objections, or quoting the Bible on which they base their objections, and I would like to read part of it. It's also signed, Mr. Speaker, and I can table it if you want me to. "I would not like to consider certain specific provisions of the new Act. One matter of great concern to me is the compulsory check-off of union dues. As a believer in the Lord Jesus I could not belong to a union or support it in any way, financially, morally, or otherwise. I would draw to your attention II - Corinthians 6'14 and the quote is: "Be ye not unequally yoked together with unbelievers: for what fellowship hath righteousness with unrighteousness?" And then they go on

(MR. BOROWSKI cont'd.) to make other quotations.

Mr. Speaker, just for the record I would like to quote the Bible too, but before I do, I would like to say to these people that are writing to the government and trying to get the government to reconsider the bill on the basis of the Bible, knowing some of the members and the government's view about the Bible and the Clergy I would suggest to them that appealing to them on that basis is like casting pearls before the swine; that if they want to make a point they should make it on a basis of civil rights, democratic rights, but not on the basis of the Bible because I'm sure it won't be listened to. And I'm going to quote the Bible simply for the record, for Hansard, not to try and convince anybody in this House that I'm right, or they're wrong. This is a very important Bible, it's the one I was sworn in as a Minister, Mr. Speaker. You know that 2nd Corinthians that was mentioned, you know what it refers to, Mr. Speaker? To marriage. It doesn't refer to unions at all. Let me just read the passage. "Do not bear the yoke with unbelievers for what has justice in common with inequity, what fellowship has light with darkness, what harmony is there between Christ and Belial?" They're talking specifically about marriage. Now that's a specific interpretation, I suppose you could broaden it and say really it refers to other matters, but the fact is that according to the Bible they're talking about marriage, not talking about unions or economic connections, or dues, or check-offs.

The other point I'd like to refute about what right does the government have to impose this type of legislation? One of the letters suggested that the reason they couldn't pay it is because many union members aren't Christians. Well, Mr. Speaker, on that basis they should refuse to pay taxes to that government, because I suggest to you there are more Christians in the labour movement than there is in the Cabinet, or in the government, yet I don't hear these people objecting to pay taxes, but they object to paying union dues to a union, which is much more Christian than the government, I'm sure.

May I go back to quote from when the governments were set up, and the governments were given the right from the Almighty himself. This is 1 Kings Chapter 8: "Now therefore hearken to their voice, but yet testify to them and foretell them the right of the king that shall reign over them. Then Samuel told all the words of the Lord to the people that had desired a king of him and said: this will be the right of the king that shall reign over you; he will take your sons and put them in his chariots and will make them his horsemen and his running footmen to run before the chariots, and he will appoint of them to be his tribunes and centurions and to plow his fields, and to reap his corn, and to make him arms and chariots. Your daughters also he will take to make him ointments and to be his cooks and bakers, and he will take your fields and your vineyards and your best olive yards and give them to his servants. Moreover he will take a tenth of your corn and of the revenues of your vineyards to give his eunuchs and servants; your servants also and handmaids and your goodliest young men and your asses, and he'll take away and put them to his work. Your flocks also he will take and you shall be his servants, and you shall cry out on that day from the face of the King whom you have chosen to your self. And the Lord will not hear you on that day because you desired unto your soul the king. But the people would not hear the voice of Samuel, they said nay but there shall be a king over us, and we also will be like all nations and our kings shall judge us and go out before us and fight our battles for us, and Samuel heard all the words of the people and rehearsed them in the ears of the Lord, and the Lord said to Samuel hearken to their voice and make them a king, and Samuel said to the men of Israel let every man go to his city."

Mr. Speaker, if anybody wants to quote a Bible to support his contention I suggest they read, because from here clearly God has given the right to government. In fact he established the first government because prior to this the world as it was known in the Old Testament, was ruled by prophets, there was no established government like was after the first king, which I believe was King Saul. So clearly the government does have a right to levy taxes and do all the things that are in here.

I'd like to make one more quotation before I go on, Mr. Speaker, and this one has to do with St. Matthew, 23rd Chapter, "That our Lord severely castigated the Scribes and Pharisees calling them hypocrites, whited sepulchres, serpents, generations of vipers, etc. But just prior to this he addressed those sobering words to his disciples: "The scribes and the Pharisees have sat on the chair of Moses, all things therefor whatsoever they shall say to you observe and do." He angered the Jews by telling them to obey the hated Roman conquerors. The quotation I'm coming to, Mr. Speaker, is at that time Jesus said "Render unto Caesar what is Caesar's and unto God what is God's." Here he was saying to them to render to the hated Roman

(MR. BOROWSKI cont'd.) conquerors. This government is duly elected and as bad as some of their laws are they surely have the right to enact the laws and if the people want to use the scripture I suggest to them that the scripture speaks clearly in favour of the government and against those who would use it to support their argument, because the case there was very clear of "pay unto Caesar what is Caesar's", and I believe in this case you could apply the thing to the trade unions, you could call them Caesar, what is Caesar's.

One other point I'd like to bring, Mr. Speaker, and I want to deal with this thing here because it's a type of a thing to a person who is religious really gets you, because it seems almost like you are transgressing on one's religion, and I've made a point of asking some of the religious leaders in Winnipeg do you know of a religion that forbids, specifically forbids or says it's a sin to give money to a labour union? I couldn't find one. I talked to Jehovah Witnesses, they were down to visit me the other day trying to convert me, and I suggested they see the government, that they needed more converting than I do; but even the Jehovah Witnesses, Mr. Speaker, say there is nothing in our Bible that says that it's wrong for a legislature to pass such a law, or it's sinful for a member to belong to a trade union. So I wonder these people that argue on that basis, what kind of a religion are they talking about; is it some religion - and there are phony religions that have been created strictly for tax dodges. We know a rubber company in the United States that with some panhandling created a religion and they don't pay a penny of tax. They gave the factory to the church and they say this is God's little factory; you know, they don't pay a penny of tax. So there are those kind of fraudulent religions who use that solely to avoid taxes; and some of them, of course, are arguing now to try and avoid paying dues, and also to use it for union busting techniques, and I will get to that in a minute.

One other thing that we have to consider, Mr. Speaker, is the strike thing. When we're discussing about the rights of a man to be in a union or out of the union, we have to look a little further. What happens when there's a strike? We had a strike in Thompson and we had quite a few people weren't in the union because they were mine millers, they refused to join. But, Mr. Speaker, when we went on strike we were suddenly faced with a situation what do you do to these guys; we're on a legal strike, but because they're not members we can't pay 'em strike pay. And I wonder those that are arguing now saying you shouldn't force a man to join a union, what would they say if that union went on a legitimate strike like at Flin Flon for five months, the union members are all getting strike pay and the guy who had his belief in Jesus Christ and refused to pay dues, I wonder what these people would say when the union says "sorry, you know, you have your beliefs, you didn't pay into the union, therefore you're not entitled to any strike pay". What kind of a situation would that be? Or would they say that this fellow here that didn't belong to a union has a right to go to work while the others are on strike? Would they say that? And if they say that I suggest to them what they're advocating is strike-breaking because these people are on a legal strike, and if any member union or non-union go back to work, they are in effect guilty of strike-breaking, and I ask those to consider very seriously when they say you shouldn't have to force a person to pay dues, because ten years later he may find out that they are on strike and he's up the creek and he has nobody to support him. And as a strike chairman in Thompson for a month, Mr. Speaker, I knew some of the problems that the men on strike were faced with.

There's the other problem to consider, Mr. Speaker. Are we going to give unions the right to do something that this legislature can't? For example, the Rand Formula, and Justice Rand certainly appreciated the problems that are raised here, means that you do not have to join a union, you simply must pay dues. Now that may not be perfect but it's been accepted generally by the Manufacturers Association, by the Chamber of Commerce, by government leaders throughout Canada. It's probably the fairest system that we can devise. What are we going to do if we say we can't pass this type of legislation? Are we saying that the union members have a right to negotiate that agreement but the government can't legislate it? Or do we say we're going to pass legislation that is effectively going to break legal contracts? We have collective agreements where the Rand Formula has been negotiated. If we pass this legislation we effectively are going to break every single agreement in this province which has a Rand Formula. I don't know how many there is, it's not difficult to find out how many Rand Formula agreements there is, I don't think that this legislature wants to put themselves in a position where they are going to wreck every agreement that was entered into in good faith; and other ones will be in years to come. I don't think that we want to be in that position.

