

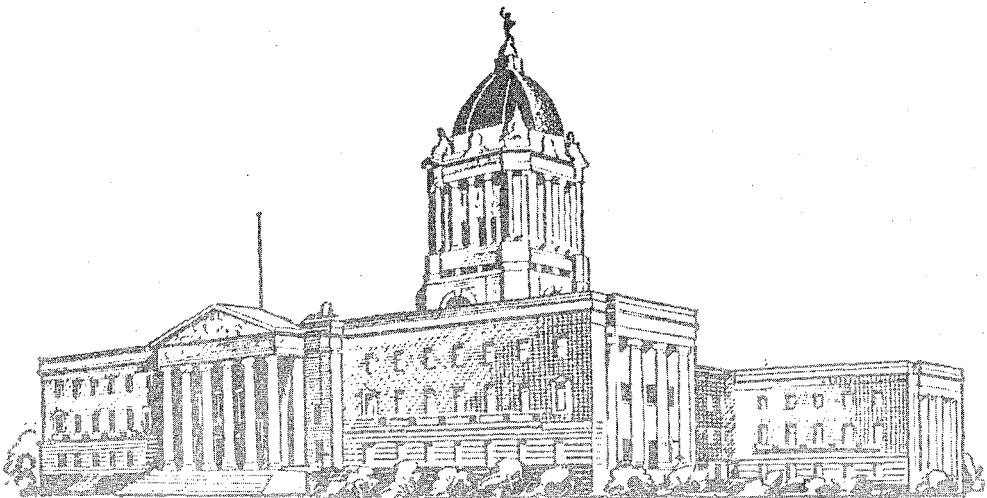


Legislative Assembly Of Manitoba

DEBATES and PROCEEDINGS

Speaker

The Honourable A. W. Harrison



Vol. VII No. 82 2:30 p.m. Friday, April 27, 1962.

5th Session, 26th Legislature



THE LEGISLATIVE ASSEMBLY OF MANITOBA  
2:30 o'clock, Friday, April 27th, 1962.

Opening Prayer by Mr. Speaker.

MR. SPEAKER: Presenting Petitions

Reading and Receiving Petitions

Presenting Reports by Standing and Special Committees.

HON. STERLING R. LYON, Q.C. (Attorney-General) (Fort Garry): Mr. Speaker, I beg to present the first report of the Standing Committee on Statutory Regulations and Orders.

MR. CLERK: Your Standing Committee on Statutory Regulations and Orders beg leave to present the following as their first report. Your committee met for organization and appointed Honourable Mr. Lyon as Chairman. Your committee recommends that the quorum of this committee shall consist of six members. Your committee recommends: 1. That the Standing Committee on Statutory Regulations and Orders appointed by the House on the 9th day of March, 1962, be authorized to examine all regulations to which The Regulations Act applies filed under that Act after the 9th day of February, 1961, and before the 15th day of February, 1962. 2. That the Committee shall make its report to the first Session of the Legislature held in the year 1963, and shall have power to sit during recess, after adjournment or prorogation. 3. That the Provincial Treasurer be authorized to pay out of the Consolidated Fund to members of the Committee, the amount of such reasonable out-of-pocket expenses necessarily incurred by the members in attending the sittings of the Committee during recess as are approved by the Comptroller-General. All of which is respectfully submitted.

MR. LYON: Mr. Speaker, I beg to move, seconded by the Honourable Minister of Mines and Natural Resources, that the report of the Committee be received.

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

HON. STEWART E. McLEAN, Q.C. (Minister of Education) (Dauphin): Mr. Speaker, I beg to present the first report of the Standing Committee on Public Accounts.

MR. CLERK: Your Standing Committee on Public Accounts beg leave to present the following as their first report. Your Committee met for organization and appointed Honourable Mr. McLean as Chairman. Your Committee recommends that for the remainder of the Session the quorum of this Committee shall consist of ten members. Your Committee has examined the Public Accounts of the Province of Manitoba for the fiscal year ending the 31st day of March, 1961, as published, and finds that the receipts and expenditures of the monies have been carefully set forth and all monies properly accounted for. Your Committee received all information desired by any member, from the Minister, heads of departments, and members of the Comptroller's office, with respect to receipts, expenditures and other matters pertaining to the business of the Province, and all necessary papers were produced for examination. The fullest opportunity was accorded to all members of the Committee to examine vouchers or any documents called for, and no restriction was placed on any line of examination. All of which is respectfully submitted.