Mr. Speaker, my mind could be changed on that issue if we can do what the Member for

(MR. BOROWSKI cont'd.) Inkster was saying about the Law Society and the doctors. No matter how bad a proposition may be, if it's at least consistent and applies to everybody, very reluctantly I might be able to swallow it, but I resent the suggestion made by some members that it's fine for the Law Society, for the lawyers, and the doctors; I don't know, I'm sure there's other groups - dentists, to have one law, and nobody cares about anybody's religious beliefs, couldn't care less, but somehow, when it comes to the workingman we have no right to make those kind of rules. If they want to be consistent, if they want to say nobody has that right to force a person against his religious beliefs, I may reluctantly vote for that, but I will not do it, I will never do it just for the working guys and leave the big shots alone. I cannot accept that kind of philosophy.

As a matter of fact the people who are writing these letters would have a much better case, Mr. Speaker, if they objected to paying hospital premiums and Medicare premiums, because in the Ten Commandments it says "thou shalt not kill", it doesn't say "thou shalt not charge union dues"; but certainly that commandment is clear even to the atheists.

MR. GREEN: Would the honourable member permit a question? Is it not correct, Mr. Speaker, that the commandment that the honourable member is referring to does not say "thou shalt not kill", but "thou shalt not commit murder"?

MR. SPEAKER: The Honourable Member for Thompson.

MR. BOROWSKI: Well, Mr. Speaker, being a typical lawyer he likes to get everything perfect, I'm not a lawyer, I try to make it as simple as possible. But anyway if these people are really serious and want to argue on religious grounds, it seems to me they have a better argument to say we will not pay Medicare premiums, because not only is it wrong, it's against the Bible which they are using to support their contention.

Here we have a situation where the state is using state hospitals, state paid doctors to murder the most innocent in our society, cold-blooded murder. Surely they can use the argument that they are using for the bill to say we will not pay Medicare dues. As a matter of fact, Mr. Speaker, I understand there's a group of citizens going to boycott, they are simply going to refuse to pay Medicare premiums on that very Bible; and I suggest to these people that are writing the letters to the government protesting on a basis of Corinthians or Kings or Timothy, that they should apply that to human life which is being snuffed out every day in this province.

The other objection they could raise, Mr. Speaker, and I will be accused of flogging a dead horse, when it comes to unconstitutionally or improperly using our money, is using state funds again to defend confessed money smugglers, drug pushers, bank hold-up artists. It seems to me that these people again that are using, trying to get us to support them on a basis of the Bible, should object very strongly to the government using public funds to defend confessed criminals, and for that I condemn this government.

Mr. Speaker, I'm not going to be very long; I think I've said what I have to say. First of all, I'm going to vote against a six-months hoist. We have given our views, all of us here collectively. The government has had a chance to think about some of the things that we object to; they have had a chance to recant if they're suggesting to the opposition, they should recant. I think now that we've had the discussion, everybody has a kick at the cat, that we should allow this thing to go to the committee and let the Supreme Court - and that is the people of Manitoba - state their view, and after they've done that we can come back in here and we can decide at third reading whether we can accept this legislation or not. Thank you.

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MR. SPEAKER: The Honourable Member for Rupertsland.

MR. JEAN ALLARD (Rupertsland): Mr. Speaker, something over a week ago one of the writers, one of the members of the Third, Fourth or Seventh Estate, I don't know which one, wrote that the Member for Thompson was a much more spectacular maverick than I am, and I have to agree that I really wouldn't take his argument as far as he would. But I'd like to disagree with him about one thing and that's the establishment of governments by God. If I remember correctly the Bible, the Jews wanted a king and God told them that they had a prophet and that prophets were superior, but they said, "We want a king," and he said, "Yes, okay, but the king will treat you thus and thus and thus, and that includes using you as horses." So they got a king and he did that. But the prophets, I understand, were superior. I believe I'm correct.

Mr. Speaker, I share with very few members of this House but certainly with the Member for Thompson, the honour of having been a member of a union or unions. And I was looking at it and I was making a list of it, and most of the members know that I have had a rather checkered past and I can see in my past membership in The Heat and Frost Insulators and the Seamen's Union and the United Fishermen and Allied Workers Union - I think the only Communist union left in Canada - and the Teamsters and in the International Woodworkers of America, so when I stand up to speak on a labour bill I do so from experience, an experience which I share with the Minister of Labour, I'm sure, and a few other members, and most certainly the . . .

I'd like to see this bill go to committee, Mr. Speaker, but before I do so there are a few comments I'd like to make, rather short. First of all, I'd like to say that I'm happy to see a good number of the recommendations that are in this bill. As a member of a union for many years, I'm happy to see measures that really allow men to organize themselves into groups to fight for their rights. And I believe that in Manitoba there have been a number of laws that really militated against ease of organization and certification for unions, and I am aware of a considerable degree of oppression, the firing of employees and things like that when there were attempts to set up unions.

Now, Mr. Speaker, there are a few disagreements that I have, and one of the most serious ones has to do with the right to strike of certain absolutely essential services. I frankly cannot understand giving a man the right to do something that he will not be able to do, by which one agrees that he should not do, and that is not to the welfare of society. Now, I don't see how we can allow a policeman to strike. Frankly, individually if he wants to quit, fine, I think that we should set up arbitration boards that give police forces or firemen decent enough salaries so that they don't feel the need to strike, and that our arbitration boards should be independent enough to give them reasonable settlements.

Now, I too have received, as every other member of this House has, a number of letters in the past week or ten days from a religious, or a number of religious groups or persons, over the question of check-off. Now as a member of a union, I strongly resent this, freeloaders who use the union, took all the advantages that came, and kept the contribution in their pockets. I strongly resent that kind of behaviour. On the other hand I can understand, although I may not share their views, I can understand the feeling of people who feel that this is wrong somehow to be organized in a union. And it would seem to me that if there were rules set up that would oblige them to direct their fund somewhere else so that they couldn't keep the money in their pockets, so that their contributions, their normal union contributions were directed to a charity of their choice or something of that nature, that the purpose would be served. I believe empirically, as far as experience is concerned, that it would run to less than one percent and that it would give this degree of freedom and flexibility and nobody would be pushed into a situation where it makes no sense.

Now, I think that the experience during the war of --(Interjection)-- The member is asking me what about the gains that they make. Well, it seems that as long as they're not keeping that amount of money which would normally go to a union, their contribution, but would go to somebody else, that I can live with that sort of situation. I'll give you another example. During the war there were conscientious objectors who really did not want to shoot their fellow man - and I can understand though the situation, the degree of seriousness is not the same, I can understand why they would feel that paying to a union is supporting it and being a member of it. Now, conscientious objectors were allowed to be in the war but not to shoot their fellow man. You know, they could be involved with the Red Cross; they could be corps men and bring out the wounded; and very often their role was more dangerous than that of being a soldier. So it

(MR. ALLARD cont'd) would seem that if something could be worked out, that I would be happy with this sort of a situation. I don't know whether it really can.

And I have to agree with the Member for Thompson, really, that the Member for Lakeside is wrong when he states that this is really a bill to fatten up the war chests of the NDP. I, who had the experience of being a candidate under that banner, you know, am aware of the cheapness of the unions when it comes to making contributions to elections. As one who has had to labour long and hard to try and help fill the coffers and who has seen the --(Interjection)-- I'm just trying to speak for what the facts are and what the truth is, and the facts are if they had to depend on the unions to keep them alive they'd die of starvation tomorrow.

Mr. Speaker, with those few words I'd like to see this bill go to committee.

MR. SPEAKER: The Honourable Member for Fort Rouge.

MRS. INEZ TRUEMAN (Fort Rouge): Mr. Speaker, as my colleague from Sturgeon Creek mentioned earlier this evening, this bill was distributed on June 22nd and received second reading on June 26th, and now 18 days later we've expressed some of the serious reservations that are held by our caucus. Repeatedly we've asked for more time to study this legislation so that we might understand all the implications and weigh the impact of one clause or provision against another. The government has protested against our desire to amend and adamantly refuses to allow the bill to be held for study between sessions. Understandably the Minister is eager to hear the praise that will be heaped on his head by organized labour. This bill I believe he perceives to be his crowning glory.

The government has had three years to study and prepare this bill, Mr. Speaker, and we have had less than three weeks during which we could give it only part of our attention, since we also had a great deal of other legislation before us which had to be dealt with. It is realistically impossible to do justice to such a complex document in so short a period of time and we have to wonder why the Minister didn't bring the bill forward sooner. There is some good and desirable legislation contained within it, which would not be adversely affected by a short delay. Now, because of our serious reservations, if the government refuses to pass the amendment to allow adequate study and then --(Interjections)-- No, we simply want adequate time to study it. If the government rejects out-of-hand the suggestion that amendments to the bill are desirable, then I think we've made our objections clear and regretfully we feel that we will have to vote against the bill on principle on second reading. We will hope that certain amendments will be accepted in Industrial Relations Committee and that we will be able to reassess our position and give the bill our support on third reading.

MR. DEPUTY SPEAKER: The Honourable Member for Assiniboia.

MR. STEVE PATRICK (Assiniboia): Mr. Speaker, I doubt very much that I can add anything new at this late stage of the debate on Bill 81. However I wish to state to the House that the bill deals with primarily four specific areas, and that's to do with certification, check-offs, technological change, mediation, lay-offs and so on, and I will try and be specific in each one. But I do wish to state to the House at the present time, if there is anything that I -- I'm not critical for the Minister bringing the legislation in as such, but I wish to be critical of the Minister of bringing it in at such late time in the session. And I am sure not only that he would agree with me, but there are many labour leaders, and I've had an opportunity to talk to a few, they find that the legislation is very complicated, they feel that they will not be able to understand it in such a short time; and more so, they'll find, the Minister will find the same response from management as well. So I do want to be critical of him bringing in the legislation at such late time in the session.

Now, I'm sure that he remembers a year ago or almost two years ago, during the Labour Estimates - not this session but a year ago, last session - I was the one that asked the Minister to bring in a new labour code, to put some 20 pieces or 22 pieces of legislation under one bill, under one piece of legislation. And I said to the Minister that some of the other provinces have already done that, primarily Saskatchewan, and the Minister agreed. He said: I will bring it in; we're working on it; it will be ready - by the next session it will be introduced. So I am disappointed that it comes in at this late stage in the session, really, because I feel if the Minister would have brought it in early in the session, he would have not had the difficulties and the problems that he has at the present time. Because all I want to do is say to the Minister: Really, it's not only the labour and it's not only the management that have to be acquainted with the legislation, have to be acquainted with the rules, but if they are acquainted with the legislation, if they understand the legislation, quite likely you'll have no problem with labour-management relations the next year or the year after. But if they do not understand it, then

(MR. PATRICK cont'd) the Minister really will have problems, and this is as far as I'm concerned much more serious probably than debate we carry in the House here, because the labour and management should understand the legislation; they should know what it's all about, because if they don't, then really they will have more problems coming the next year and in the future.

Now I hope that the Minister will be considerate, I hope that the Minister will be flexible, that in Law Amendments that the Minister will give consideration to some amendments, because I'm sure that he will; if he won't then we will have problems. And before I get into discussing certain technical points of the legislation, perhaps I should go on record now that I am not prepared and I cannot support the six-months hoist for the simple reason, not because the Member for Fort Garry - maybe did not have some good points when he moved the amendment on Saturday. I wasn't here on Saturday. But I'm sure the Member for Emerson perhaps would have not moved it, because I'm sure that he has the interests of labour at heart and he's very concerned about it; and I have listened to him in the last two sessions and certainly he has made considerable contributions to this House as far as labour and management is concerned. And the reason I want to be frank, because the way I understand a six-months hoist in legislatures across Canada as well as in the Mother Parliament, and I'm sure the Member for Morris would probably explain it better - if I'm incorrect, I wish he would explain it - but I understand a six-months hoist is killing the bill, and if that's what it means, then that's the only reason, that's the only reason that I'm not prepared to support the six-months hoist if it'll kill the bill.

However, I do not wish to say that I'm not critical of the Minister for not bringing the bill earlier. I believe he should have brought it earlier and the reason I feel he should have brought it earlier, because only if the management knows what's in the bill, if labour knows what's in the bill, then you will have good friendly relationship, labour-management relationship come next year and the year after that, if they understand that. But at the present time they do not understand it. Even from some of the labour leaders, even from the labour leaders, they said it's a very technical, difficult bill to understand. The few points that I've pointed out are basically major points that I wish to deal with, so for that reason I cannot go with the six-months hoist. I am prepared to say to the Minister, I hope that you're flexible in industrial relations, and we will have an opportunity to either delete every section of the bill, every clause, or amend every clause of that bill, and if the Minister is not flexible, when it comes back to the House on the report stage, we will have another opportunity to sent it back to Industrial Relations Committee for further consideration. We will have that opportunity. But until that time, until that time, I'm not prepared to support a six-months hoist. I may be, I may be, if the Minister is not flexible in industrial relations, if he's not prepared to accept any amendment. So the points that I have raised, I hope the Minister will give some consideration.

I wish to say that there are many points in the bill, many principles involved that I'm sure that all members support, not only myself, which the Minister I'm sure is aware about my position on many points on labour, I'm sure that the official opposition support many principles involved in the bill, and surely we can support him and applaud them. There are some other principles involved we cannot support him. I know, I've just been looking through some of the points that through the years I have brought into this House, through amendment or resolution, and only this year, I'm sure the Minister is aware when I brought in the resolution in respect to technological change and statutory holidays was another one, three weeks vacation pay after five year's of work with one employer, and I didn't suggest so, I brought those resolutions in four or five years ago. I was prepared to then go on record and say I'm prepared now, this is the time that we should bring it in, not today, I said so five years ago and I was prepared to say that this was the proper time, so I'm sure the Minister cannot complain that I have not stated our position or my position where I stand on many matters as far as labour is concerned.

I remember quite well a few years ago when we had legislation before the House, or it was brought in by the former administration where we had government supervised strike votes and we took the appropriate steps at that time through a resolution and said we believe in secret strike votes conducted by the union, not by the government. We said so, it's in resolution and if some of the members wish to check in they can go through the journals and find out for themselves. We said it's just like putting a policeman in a car or every car and saying that he may break the speed limit, he may break the speed limit; it amounts to the same thing. So I'm sure that if the Minister of Labour goes through the journals he'll find at least fifteen to twenty resolutions that I went on record, before he did, before he did, when he was in Opposition. I know he talked on labour, supported it, I give him credit for it, and I think that he sort of

(MR. PATRICK cont'd) championed, he sort of championed the labour cause, this is what he did. But he cannot deny when I said that the minimum wage should be \$1.25 when it was 75¢ in this province; that I didn't put it on record and didn't go on record, that everybody knew. I know that the member for NDP amended it and said it should be a \$1.50, but then he slipped when he was making his speech, he said, well really \$1.50 is a way too high, but we want to go high enough so that we'll accept \$1.25; that's the former Member for Elmwood, that's what he stated in this House, and I'm sure that you'll agree. So I never set my targets high, I said what was appropriate, what was proper at that time and that's what I put on record, that's in the journals and the Minister can find out.

So be as it may, I do wish to say I wish that the Minister of Labour would have brought in the legislation earlier so that the management would have known the rules and the regulations and how it will affect them, and also the labour would have known. But be it as it may, even then I'm sure the legislation would not have been perfect, because it's a major change, it's major legislation, and I'll say that next year, or if this legislation passes, a year from now the Minister will have to bring amendments to the bill. It's on any major legislation that he'll have to do. So my contention is I hope the Minister listens in Law Amendments.

Now one of the major pieces of legislation is concerning the technological change and I agree with the technological change, not in total what's in the bill because I think it's not what Freedman Report recommended in total, I think it's missing to some extent, but at least I think I'll be more knowledgeable when I listen to the people or the unions representing labour and when I listen to management I think I'll be more capable to express my opinion on it. But I know the technological change does not go to the extent what Freedman Report recommended. One of the resolutions before this House was ruled out of order because the Minister stood up and said he's bringing the legislation in to do with automation, and in my opinion, the only way that automation will be a success in this province is if we can teach people who are displaced new trades, new trades so they can fill more technological jobs that automation makes available for them. Now the Minister cannot deny that if it wouldn't have been for the federal legislation in respect to the Federal Grain Company that displaced some, between 400 and 700 people that it really would have been a problem for most of the employees in this province, and because the Federal Grain Company was prepared to work out an agreement where they did give enough notice, four or five months, and I think the transition was almost perfect. I wouldn't say it was perfect, but almost, because of the technological change. I think the benefits will only be fully and properly shared only if we consider the needs of the people, and I think it's not only the industry that has to take the necessary steps to train these people, I believe the government has to take necessary steps and management has to take the steps too.