MR. McLEAN: Mr. Speaker, I move, seconded by the Honourable the Minister of Health that the report of the Committee be received.

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

MR. SPEAKER: Notices of Motion.

Introduction of Bills.

Committee of the Whole House.

HON. DUFF ROBLIN (Premier) (Wolseley): Mr. Speaker, I beg to move, seconded by the Honourable the Minister of Industry and Commerce, that Mr. Speaker do now leave the Chair and the House resolve itself into a Committee to consider of the three proposed resolutions standing in my name.

Mr. Speaker presented the motion.

MR. ROBLIN: Mr. Speaker, . . . . . the motion I should point out that leave is required to do this because notice has not been given in the Votes and Proceedings in the usual way. One of the resolutions bears on the budget; the other two do not; but in view of their character I thought that if they were brought in previously it might be anticipated they had something to do with the budget which would perhaps be incorrect to do. So I thought that they had

(Mr. Roblin, cont'd) . . . . . better be left until the budget had been presented and we knew what the situation was. But I do need leave to propose this resolution.

MR. SPEAKER: Does the honourable member have leave?

MEMBERS: Yea.

Mr. Speaker put the question and after a voice vote declared the motion carried and the House resolved itself into a Committee of the Whole House with the Honourable Member for St. Matthews in the Chair.

MR. ROBLIN: Mr. Chairman, the Lieutenant-Governor having been informed of the subject matter of the proposed resolutions, recommends them to the House.

MR. CHAIRMAN: Resolved that it is expedient to bring in a measure to amend The Unconditional Grants Act by providing (a) for the rescission of the authorization for grants respecting persons resident in unorganized territory the payment of which has not been made after a period of a year or more; and (b) for the payment, in lieu of making a grant authorized in respect of persons resident in unorganized territory, of expenditures made or indebtedness incurred by a minister of the Crown for the public good and benefit of persons resident in the area in respect of which the grant is authorized; the payments so made not to exceed the amount of the grant authorized.

MR. ROBLIN: Mr. Chairman, the substance of this was pretty well discussed in the Committee of Supply when I was asked about unconditional grants to unorganized territories and Indian Reserves. This is what this is all about. I don't think the Committee would expect me to repeat the explanation.

MR. D. L. CAMPBELL (Lakeside): Mr. Chairman, we could take it that to that extent we did have notice of this one.

MR. CHAIRMAN: . . . . . passed. Resolution No. 2. Resolved that it is expedient to bring in a measure to amend The Reserve for War and Post-War Emergencies Act by authorizing the Provincial Treasurer, with the approval of the Lieutenant-Governor-in-Council, to transfer to current revenue moneys from time to time in the reserve.

MR. ROBLIN: Mr. Chairman, it's a rather anomalous situation which the lawyers have brought to my attention with respect to the way in which the Act for the Post-War Reserve has been drawn. That is, as it stands now after the fact, that is, after the expenditure of money, the Provincial Treasurer, or the Lieutenant-Governor-in-Council can withdraw monies for this fund for any purpose that you can think of. It's a very wide act indeed. But it seems to me that if it were the intention to use any of this fund for purposes, that it would be advisable if we knew in advance, that we should get the authorization of the House in advance rather than use the powers contained in the act to do so the way it is written now. So the purpose of this is that if we intend to use part of the Post-War Fund for any item in the current estimates that we can give notice of in advance, that we do so. This amendment enables us to do so and the House will then be in possession of the facts before it happens. As things stand now the House is in possession of the fact after it happens, the way the act is drafted. So our opinion is that if we intend to use the fund in this way, we should give notice, and this amendment will permit us to do so.

MR. CAMPBELL: Mr. Chairman, my recollection of the act was that it was intended at the time that it was established to be set up as what might be called an emergency capital fund. I'm aware that it has been used for other purposes and I think my honourable friend can quite properly say that we, our government, on at least one occasion, perhaps more, used it for other than capital. It seemed to me that the intention, certainly in the early days, was that it should be used for capital, and as the name implies I think was intended for post-war expenditures of one kind and another. I recall that -- I think the very first money to go into the rural and farm electrification came out of that fund. But if, and I certainly accept the word of the Honourable the Provincial Treasurer that it is wider than the law officers of the Crown think advisable now and that this makes it conform more to our usual and proper practice, I'd be all in favour.