So in my opinion, Mr. Speaker, as I say, improved technology is and will continue to cause advances in automation and will cause dislocation and readjustments in labour, but it is also accepted that improvements in quality of goods and quite often results in reduction of costs in different goods and in the end result is everybody is the beneficiary, and quite often dislocation in the long run employs more people. But there's no reason at this time to say that we don't need some legislation in respect to technological change. It is in the federal legislation, it's working. Ontario has implemented legislation as far as technological change is concerned almost some two years ago, and it's working in that province. Now as far as I'm concerned, I'm not completely happy because I don't know how it will affect many of the industries in the Province of Manitoba. We are told that 80 to 90 percent of the industries in Manitoba are small corporations with about ten to twenty people -- the small percentage is only large, but most of them are generally speaking small corporations. I have no idea. I'd like to hear from them. So if the Minister would have brought in the legislation earlier I think it would have benefitted all in this House. So as far as technological change I'm in agreement; I'd like to know how it compares to the Freedman Commission and then we'd be able to express better opinion.

The other point, Mr. Speaker, it's to do with certification and the 35 percent requirement. Again my leader stated the other day that we are in agreement for the 35 percent because really all the 35 percent does is gives the labour board the right, the right to order a vote of certification, that's all it does. Unless I don't understand it, I hope that the Minister would explain it. It does not mean that the union can be certified with a 35 percent vote. It gives the labour board the right to call a vote for certification, and as far as that's concerned I feel that I have no problem accepting that.

I do have a problem as far as one of the principles in the bill and that's with one of the clauses (c) which I do not understand, I do not wish to refer to the clause at this time but it's

(MR. PATRICK cont'd) not clear, and I wish that the Minister -- because in one place it says that all it means is that the Labour Board can call certification and on the next clause it's very unclear, and not only is unclear to me but it's unclear to some of the more experienced labour leaders in this province. So I'm sure the Minister, I would hope that he would take this one point and really explain it to us, because in my opinion it's not always easy to get 50 per cent employees signed up in advance for certification because there are quite oftentimes harassment by the employer, it's very difficult. So I feel that in this area as far as I'm concerned, just the board to have the right to call a certification really does not present a problem.

The other point that I am quite concerned is in regards to the compulsory check-offs and this is where I believe this bill is causing considerable amount of problems for many people and I would have hoped that the Minister did have an opportunity on the amendment on the hoist, would have at least got up and explained to the members and said -- well I see he's showing a paper to us here, but I was not here Saturday morning so perhaps he did explain it to the House, I'm not sure. I was not here Saturday morning so I don't know what happened, but in my opinion that as far as the check-offs are concerned I have no argument, but I do have an argument when people for say religious reasons, or conscience reasons, surely they should have an opportunity surely they should have an opportunity to say that their dues that they would wish their dues to go to a choice of their desired organization, be it a service club or be it an organization something like Society for Crippled Children and Adults, or somebody. I understand that this is in the Ontario legislation. I understand this is in the Federal legislation, so I'm not saying that there shouldn't be a check-off I'm saying there should be a check-off, but for that check-off the few members, and you only will have a few in a certain unit, you'll only have maybe a half a dozen or less, surely they should have a right because of the conscience reasons or religious reasons to say look we don't want our dues to go to the union, we wish our dues to go to some organization, and I do not see, I do not see why the Minister would object to that point. -- (Interjection)-- Well, there must have been . . .

MR. SPEAKER: Order, please.

MR. PATRICK: There must have been -- the Minister talked about democracy in unions and I'm sure this is an area that you can talk about democracy in unions, and the Minister of Labour, he was the one that suggested this, not me, and surely, surely, if it's possible in other jurisdictions I cannot see why it can't be possible in the Province of Manitoba. Why can't it be possible? I'll be very interested to see what the Minister has to say.

The other point that I wish to touch on very briefly and I will not take any time, and that's to do with mediation, and the Minister said that he completely removes any mediation - perhaps compulsory arbitration is a little different - but as far as mediation is concerned, I'm sure the Minister will agree that Bryce Mackasey had a great amount of success as far as mediation was concerned, and labour appreciated it, and I think management accepted it; and you know what most of them said, it wasn't because of mediation that they appreciated it, it doesn't work only in the cases where you haven't got the right people doing the mediation, but if you get the right people doing the mediation I think it works, and the only cases where it doesn't work is where you haven't got the right people, and it's only natural, and I'm sure the Minister, he may not say so here, but I'm sure that he agrees with that, because I'm sure that I've had an opportunity to talk to at least a few labour unions and I think they were most fair-minded. I had an opportunity to talk to some management people and this is what I was told, that it has worked under the federal legislation, not because they appreciate it so much but they said it worked because there were right people in the mediation, and I'm sure that the Minister cannot say that it hasn't worked as far as the Federal Government is concerned.

My only concern is if we would have had problems in this province I would have said, that's great, we're breaking new ground, but we had no problems because as far as strikes were concerned in this Province, they were almost non-existent, very little problems. So the point that I'm trying to raise, should we, should we say completely not offer any mediation and maybe have problems, have problems. My only concern is I don't think that the large unions will be heard at all, you know, but I feel that the small unions will be heard. I'm sure the Minister appreciates that we have very few people in Manitoba, a small percentage of the total labour force in unions, not very large, and in my opinion I think it will be the small unions that will be hurt, the small unions.

I believe I touched on certification on 35 percent requirement which may be called by the Labour Board for certification. I touched on briefly on check-offs and technological change,

(MR. PATRICK cont'd) and lay-offs, as well as mediations and my concern is about the small unions. I know that the Minister, or the Member for Inkster the other day took issue with my leader about his comments on the bill, or his speech on the bill, and I was very disappointed with his speech because really he touched very little on the contents of the bill. He touched, his whole speech was made on a passing reference that was made by the Member for Wolseley about a snooper clause which apparently, my leader may have been wrong, that was the whole content of the speech by the Member for Inkster, and democratization I believe of unions, which again was another passing remark. That's the two points that you made. That's got very little to do with the bill. And I wish the member, who is supposed to be the learned member as far as labour legislation is concerned, would have really got to the facts of the bill, which he didn't. He never touched as far as the bill was concerned. --(Interjection)-- You didn't, I am, I am. I'm briefly, or I'm dealing with the bill . . .

MR. SPEAKER: Order, please.

MR. PATRICK: So -- Mr. Speaker, the other point that I wish to draw to the Minister of Labour's attention, you know, about three or four years ago Winnipeg stood as - I believe Winnipeg, the City of Winnipeg was somewhere in the 50th place as far as per capita income was concerned in Canada. --(Interjection)-- No, it's 56th now, so it has slipped. Well, I'm not sure if the minister had anything to do with that or not but I, you know, I would venture to say that even with all the knowledge that he has as far as the labour is concerned and all the things that he was going to do as soon as he occupied that seat, because when he used to occupy this seat here he said: At the snap of my fingers I'll change this, and I'll change that, and I'll do that. And really it wasn't until three years ago, or after three years, that the minister moved on three weeks' vacation pay; it wasn't until about two years that the minister moved on statutory holidays, that people should be paid for statutory holidays; and it wasn't until this year that the Minister moved as far as the labour code - and I wish he would have moved at the beginning of the session instead of the end of the session - so really he didn't seem to have all the answers like he said he did. He didn't seem to have the answers. --(Interjection)-- Now I appreciate that the minister tells us that he's human like anybody else as far as labour matters are concerned, and I appreciate that. So I am concerned, unless perhaps the minister can explain, I am concerned why Winnipeg has slipped as far as per capita income is concerned, from the 50th place some three or four or five years ago, to the 56th place. I know the Minister will say that in the Twenties when western Canada was developed, that Winnipeg was the highest per capita income in Canada, much higher than Toronto, Montreal, or anywhere else. That was during the pioneer days when western Canada was developed, but I think continually since the Thirties Winnipeg has been slipping. But I am concerned if Winnipeg is the fourth largest city, or the third largest city in Canada, that in the last few years that we have slipped from the 50th place to 56th, which has been reported by the National Revenue Department's Green Book Office, which was quoted just the other day. So perhaps the Minister can explain that.