MR. MORRIS GRAY (Inkster): Mr. Chairman, in view of the fact that the Honourable the Provincial Treasurer in his budget speech has not mentioned one word about anything outside of the interest of the Province of Manitoba, why does he anticipate this item? I was quite disappointed yesterday in his speech that not a word was said about world conditions and world

(Mr. Gray, cont'd) . . . . . problems. He concentrated himself in his wisdom on the affairs of the Province of Manitoba. So how does -- when does he change his mind to interest himself in the world's affairs, which this item, I take it, is the world's affairs and not the Province of Manitoba.

MR. RUSSELL PAULLEY (Leader of the New Democratic Party) (Radisson): Mr. Chairman, just one point, and the Honourable Member for Lakeside touched on it. I have no objections to the resolution. I think it's a good idea that we in general know the use of the money, but I would suggest that possibly when the Treasurer is bringing in his bill on this -- I guess it's too late now -- but I would suggest that possibly the time has come for a change in the name of this act, that rather than be The Reserve for War -- and let's hope we never have another one -- and Post-War Emergencies Act, that it might be re-named something in the nature of a Revolving Fund, for in effect that's what it is used for at the present time. I just make that suggestion to the Committee for a change, and I have no objections to the purpose.

MR. CHAIRMAN: Resolution 3. Resolved that it is expedient to bring in a measure to amend The Amusements Act to provide, among other matters, for an alteration in the scale of taxation imposed on persons attending places of amusement, and other amendments that may result in imposition of the tax on persons now liable to payment of tax under the Act.

MR. ROBLIN: Mr. Chairman, this resolution is introduced consequent on the decision the government is recommending to the House to reduce the amusement tax in half in certain respects. There has been a little bit of questioning, I think, about what exactly this applies to with respect to the amount shown in the estimates of revenue, because there is a very large item shown in the estimates of revenue, of over \$600,000, and people are wondering -- and it's called amusement revenues -- and people are rather wondering whether that amount is cut in half. Well, that is not the case because that item is made up of two or three components. One component is the admission price that one pays for example, when going into a movie, or perhaps going to a Celebrity Concert, or even I think if you're charged an admission fee to go to the race course. It's that kind of thing that's involved. The revenue from this source is about \$150,000 or thereabouts, and that is the revenue that is being cut in half. The rest of the amusement tax revenue, by and large, comes from the pari-mutuel betting system, which members are well aware of. No change is made in that particular respect. That makes up the bulk of the item under amusement tax of \$600,000 and so if there is a little confusion on that score, I'd like to put it straight. But this is the resolution precedent to the bill that we'll introduce to reduce the tax on the entrance fees that I've mentioned.

MR. GILDAS MOLGAT (Leader of the Opposition) (Ste. Rose): Mr. Chairman, I think there'll be general agreement on all sides of the House in the matter of this change. Certainly since the advent of TV the smaller theatres have had some considerable difficulty in keeping in operation -- in fact, if one looks around the City of Winnipeg a good number of them have become bowling alleys or funeral parlours since that time. This certainly is causing considerable difficulty and I think the change that the government is proposing now is one that we would approve. If I remember correctly, TV came into the Province of Manitoba about 1954 and I think there was a decrease in the tax made about 1956 or so, and this, I think, is a sensible second step and we approve of it.

MR. GRAY: Mr. Chairman, being a sufferer of an inferiority complex, I would like to see the First Minister react at least on record at my comment that I made on the first resolution which he tried--or unintentionally-- to ignore or perhaps he thought it was not worthwhile answering. While I am on my feet in connection with the other bill, I'd like to, if possible, say a word about the first one, in connection with the other bill. I fully agree with the objective of this here bill, but at the same time I'd like to find out -- of course horse races, I understand that we have a rake-off. Once we have one rake-off we cannot charge another -- and I call it a rake-off intentionally; but as far as the amusement tax is concerned, the football league -- and I'm an admirer of it; I watch it on the radio and I don't have to pay; I don't have to pay \$5.00 for admission or three and a half dollars -- but I think this is a straight commercial enterprise. I haven't seen a bit of sport in it yet, although I may be dead to sports at my age, but I haven't seen any sport; it's entirely an amusement tax. Those who attend pay a very heavy high fee, or high price for . . . . . there and I don't see why they should be exempt. I agree with the shows because they're going through a terrible time now.