So I hope that the Minister will give consideration as far as dues and check-offs are concerned in respect to the people that feel because of religious grounds or their conscience their dues should not go to the union. I think that surely if he doesn't, I'm sure it will be contrary to the Human Rights Commission, or Human Rights Act, and if he would get up in the House and explain the position that he will take on this bill I'm sure that he will get a much faster passage than he has at the present time - and he hasn't been prepared to the present time to explain some of the amendments. And as far as I'm concerned, Mr. Speaker, that even when this bill is passed with changes, come next year we will require a bill just like we got one the other day from the City of Winnipeg; require a bill with many amendments, because until you see it in practice how it works, it's pretty difficult to say if it can function. So I hope that the minister will be not only prepared to accept some suggestions now, but also be flexible enough to bring in amendments when he sees that it's not working.

So with the comments that I made I do hope that the bill goes to Industrial Relations Committee, and after hearing the representations from management and labour and with making the appropriate amendments, and I hope that the Minister will be flexible, and if he isn't then we'll have to reconsider on report from the committee on third reading.

MR. SPEAKER: The question before the House is the amendment to Bill 81.

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

MR. JORGENSEN: The ayes and nays, Mr. Speaker.

MR. SPEAKER: Call in the members.

A STANDING VOTE was taken, the result being as follows:

YEAS: Messrs. Blake, Craik, Einarson, Enns, Ferguson, Froese, Girard, Henderson, F. Johnston, Jorgenson, McGill, McGregor, McKellar, McKenzie, Moug, Spivak, and Mrs. Trueman.

NAYS: Messrs. Adam, Allard, Asper, Barrow, Beard, Borowski, Boyce, Burtniak, Cherniack, Desjardins, Doern, Evans, Gonick, Gottfried, Green, Hanuschak, Jenkins, Johannson, G. Johnston, McBryde, Mackling, Malinowski, Miller, Patrick, Paulley, Pawley, Schreyer, Shafransky, Toupin, Turnbull, Uruski and Walding.

MR. CLERK: Yeas 17; Nays 32.

MR. SPEAKER: In my opinion the nays have it; I declare the motion lost.

The Honourable Member for Morris.

MR. WARNER H. JORGENSEN (Morris): Mr. Speaker, during the course of this debate, if there is one thing that has been demonstrated it is the attitude of the Minister, the polemics that he indulged in this afternoon and though I unfortunately missed that performance on Saturday morning, the kind of approach that he took when anyone on this side of the House ventured to oppose what happens to be his pet brain child. Sir, it's that kind of an attitude that gives me some qualms about this kind of legislation being administered by a person who is so lacking in understanding of a place that he has been in for so many years - the Legislature. Surely by this time he must understand that it is the responsibility and indeed the duty of the opposition to examine critically every piece of legislation that is brought before this Legislature, and it's a curious thing, Sir, that the Minister of Labour seems to think that the way that examination should be carried out, that we should be applauding him for every move he makes. He has regarded the opposition that we have brought to the present legislation before the House and attempted to interpret that opposition as meaning that members on this side of the House are unmindful of the rank and file of the labour movement, and indeed the rank and file of the workers in this country. Nothing, Sir, could be further from the truth.

It is because of a concern that we have for those people who are not represented by unions, those people who do not have the opportunity of having a voice in the administration of their own affairs insofar as labour matters are concerned, that are going to, in our opinion, be somewhat adversely affected by the legislation that is now before the House. Indeed, as was pointed out by several members of the Chamber, by certain groups who through the letters that they have been sending to members of the Legislature during the past week, that their rights they feel will be interfered with, and I could not help but compare the attitude that was taken by the Member for Inkster to that of the Minister of Labour when he dismissed those people as being unworthy of any consideration. Sir, a government and a political party by its majority is judged by the way the minorities are treated, and if what we have heard from the Minister of Labour, and what we heard from the Member for Inkster this afternoon, is an indication of how they consider the rights and the attitudes of the minorities, then the working man of this province has a great deal to fear from this government.

Sir, time after time we hear them drag out this old chestnut about how they're for the working man, but I tell you, Sir, that the best way the working man of this province can be helped is by providing a climate that affords him an opportunity to work. And the Minister knows that in this province, as has been pointed out again, and perhaps I am repeating things that have been said before, employment in this province is made up largely by small industries, many of which do not have any unions whatsoever but because of a mutual respect and understanding for one another the employer and the employee are able to work out their differences, come to satisfactory arrangements that enable both to survive.

But there is one further problem, Sir, and that was touched upon earlier by the Member for Birtle-Russell, that's the implications that this kind of legislation will have on one other sector of the economy. Now, much has been said about employee and the employer relations, as if they were the only two groups of people that make up this province. I want to tell you, Sir, that there are other groups as well and one other very important group in this province is the rural area and the agriculturist, who no matter what decision is taken on this bill, are going to continue to suffer because they're not in the position to protect themselves against whatever decisions are made by labour or management, and they are in a rather unique position in that there isn't a thing they can do about it but hope that some common sense will come into labour and management relations, and I don't think that this legislation is going to bring common sense into it. --(Interjection)-- Of course it's always been a problem. The First Minister says,

(MR. JORGENSEN cont'd) "Hasn't it always been a problem?" Of course it has. All the more reason why the course that we have embarked upon is the wrong course. Surely after all these years the kind of approach that has been taken to labour-management relations is the wrong one. Surely we must have recognized that by now because it is leading to further and further difficulties on the part of the farmer. If one looks through the increase in the cost of operating a farm these days and compares that with the gross income and the realized net income, you will find that it is not because gross income has not increased, it is not because the productivity of the farms have not increased, but the costs of operating those farms have increased to the point where no matter what the gross income is, net income and realized net income continues to decline because of increasing costs. The farmer is in the unfortunate position of not being able to raise the price of his products, though that's the approach my friends opposite tend to take, and it's the wrong approach because it is the old law of diminishing returns. The other day I was pointing out that the course that is being followed by the present government on another piece of legislation is going to balkanize this province to the point where our market will consist of consumption that is available in the Province of Manitoba, and, Sir, that is the wrong approach to finding jobs in this province for the workers of this province. It is the wrong approach for the producers because slowly they're being strangled to death. Legislation that is intended to circumscribe the rights of the individuals as I believe this, whether I believe it rightly or wrongly, as I believe this legislation contains, is a denial of freedom and a denial of the very thing that made this country great in the first place, the right for people to make their own decisions, to trade, to sell in countries abroad. And we continue with every piece of legislation that is brought in at the eleventh hour of every session rammed through the Legislature in the final days in the hope that nobody will notice what is happening, and that's been a characteristic device of this government, and the Minister of Labour stands in his place this afternoon and pleads for mercy. Puts his job on the line he says; why didn't he put something valuable on the line? He says for 48 hours, for 48 hours, says the Minister, the Industrial Relations Committee is not going to be called . . .

MR. SPEAKER: Order please.

MR. JORGENSEN: And here, Sir, to another example, you see, of all the years that the Minister has been in this House he still hasn't learned, he still hasn't learned --(Interjection)-- he still hasn't learned that when he does not have the floor he's not entitled to be interjecting and speaking, but he continues to violate the laws that he sets for himself. One wonders what he'll do with the laws that he sets for other people. The same approach he takes now with the bill going to committee he took over the weekend and offered us, well, Sir, it was the greatest, greatest horse trades in history. Said the Minister, "You", when he was speaking to us in the Opposition, "You can have the week, you can have Saturday off, if you'll let the bill go through by Friday night!". And for the sake of a Saturday he has stupid audacity to think we're going to throw away the rights and freedom of the people of this province. What nonsense! That's the kind of value that the Minister puts on the rights and freedom of the individual of this province. One lousy weekend. Well, Sir, this is a sample, this is a sample of the thinking of the government, and the sample of the thinking of the Minister in particular. Sir, one wonders why they passed the Human Rights Act. That piece of legislation that was so loudly acclaimed here in this very Legislature, and how it was going to, and how it was seeking to protect the rights of the individual of this province. Well, Sir, we're beginning to learn what they mean by individual rights. My honourable friend from Thompson mentions Bertha Rand, what about her rights? And what about the rights of people that are affected by this legislation. Well, the Minister keeps reminding me that I wasn't here Saturday morning, and I don't mind him reminding me of that because if I missed Saturday morning, that is perhaps the one day that I've missed in this entire session, and that is a lot more than the Minister himself can say. I'm glad he noticed that I was gone because it showed that my . . .