(Mr. Gray, cont'd) . . . . . I agree with non-commercial sports but it is entirely, in my opinion -- and I am sure that I will have my head cut off by some of the interested parties in the football kingdom -- but here is a place where they are making money and making a lot of money, and the people pay for their amusement; why should they be exempted from amusement tax? This is as far as the second thing is concerned, by I'm worrying more about the first one and I think that the First Minister, or the Treasurer, should not ignore it.

MR. ELMAN GUTTORMSON (St. George): Mr. Chairman, could the First Minister tell us at what point does the government start charging amusement tax? I mean, what is the amount?

MR. ROBLIN: Mr. Chairman, in answer to the questions. I do apologize to the Honourable Member for Inkster, if he thinks that I've ignored his comments. Perhaps I didn't understand it fully. In the Budget Speech last night I did make reference to the position of the Manitoba economy within the Canadian economy and within the world economy but I'm not sure that that's the point my honourable friend is getting at. Insofar as the Post-War Reserve Fund is concerned -- if the House will allow me to follow my honourable friend's example in trespassing slightly from the rules; it is solely concerned, as far as I'm aware, with affairs here in the Province of Manitoba so I didn't quite follow his line of reasoning, but I wouldn't wish him to think that I didn't hear him or that I'm ignoring him. On the other point with respect to the football club, the line of reasoning is a little devious. I'll have to grant you that it's a matter for debate. The ruling that's been made in the past is that the football operation is a non-profit one, in that the members of the association and everyone else concerned with it, except the players, operate it as a non-profit organization. It is true that it is professional in the sense that the players are paid by the proceeds of the gate, and it's a matter of policy, I suppose, as to whether you'd call that non-profit or not. Well so far it's been categorized as a non-profit item and it is for that reason that it's not taxed, although I must say we do get arguments as to whether we're doing the right thing or not.

Now with respect to the Honourable Member for St. George, the amendments in the bill will indicate the amount where the tax starts. On the first 70 cents of the tax, as I understand it, is without tax. From 71 cents to a dollar the tax is 10 percent; it is proposed to reduce it to 5 percent and a reduction in the sliding scale on the tax payable in admissions from 65 cents to 67 cents of one cent per admission. There's no change in the tax on admission prices of 61-64 cents inclusive. The tax on admission prices of more than a dollar remains on the present 10 percent, so the reduction is on the admission prices of a dollar or less; that's where it comes in. Now the details of it will be set out in the bill and if my honourable friend would -- he'll see it this afternoon -- I can have the bill distributed at once and he can have a look at it and get the full story.

MR. GUTTORMSON: Just one question. In other words, an admission fee of 61 cents or over still has some tax on it.

MR. ROBLIN: It's cut in half, from 10 to five.

MR. L. DESJARDINS (St. Boniface): Mr. Chairman, it seems that it is a fairly difficult thing to define a non-profit organization and therefore I think that most of the time the formula has been to give such organizations the benefit of the doubt, and I certainly don't quarrel with this; I think that sports has such a hard time now with television and so on, I wouldn't mind at all if there wasn't any amusement tax at all, but are we doing the same thing for those theatres and so on? It seems that they can't find a way to benefit by any question mark. It has been mentioned here a lot of these theatres are going broke, and I can assure the Minister that there are certainly enough funeral homes around the city now, I think.

MR. ROBLIN: Mr. Chairman, I'm not sure whether my honourable friend expects me to make a comment on that or not. All I can say is that representatives of the moving picture people have been in on a number of occasions to see members of the department and myself and have given us their position, and I can't say -- I don't think that I should discuss the details of that here as it was given to us privately, but the facts given were such as to allow us to come to the conclusion that while a tax reduction was in order, it would not be suitable to eliminate the tax entirely. I think that's about as far as I should go under the circumstances.

MR. DESJARDINS: I certainly thank the Honourable Minister for his comments. Certainly I was expecting this, but I thought that perhaps maybe the Minister of Public Works

(Mr. Desjardins, cont'd) . . . . . might offer some comments also.

MR. CHAIRMAN: Committee rise and report.

MR. PAULLEY: May I have the indulgence of the committee just before it rises. I must apologize for just being out of the House at the start of this afternoon's sitting. I did not hear the report from the Statutory Rules and Regulations Committee. Now it is my desire and the desire of my group to substitute the name of Mr. Schreyer for that of Mr. Orlikow for reasons that I'm sure are apparent to the House. I understand that in the report there was suggested authorization for the committee to meet in between sessions.

MR. ROBLIN: Did my friend say Public Accounts or did he say . . . . .

MR. PAULLEY: No, no, Rules and Statutory Regulations.

MR. ROBLIN: Well I think on the Orders of the Day you could move that.

MR. PAULLEY: That will be acceptable?

MR. ROBLIN: Yes.

MR. PAULLEY: I wasn't sure whether normally you have to give notice of that, and I guess I could get leave of the House in any case.

MR. ROBLIN: I think, Mr. Chairman -- and Mr. Chairman, if my honourable friend asks for leave we would be glad to accord it to him and he can make the motion after the Orders of the Day have been called.

MR. CHAIRMAN: Committee rise and report. Call in the speaker.

MR. W.G. MARTIN (St. Matthews): Mr. Speaker, I beg to move, seconded by the Honourable Member from Morris that the report of the committee be received.

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

MR. ROBLIN introduced Bill No. 95, an Act to amend The Unconditional Grants Act.

MR. ROBLIN introduced Bill No. 66, an Act to amend The Reserve for War and Post-War Emergencies Act.

MR. ROBLIN introduced Bill No. 120, an Act to amend The Amusements Act.

MR. SPEAKER: Before I call the Orders of the Day I should like to introduce to the members of the Legislative Assembly, Gimli 4-H Club. We have 35 members of this group with us under the leadership of Mr. J. Johnson and Pat Duguid. This group are from Gimli constituency and are represented in this House by the Honourable George Johnson. We are very happy to have the future farmers and farmerettes of Manitoba with us in the gallery this afternoon. No doubt that as they view the progress in this Legislature many of them have thoughts that in future years they may themselves grace a seat in this Legislature. We're happy to have you this afternoon. Come back again some time.

Orders of the Day.

MR. GUTTORMSON: Mr. Speaker before the Orders of the Day, I'd like to move, seconded by the Honourable Member for Selkirk, that the name of the Honourable Member for Ethelbert Plains be struck off the Standing Committee on Statutory Regulations and Orders and substituted by the Member for St. Boniface.

MR. SPEAKER: It has been moved by the Honourable Member for St. George, seconded by the Honourable Member for Selkirk, that the name of -- can you give us the motion?

MR. GUTTORMSON: I have't got a prepared motion, Mr. Speaker. My motion was this, that the name of the Honourable Member for Ethelbert Plains be struck off the list of the Standing Committee on Statutory Regulations and Orders and substituted by the Member for St. Boniface with the permission of the House.

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

MR. PAULLEY: Mr. Speaker, before the Orders of the Day, I would like the indulgence and leave of the House to have the name of the Honourable Member for Brokenhead substituted for that of the Honourable Member for St. John's, on the Standing Committee on Statutory Regulations and Orders.

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

MR. ROBLIN: Mr. Speaker, I understand that the Honourable the Leader of the Opposition would rather proceed tonight than this afternoon with the debate on the motion to go into Committee of Ways and Means. So what I propose that we should do is merely proceed with the Orders of the Day as they stand in the Order Paper, with the single exception that I would like to bring forward the adjourned debates and second readings of private members' bills

(Mr. Roblin, cont'd) . . . . . that are halfway through the Order Paper after government bills have been dealt with, and then we would carry on with the resolutions as they stand. I trust that would be agreeable.

HON. GEORGE HUTTON (Minister of Agriculture and Conservation) (Rockwood-Iberville): Mr. Speaker, before the Orders of the Day, I would like to present the latest press release of the Flood Forecasting Committee, which met yesterday, April 26th and reviewed runoff conditions existing at that time. In view of the negligible precipitation occurring over the watershed during the past several days, together with the fact that the peak flow at Emerson occurring today is somewhat lower than previously predicted, the Committee is of the opinion that the peak flow of the Red River at Winnipeg was reached on April 24th at a discharge of 59,000 cfs, which corresponds to a stage of 19.8 ft. city datum at James Avenue and is unlikely to reach this peak again this year. The situation on the Assiniboine River basin has also been improved by the comparatively low amounts of precipitation over the last week. Consequently, the future peak flows may occur somewhat earlier and at lower levels than previously predicted.

Mr. Speaker, also before the Orders of the Day, I would like to lay on the table of the House the Return to the Order of the House No. 6 dated March 2, 1962 on a motion by the Honourable Member from Gladstone-Neepawa.