MR. SPEAKER: Order please.

MR. JORGENSEN: . . . because, Sir, it shows that my presence in this House is felt by the Minister. And I appreciate that very much. But, Sir, the one point I want to make in the main reason for me rising on this occasion, and I know that Stonewall Jackson over here has made up his mind that this bill is going to go through, and there isn't a great deal outside of continuing to debate and continuing to move amendments, which seems to me at this late stage to be a sort of a futile act, but let the Minister know this that we would continue to do that were it not for the fact that in this province we have a very unique system of dealing with legislation

(MR. JORGENSEN cont'd) and that's in Law Amendments, that will afford the opportunity to a number of people who wish to appear before this committee and make their views known on this bill. And so simply by allowing this bill to pass at this stage, and I regret very much that the Minister would not take the same kind of approach on this legislation as was proposed on Bill 28. My honourable friend from Virden is here with a rather unique experience that the Minister of Public Works - now this was a bill that appeared on the Order Paper on April 1st, or somewhere thereabouts. It was on the Order Paper for two months; it had two or three clauses in it which were readily understandable, and yet when it got into the committee the Minister of Public Works suggested - thank Heaven the suggestion wasn't taken up because it would have made my honourable friend look awfully foolish right now - he suggested that perhaps greater consideration should be given to this bill because of its significance and because of its importance. And yet, Sir, on this legislation they bring this in at the last minute and the Minister says this has got to go through; it's got to go through without any consideration, without any opportunity for anybody to examine it, bring proposal for it, and to consider it. We attempted to afford an opportunity for a number of people to do just that. The Minister is putting on the . . .

MR. GORDON E. JOHNSTON (Portage la Prairie): Mr. Speaker, in the absence of the government's interest in this bill, I move the House do now adjourn.

MR. SPEAKER: The honourable member have a seconder?

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

MR. G. JOHNSTON: Yeas and Nays, Mr. Speaker.

MR. SPEAKER: Call in the members.

Order please. The motion before the House is to adjourn.

A STANDING VOTE was taken, the result being as follows:

YEAS: Messrs. Asper, Froese, G. Johnston, Patrick.

NAYS: Messrs. Adam, Allard, Barrow, Beard, Blake, Borowski, Boyce, Burtiniak, Cherniack, Craik, Desjardins, Doern, Einarson, Enns, Evans, Ferguson, Girard, Gonick, Gottfried, Green, Hanuschak, Henderson, Jenkins, Johannson, F. Johnston, Jorgenson, McBryde, McGill, McGregor, McKellar, McKenzie, Mackling, Malinowski, Miller, Paulley, Pawley, Schreyer, Shafrensky, Spivak, Toupin, Turnbull, Uruski, Walding and Mrs. Trueman.

MR. CLERK: Yeas 4; Nays 44.

MR. SPEAKER: In my opinion the nays have it; I declare the motion lost.

The Honourable Member for Morris. The Honourable Member for Inkster.

MR. SIDNEY GREEN, Q.C. (Inkster): Mr. Speaker, I know that the Honourable Member for Morris having risen intends to continue his speech. I would suggest, Mr. Speaker, and I'm not saying this because I don't want the honourable member to continue speaking, and as a matter of fact I'm going to finish the point by saying that he should continue. Mr. Speaker, the Honourable Member for Morris yielded the floor to the Honourable Member for Portage la Prairie. It is my understanding that the floor can only be taken by an honourable member to either ask a question, to raise a point of order, or to raise a matter of privilege. The Honourable Member for Portage got up and moved adjournment which, Mr. Speaker, would indicate that he had the floor because no member can move adjournment who has not been recognized by the Speaker as a member participating in the debate, and not that I would wish, Mr. Speaker, to now prevent the Honourable Member for Morris from speaking but I suggest that if he do so, he so do with the unanimous consent of the House, Mr. Speaker, because I would not want it established as a precedent that any honourable member can get up, interrupt the member in the process of making a speech, without being recognized as having the floor, and moving an adjournment, moving a motion. And that, Mr. Speaker, is clearly contrary to the rules. It would mean that the Member for Morris has yielded the floor, has finished his speech. Now I happen to believe that he hasn't; I believe that honourable members all believe that he hasn't, therefore I would be prepared to suggest that he be given the unanimous consent to continue, but that it not be given on any other basis, otherwise, Mr. Speaker, we will have established the fact that a member getting up for one of those three purposes to ask a question, to raise a point of order, or to raise a matter of privilege, has the right to move adjournment, which is my understanding, Mr. Speaker, he has not.

MR. SPEAKER: The Honourable Member for Morris.

MR. JORGENSEN: The point of order raised by the Member for Inkster is a very valid one and he is perfectly right when he said that during the interruption I had yielded the floor.

(MR. JORGENSEN cont'd) I yielded the floor to the Member for Portage on the assumption that he was rising on a point of order. It was my mistake, Sir, to yield the floor in the first place and I want to thank the Member for Inkster for the courtesy that he's extended to me in order for me to complete my remarks. I appreciate that very much. But I - well are you rising on a point of order? I'm not going to yield the floor until I know that he's . . .

MR. SPEAKER: The Honourable Member for Portage.

MR. G. JOHNSTON: . . . on the government's side and the point of order is that the rule book clearly states that a motion to adjourn is not debatable, can be introduced at any time, so I raised the point of order and the Member for Morris unknowingly graciously allowed me to introduce the point of order.

MR. SPEAKER: Order please. Order please. I would suggest if we had a lot less interruptions and interjections we could probably get much more business done. I would concur with the Honourable Member for Morris, and the Honourable Member for Inkster, but as you probably all are aware the Chair is not aware what a member is rising for, and once the motion was made, I had no opportunity except to put the motion to the House. Order.

I do think that the honourable members should realize that I am entitled to interpret the rules just as well as they are. They have every opportunity to challenge them should they feel that I'm not right, but I should have the courtesy of being heard until I'm done without interruption. I do offer the same courtesy to members when they are speaking. As I indicated I would concur with the Honourable Member for Inkster and the Honourable Member for Morris and now by unanimous consent the Honourable Member from Morris may proceed. Do we have that agreement? (Agreed) The Honourable Member for Morris.

MR. JORGENSEN: Thank you very much, Mr. Speaker. Before I was interrupted I was pointing out that in all probabilities this bill will be forwarded on to committee by virtue of the fact that the government does have the majority of seats even though it's pretty difficult to contain them in this Chamber, and although we believe that the basic principle involved in this bill, essentially I interpret it as a denial of individual rights, and I just simply cannot see how the government can talk about individual rights, and talk about how they're protecting individual rights on one hand, and then introduce legislation that does precisely the opposite on the other.

But a point that I really wanted to make when I rose, Sir, was the direction in which we are heading with labour-management relations, and the firming up of the positions on both sides is, in my opinion, is very akin to the situation that we find in Viet Nam where we have outside powers supplying arms to either side to make sure that they can both protect themselves and the innocent people are suffering as a result of it. Sir, I think that if we're to have the kind of productivity and if we as a nation are to take our place as one of the great trading nations of the world, then it is absolutely essential that we compete in the markets of the world by keeping our costs down. I don't see this legislation contributing anything towards the reduction in costs. And I don't for a minute suggest that the fault is entirely on the side of labour. I think that management has got to accept a great deal of the responsibility for the problem that we face in this country in our inability to compete in many markets that we should be competitive in. There's only one group in this whole country that still accepts the principle that if they expect to get into the markets of the world, then they must be competitive price-wise, quality-wise, and that's the farmer. But his position has been made increasingly difficult because of the armaments that are being supplied by governments to both management and labour, protectionism on the part of management and protectionism to labour, so that they don't have to fight their own battles. Sir, unless there's a realization on the part of both management and labour - on the part of management that they can't continue to run to the government every time they get into a little bit of difficulty; the time has come when they must learn to handle their own difficulties; and the time has come for labour to recognize that they can't continue to raise wages without any regard to productivity, and unless increases in the wages are accompanied by increases in productivity then the third party in this arrangement, the farmer, is going to continue to suffer. It's a well known, it's a well established fact. Every economist who ever did any study in this matter recognizes that simple fact of life.