MR. SPEAKER: Orders of the Day.

HON. GURNEY EVANS (Minister of Industry and Commerce) (Fort Rouge): Mr. Speaker, before you proceed with the Orders of the Day I'd like to lay on the table of the House, a Return to an Order of the House on the motion of the Honourable the Leader of the Opposition.

MR. LYON: Mr. Speaker, before the Orders of the Day are proceeded with, I should like to report to the House that pursuant to Section 3 of the Uniform Law Commissioners Act it is required that there be laid on the table of the House during each annual session, a report of the three uniform law commissioners of Manitoba. This is done each year through the medium of tabling the report of the total conference. I was advised this week by the Legislative Counsel for Manitoba, that the report of the total conference, which includes, of course, the report of our three commissioners, is only now at the printer's in Nova Scotia and there is every probability that it will not be received before the House rises. I therefore bring this matter to the attention of the House, more or less, I suppose Sir, to ask leave for the report not to be tabled as required by statute, because of course of the form it has taken in past years. I can assure honourable members that as soon as the copy is available it will be tabled at the next ensuing session of this House, but the responsibility for this, of course, does not lie with us; the report is just not in our hands. If it meets with the wishes of honourable members, I thought I should put it on record that we will table this report the next ensuing session just as soon as we get it in our hands. In the alternative, of course, I could have the three commissioners give me a three-line report, saying that their report is contained in the printed report which is not yet available, but I didn't think that members of the House would wish that to occur.

MR. CAMPBELL: Is this the report that is printed and distributed to all the members of the House?

MR. LYON: As I recall, Mr. Speaker, I believe there's only one copy usually tabled. Now I could be wrong in that, but I don't believe there are too many copies of it usually made available.

MR. PAULLEY: It have no objection at all to the suggestion of the Honourable the Attorney-General that he be excused under the circumstances of the non-tabling of this report. I would like to suggest to him, however, that after a receipt of the report from -- Nova Scotia, I believe it was, that if after the receipt of that, that he feels that there's anything in the report itself that might be of interest to the parties, that a copy, if available, be sent during the recess to us and then the formal tabling be done next session.

MR. LYON: I'd be very happy to do that, Mr. Speaker, to let honourable members have copies once it is available. That is, the Leaders, at least.

MR. GRAY: Mr. Speaker, the neighbourhood in my district wants me to express their thanks to the Minister of Agriculture, to announce every morning, every day if possible or even after we prorogue, the situation of the flood. Some of them are sending me the bills for



(Mr. Gray, cont'd) ..... the rubber boots they have to buy; they're expecting a flood every morning and they're worrying about it, and what I want to recommend to you, is for notifying every morning, and I'd like to urge you that even when the House prorogues, make a statement to the press every day of the situation. This will comfort them considerably.

MR. M. E. McKELLAR (Souris-Lansdowne): Mr. Speaker, before the Orders of the Day, I would like to bring a message of importance regarding the sheep industry in this province to the members of the Legislature.

The All-Canada Sheep Show being staged this summer, July 2nd to the 6th at Brandon, is the feature event of the Provincial Exhibition of Manitoba. To our knowledge a special sheep show of this nature and extent has never been held in Canada before. The sheep industry in Canada at the present time is in a somewhat depressed state but it is to be hoped that national recognition of the sheep industry during this week in Brandon might prove to be the spark that will give the industry the lift it requires in order that it can take its rightful place in the agricultural economy of this country.

The Manitoba Sheep Breeders' Association, the pure-bred sheep breeders organization in this province, aware of the foregoing condition and also aware of the fact that something should be done, decided in the fall of 1960 to organize and stage this national show. They were successful in obtaining the services of Mr. Bill Munroe, Director of Field Services for the Meat Packers Council of Canada who resides in Winnipeg, to act as manager of the show. Mr. H. E. Avery of Chater, Manitoba, is President of the Manitoba Sheep Breeders and the Chairman of the show. Mr. Doug Stevenson, of the Livestock Branch, Department of Agriculture, is their Secretary.

The show and general program has been divided into several broad committees such as prizes, provincial exhibitors, contacts, finance and merchandise awards display building; show and sale committee; publicity and over-all management committee. Since the show's inception possibly upwards of 50 to 75 meetings have been held in the various committees, involving a large group of individuals representing the sheep breeders themselves, representing the provincial and federal departments of Agriculture.