This bill does nothing to recognize that, and I would be much happier if some effort was being made of the recognition of a different principle of labour-management relations, that's the principle of profit-sharing. I've seen an example of that when I was in Ottawa. I had a company, when I was fortunate in being the Parliamentary Secretary to the Honourable Alvin Hamilton, and they came to the government with a difficult problem and it was turned over to

(MR. JORGENSEN cont'd) me and I had an opportunity to discuss that particular matter, among others, and I found it rather strange to see that the owner of that particular plant - it was a small plant in Ontario - had one of his labour people accompany him on that problem, and it was a management problem, and I discovered that they had a profit-sharing arrangement within that plant, and I was told that as a result of the profit-sharing arrangement not only were the labour people working in that plant making more than their counterparts in that similar industry as a result of a wage negotiation, but the owner of the plant was making more profits than he ever had, so it was a combination of the realization on the part of the management that there was a responsibility on his part to offer to labour some incentive as a result of their increased productive efforts. There was a realization on the part of labour that if they were going to continue to enjoy work in that particular plant, they had a responsibility to make sure that the plant operated at a profit. The worst thing that any manager can do to any plant is to not make a profit, that's the worst thing they can do to labour. That fact was recognized by both labour and by management. If some effort was made to insure that point got across to most of the management and labour teams in this country, I am convinced, Sir, that the beneficiary of that kind of an arrangement would be the people of this country.

And my greatest concern is the agricultural industry in this province because they're the ones that for years now have been bearing the brunt of the ever-rising costs of the things that they must buy in order to operate without any hope that they can be compensated as long as they have to compete in the markets of the world, because the markets of the world are fickle, and they are difficult to assess. There isn't a great deal of difference selling wheat on the international markets than there is selling groceries in the corner grocery store. You've got to have the quantity that the customer wants, the quality that he wants, at a price that he's prepared to pay, and when he wants it delivered. And if we can meet that criteria then the producers of this country will have no difficulty in finding employment; they will have no difficulty in making profits; they will have no difficulty in surviving. But as long as we continue to take this Viet Nam approach to labour-management relations there's going to be difficulty in this country and the farmers can only look forward to increasing difficulty in managing their own affairs.

Sir, for that reason, I am opposing this legislation, and my party is going to oppose it in principle, because we do not think it does anything towards solving that basic problem, one that I don't think this government is giving any consideration to.

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

MR. SPEAKER: Is there a division requested?

MR. JORGENSEN: Yeas and nays, Mr. Speaker.

MR. SPEAKER: Call in the members. The motion before the House is second reading of Bill 81.

A STANDING VOTE was taken, the result being as follows:

YEAS: Messrs. Adam, Allard, Asper, Barrow, Beard, Borowski, Boyce, Burtniak, Cherniack, Desjardins, Doern, Evans, Gonick, Gottfried, Green, Hanuschak, Jenkins, Johanson, G. Johnston, McBryde, Mackling, Malinowski, Miller, Patrick, Paulley, Pawley, Schreyer, Shafransky, Toupin, Turnbull, Uruski and Walding.

NAYS: Messrs. Blake, Craik, Einarson, Enns, Ferguson, Froese, Girard, Graham, Henderson, F. Johnston, Jorgenson, McGill, McGregor, McKellar, McKenzie, Spivak, and Mrs. Trueman.

MR. CLERK: Yeas 32; Nays 17.

MR. SPEAKER: In my opinion the ayes have it; I declare the motion carried.

The Honourable House Leader.

MINISTERIAL STATEMENT

MR. PAULLEY: Mr. Speaker, I wonder if the House would allow me the privilege of making an announcement in connection with Bill 81. I had given an undertaking that the bill would not be railroaded into committee for considerations, but I do want to announce and I trust and hope that members of the forces take note, and members of the Assembly will take note, that it is in the government's intention to call a meeting of the Industrial Relations Committee to meet on Wednesday morning at 10:00 o'clock to hear representations in respect to Bill 81, and also on Thursday morning at 10:00 o'clock also to consider representations in respect to Bill 81.

And now, Mr. Speaker, if I may . . .

MR. SPEAKER: Order please. The Honourable Member for Morris.

MR. JORGENSEN: He was not going to call the committees before 48 hours are up, that doesn't seem like 48 hours to me.

MR. PAULLEY: No, but I can understand my honourable friend, Mr. Speaker, under the rules of the House one session is 24 hours, I am calling, I am calling --(Interjection)-- oh well you just sit down and keep quiet for a moment. I am calling the committee to meet on Wednesday morning at 10 o'clock in accordance with rules of the House, which is 48 hours, and I am also saying that the bill will be further considered on Thursday morning; and also, Mr. Speaker, that if there is any inclination for further consideration after that, I am sure that the committee will be guided with the undertaking of the government. Now if that isn't fair, I can't understand -- and I can understand the Member for Morris. So, Mr. Speaker, may I now call the second reading of Bill 109 standing in the name of the Honourable the Minister of Urban Affairs.

MR. SPEAKER: The Honourable Member for Wolseley.

MR. ASPER: Mr. Speaker, because of the variance in what the Minister is saying now and the shortened time, the abbreviation, will the Minister give an undertaking to publish in all newspapers tomorrow and Wednesday, advertisements that the meeting will take place and the content of the meeting?

MR. PAULLEY: Mr. Speaker, I have asked the members of the Fourth Estate, who I believe to be responsible people, to give due publicity to the announcement I have made this evening. I now call Bill 109 standing in the name of the Honourable the Minister of Urban Affairs.

MR. SPEAKER: The Honourable Minister of Finance.

MR. CHERNIACK presented Bill No. 109, an Act to amend The City of Winnipeg Act, for second reading.

MR. SPEAKER presented the motion.

MR. SPEAKER: The Honourable Minister.

MR. CHERNIACK: Mr. Speaker, this bill has been distributed and I hope honourable members have found the notes which were distributed along with the bill of use to them to acquaint them with the nature of the bill. We've now had some full six months experience with the City of Winnipeg Act, and as one of the members opposite mentioned earlier, matters have come to our attention which make it desirable that there should be some changes and some beginning stages of a new program or concept.

Many of the proposals that we are making in this bill are the result of the suggestions made by the City of Winnipeg, others we ourselves are proposing, and may I say after consultation with the City, and one of the reasons for the delay in presenting the bill is that we wanted to make sure that it had been gone through carefully with all members -- I mean with the officers or officials of the City of Winnipeg, to make sure that they were familiar with them, had a point of view on them, and could acquaint the City Council about these changes.

Other portions of the bill result from recommendations that were made by the Law Reform Commission. Honourable members will recall that we undertook when we were at the committee stage last session to submit the entire Act to the Law Reform Commission. There were some sections, most of which have been carried forward from the previous City of Winnipeg charter and were not updated or really scrutinized for some considerable length of time. These are sections that we were concerned about and we asked the Law Reform Commission to examine them. They did so; they submitted their report, which was tabled in this House, and many of their recommendations are included in the bill.

So we have amendments from three sources. We have the amendments that emanated from the City of Winnipeg, the result of their experience with the new legislation; the results of recommendations by the Law Reform Commission to whom the bill had been submitted for scrutiny; and those initiated by the government as the result of our experience with the bill and after consultation with the city.

So now honourable members have the bill and they have the explanatory notes to go along with them. I hope that honourable members have found them easy to follow, but I should perhaps elaborate on a few of them just to illustrate the sort of request that we have received from the city, from the Law Reform Commission, some of our own ideas. The definition of "super-verse" is one which different people have interpreted in quite different ways. Members will certainly recall that we discussed the role of the community committees in the past during dealing with the bill itself last year, and now we find some interpretation has been given that

(MR. CHERNIACK cont'd) community committees must act as the employer, and this certainly is contrary to what we discussed last year and therefore we thought it worthwhile elaborating on the definition of the word "supervise". We found that it was advisable to spell out more fully the role and the power and duties of the Deputy Mayor. We found it advisable to elaborate on the City's budget process. We found it advisable to more clearly define the powers and functions of the Executive Policy Committee and the three standing committees, and after discussions with representatives of the City we agreed that we would increase the membership of the standing committees and delineate the functions of the sub-committees of the standing committees.

Among the amendments implementing the recommendations of the Law Reform Commission are such provisions as repeal of certain clauses that exist which were found repugnant, limited the kinds of information which health officers can demand of licensed applicants. We've dealt with certain defined and eliminated certain stipulations that were carried forward from former statutes, and generally provisions designed to protect the human and civil rights of individuals. There's a much more important - well, everything is relative -but I think that we were concerned to make sure that we could have an improved process of consultation with municipalities in the additional zone, that is, dealing with matters affecting the planning and zoning in the additional zone, so we are providing for representatives of the additional zone to be named to the Committee on Environment and for a consultation process a little more certain and required under the bill.

There's also two rather lengthy sections of the bill dealing with subdivision control and neighbourhood improvement areas. These are new. They are proposed not merely for purposes of clarifying, correcting or improving provisions already in the act, they provide the city with additional powers and functions and will enable them to more properly deal with the responsibilities that they have. The first of these establishes a system of subdivision control which gives the City the power to enact by-laws establishing standards of services for subdivisions, and extends to plans of subdivisions the same procedures for ensuring public participation which now apply to zoning by-laws.

The second of these new sections authorizes the City to carry out rehabilitation programs in a designated action area. These provisions parallel provisions in the new federal housing amendments, which I believe have not yet been enacted, and are designed to enable the City to take advantage of the federal initiatives in this field. May I add also that my colleague the Honourable Attorney-General has given notice of the introduction of a bill providing for amendments to the Real Property Act. These were considered advisable by the people responsible for the administration of the Real Property Act in order to supplement and complement some of the aspects of this bill that we're dealing with now.

As I've stated, the City of Winnipeg has been made fully aware of the proposed amendments, as we drafted them we've discussed them at some length. I assume the City of Winnipeg will be wishing to make representations before committee. There may be other groups or individuals prepared to do so. May I suggest, therefore, that I commend the bill to members of the House and hopefully it will receive second reading and then proceed to committee stage where it can be discussed in detail with people who want to make representations and the committee itself in order to report back to the House after completing the section by section review.

MR. SPEAKER: The Honourable Member for Sturgeon Creek.

MR. FRANK JOHNSTON (Sturgeon Creek): Mr. Speaker, I'd like to move, seconded by the Honourable Member from Fort Rouge, that debate be adjourned.

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

MR. SPEAKER: The Honourable First Minister.

MR. SCHREYER: Mr. Speaker, Bill 111.

GOVERNMENT BILLS

MR. SPEAKER: Proposed motion of the Honourable Minister of Education. The Honourable Minister.

HON. BEN HANUSCHAK (Minister of Education) (Burrows) presented Bill No. 111, an Act to Amend The Public Schools Act, for second reading.

MR. SPEAKER presented the motion.

MR. SPEAKER: The Honourable Minister.

MR. HANUSCHAK: Mr. Speaker, this bill deals with two items, and in both cases it's to

(MR. HANUSCHAK cont'd) bring it very much in line with similar provisions within the Municipal Act. The first allows school trustees whose interest in a corporation may not exceed five percent of the capital stock to vote on matters of contracts between such a corporation and the school division. This problem had arisen particularly in the case of co-operatives where a co-operative may put in a bid on a tender for the supply of fuel oil and all of the trustees happen to be members of the co-operative and hence there's really no way in which that particular board could act on that tender. So this clears the way for that.

And the other provision, Mr. Speaker, is changing the date that newly elected trustees would assume office. At the present time it's the first of January and now they'll be able to assume office 14 days after the fourth Wednesday in October, which is the election day for school trustees. And then there is also provision dealing with the date when a first meeting could be called, also advancing it to 14 days after election day rather than after the first of January as the Act presently provides.

MR. SPEAKER: The Honourable Member for Riel.

MR. DONALD W. CRAIK (Riel): Mr. Speaker, as the Minister has pointed out, the two basic recommendations of the bill appear to be in order and I thank him for presenting the outline with respect to the first section on it because there was some question as to why shareholder was not spelled out as being a shareholder in a limited company. I suppose that the extension of it to those who are members of a co-operative is logical enough because they are not part of a limited company.

The second part with regard to the setting of the date is routine, which appears to be no question about. I would like to ask, though, with regard to the section that puts the five percent limit on the purchases of equipment or other articles on behalf of a school division from a company or a co-operative, if there is not an anomaly here in that the government has gone complete about-face to what it is doing in its school bus purchases, in which case they have not only avoided going to open tender system but in fact have had the buses purchased from a company in which private individuals own a good deal more than five percent interest. And is the government not really defeating and going both ways in bringing in legislation of this sort, because when you apply it, Mr. Speaker, to the awarding of contracts for school buses, you are out by a great deal from what you're providing for in a similar sense in this legislation. We've had the condition this year where no tenders were called; the bus purchasers were given, awards were given to one company. And last year we had a situation which was even worse, where the tenders were called and then the low tender was not taken and the award was given to a company, namely Flyer Industries, in which more than five percent is owned by one individual as I understand.

Well, Mr. Speaker, I think it is only proper in the interests of the taxpayer that this condition be pointed out here at this time when this particular legislation is introduced, and I trust that the government might consider if on another year in subsequent cases to get out of the rather unsatisfactory condition that they're imposing on the taxpayer to apply this same sort of condition to those purchases which they feel because of their own pecuniary interest in a company must also apply, and therefore I say that we accept this legislation for the intention of purchases by school divisions of articles where an individual does not hold more than five percent, point out there is a very significant anomaly exists between this and the practice they've been using in the purchase of school buses.

MR. SPEAKER: The Honourable Member for Rhineland.

MR. FROESE: Mr. Speaker, I rise more or less on the same point that the Member for Riel. Certainly the first part of the bill is the important one; the others I think are just house-keeping because we have to change them in order to make them in line with legislation that has been passed.

On the first one, if we are going to allow business to be done where people can have a nominal share stock in the company should this not equally apply to governments, whether we should put the restriction on individuals only. I certainly have taken strong exception in the past in connection with Crown corporations and government dealings in this respect, and while I don't want to oppose the bill on second reading, I certainly would like to get some further information when we get to Committee of the Whole.

MR. SPEAKER: The Honourable Minister will be closing debate. The Honourable Minister.

MR. HANUSCHAK: Mr. Speaker, I only have one brief comment to make. The reference

(MR. HANUSCHAK cont'd) to five percent of capital stock that may be owned by any individual, that applies to school trustees only, and it doesn't mean that if the structure of a company is such that if one individual within the company owns more than five percent of the stock that that may have some bearing on the dealings between that corporation and the school division, but only if a trustee is an owner of more than five percent of the stock, then of course he will not be able to vote on that particular contract. So really, Mr. Speaker, I fail to see the analogy that the Honourable Member for Riel was attempting to draw between, or rather the conflict between this section and any Crown corporation, or any other corporation the people of Manitoba may have an interest in one way or another. And my reply would be similar to the Honourable Member for Rhineland.

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

MR. SPEAKER: The Honourable House Leader.

MR. PAULLEY: Would you kindly call the adjourned debate and the amendment on Bill No. 70, Mr. Speaker?

MR. SPEAKER: Proposed motion of the Honourable Minister of Tourism and Recreation and the amendment thereto by the Honourable Member for Rupertsland. The Honourable Member for Logan.

MR. WILLIAM JENKINS (Logan): Thank you, Mr. Speaker. I'm going to be very brief, I'm going to speak to the amendment that is before the House. I think that there's been enough debate on Bill 70. I'm not in agreement with the proposed amendment which was not to read the bill now but six months hence. I can't see much sense in this bill coming in six months again and having a repeat of the debate that we've had in the past few weeks. I think that the amendment should be defeated and that the bill should go to committee where public representation can be made and I intend to vote against the proposed amendment, Mr. Speaker, and for the motion for the bill to go to committee. Thank you.

MR. SPEAKER: The Honourable Member for Wolseley.

MR. ASPER: Mr. Speaker, subject to anyone else wanting to address the Chamber, I move, seconded by the Honourable Member from Assiniboia that debate on Bill 70's amendment be adjourned.

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

MR. SPEAKER: The Honourable House Leader.

MR. PAULLEY: I'm looking around, Mr. Speaker, for members who may have adjournments on the resolutions before us. Possibly it would be advisable at this particular time for me to move, seconded by the Honourable the Attorney-General that the House do now adjourn until 2:30 tomorrow afternoon.

MR. SPEAKER presented the motion and after a voice vote declared the motion carried and the House adjourned till 2:30 Tuesday afternoon. (Law Amendments tomorrow morning at 10 o'clock)