The All-Canada Sheep Show Committee has drawn up a prize list second to none in Canada today, hopeful of obtaining exhibits from every province in Canada, representing the best pure-bred stock in seven of the most popular breeds. They expect to have upwards of 800 sheep. In addition to the show, the committee is holding a selected sheep sale of about 75 head of the best of Canada's breeding stock in an endeavour to distribute the same to all provinces. In addition there are classes for cross-breed use which will also be sold in an endeavour to create and expand sound commercial flocks. Several additional features and attractions have been added to the week's program, including a wool show, a sheep-shearing competition, and exhibitors' social hour and banquet, and of most importance, a very extensive educational display in the program. This latter is being staged in a separate building donated for this purpose and will comprise exhibits all relating to the expansion of the production and consumption of quality Canadian lamb and wool and their products. Included are exhibits covering the economics of sheep production in ..... of each program an example, a cross-breeding program, lamb carcasses, cuts, preparation and cooking; a display entitled "The World of Wool," and a film theatre.

On behalf of the All-Canada Sheep Show Committee, may I extend a most sincere invitation to all of you to spend a few hours, or a day or two, at the All-Canada Sheep Show this summer at Brandon.

MR. T. P. HILLHOUSE, Q. C. (Selkirk): Would the honourable member permit a question? The Honourable Member for St. Boniface would like to know whether that invitation includes black sheep? -- (Interjection) --

MR. GRAY: What's more important? A lamb or a sheep?

HON. GEO. JOHNSON (Minister of Health)(Gimli): Mr. Speaker, before the Orders of the Day, I would like to make a short statement concerning the Sabin vaccine program which started under way today, and as always with the thinking of the members of the Legislature, a Sabin vaccine clinic is set up in the rotunda of the building and if the honourable members would slip out some time between 3:00 and 5:00 we would like them to participate in this program by taking some of the first vaccine.

MR. ROBLIN: If it works on you, it will be safe for the rest of the province.

MR. JOHNSON: Yes, I think it'll even work on my Honourable Member from Selkirk. However, I would like to say at this time that Manitoba will be the first province to get the Sabin vaccine actually on the road, starting this afternoon and going full force on Monday. There's no age limit; there's no contra-indications; there's no -- that is, the same thing with any other vaccine -- no danger, and I can assure my honourable friends that I would like them to take theirs this afternoon. They can get it downstairs in the rotunda. The staffs are ready to handle you between those hours.

I would also like to thank at this time the television, press and radio for the tremendous co-operation they're giving us on a voluntary basis as a public service, and they have been going all out to promote Sabin vaccine during the month of May. I can't thank them enough. I also would point out to honourable members that the dates as to where adults can get their vaccine will be published in the press. Anyone in doubt can phone their corner drugstore -- the Manitoba Pharmaceutical Association have offered this service -- and also in health unit areas and so on, you can phone the local health departments. There will be 21 stations set up in Winnipeg. We're hoping to cover everyone in the first four or five days of May. These clinics will be held from 2:00 to 8:00 in 21 centres throughout the province, largely in schools. I would ask honourable members to give this every support they can and hope that the members will avail themselves of the vaccine here today. We're very proud and I also want to thank the staff throughout the health department and all departments who co-operated with us in getting this program under way so early after the licensing of the vaccine. We've ordered sufficient vaccine and it is our hope that every Manitoban will avail himself of this service.

MR. ROBLIN: Mr. Speaker, I'm sure that my colleague has the best of intentions in the world, but I want to say to the government members that if they're thinking of taking part in this program I will expect them to leave one by one during Committee of the Whole -- (interjection) -- and the next man not to come back till the first man has returned. We don't want any untoward events this afternoon.

There is another thing that I intended to say, Mr. Speaker, about the order of business that I omitted to say the other day, and that is, that while we'll be meeting in a separate session again tonight, as the House understands, and we'll be meeting in Law Amendments -- I think it is at 9:30 is it not, tomorrow morning -- and that the House will reconvene at 2:30 Saturday afternoon, if we are not through with Law Amendments, we will rise and go back to Law Amendments, but if we're through, then we'll proceed with other business, but I wanted to give members that notice that we'll be having a formal meeting at 2:30 tomorrow afternoon just to see where we stand at that time.

MR. GRAY: Mr. Speaker, is there any insurance carried on the MLAs? Should we take the needle? -- (Interjections) -- Is there any insurance carried on the MLAs in case it works the other way.

MR. JOHNSON (Gimli): No, Mr. Speaker, we have every assurance from the millions of doses that have been given of this vaccine throughout the world. There has never yet been any ill effects recognized and a survey was carried out in Prince Albert last year. As for insurance, no, but I want to say this; we have an elder Manitoban, 105 years old, who consented to take his dose of Sabin vaccine yesterday, and he made the statement that he hopes -- if he does nothing else before he dies, he's going to take his Sabin vaccine. We hope this sticks with everyone too.

MR. DESJARDINS: Mr. Speaker, we certainly respect the words of the Honourable Minister but I wonder if I might be allowed to ask him a question? In view of the fact that we'll be the first in Manitoba to take this; in view of the fact that Manitoba will be the first province to go under this program; and in view of the fact of the heated debates we've had this session, for our own protection wouldn't it be advisable for the government to go first, and then the members of the Opposition to follow?

MR. JOHNSON (Gimli): Well, I shouldn't say it, you know; the honourable member is in the wrong occupation -- (interjection) -- however, I can assure my honourable friend that -- (interjection) -- yes, well we have a program too, but I do feel that from all the studies, indications and advice we can get throughout Canada, there's no reason for not proceeding with this vaccine. I think it's incumbent upon us to do so.

MR. CAMPBELL: Mr. Speaker, I think that this a most important announcement that the Honourable the Minister has made. -- Of course, it's not the first that we've heard about it -- but I think it really is something that we should pay serious attention to because if this vaccine is as effective as the Salk that has preceded it, I think this is a epoch in health affairs because, goodness knows, the folks who have seen the results of the disease that it's intended to prevent can certainly give great thanks to the researchers and others who have developed a vaccine of any kind, and then to think that this much more convenient form has been developed is really a major advance, and I think we should express our appreciation to the department and going back behind them, to the folks who do the ground work that makes this sort of thing possible. If it results in eradicating this dread scourge, it certainly will be a red-letter day in the history of the Province of Manitoba.

MR. J. M. HAWRYLUK (Burrows): Mr. Speaker, before the Orders of the Day I'd like to direct a question to the Minister of Education. I never had the opportunity to commend the government and the Minister at the time about the fact that the government saw fit to teach Ukrainian, to bring Ukrainian into the junior high level, and my question is this, Sir. Has he any idea how many teachers will be required and did every junior high school in the Province of Manitoba and particularly in the City of Winnipeg get a notice in regard to the teaching of Ukrainian in Grade IX?

MR. McLEAN: Mr. Speaker, all of the school districts or school divisions received an invitation to participate. We're just now collecting the answers of those who are advising us that they wish to and those who say they don't wish to. I can't tell the House how many affirmative answers we will have, or how many teachers will be required. Any figure I would give would only be guessing but all have been given an opportunity.

MR. MOLGAT: Mr. Speaker, before the Orders of the Day, I'd like to address a question to the Minister of Public Utilities. So far as the Matador Pipe Lines which are going to be constructed between the southwest corner of our province near Antler, North Dakota, to hook on to the Interprovincial Pipe Line; will this be a common carrier? Will the wells in the Pierson Fields, which are directly adjoining the pipe line, be able to use this pipe line to transport their oil to the station at Cromer?

MR. LYON: I'd be happy to take that question as notice and get the information for my honourable friend.

MR. SPEAKER: Orders of the Day. Orders for Return. The Honourable Member for Emerson.

MR. JOHN P. TANCHAK (Emerson): Mr. Speaker, I move, seconded by the Honourable Member for Turtle Mountain, that an Order of the House do issue for a return showing for the fiscal years 1959, 1960 and 1961: (1) Money spent on Provincial highways in every constituency in the Province of Manitoba; (2) Money spent on construction of bridges in every constituency in the Province of Manitoba; (3) Grants in aid given for public works to each constituency.

Mr. Speaker presented the motion.

HON. WALTER WEIR (Acting Minister of Public Works)(Minnedosa): Mr. Speaker, I rise to say that I can't accept this Order for Return from the Honourable Member for Emerson because the accounting of disbursements and expenditures by the department and the records are not maintained with reference to the boundaries of provincial constituencies. Any breakdown that there could be would have to be purely an arbitrary figure and it would really not have any great degree of meaning, and therefore I have to accept the precedent that has been established in the past by the previous government and reject this motion.

MR. TANCHAK: Mr. Speaker, I kind of half expected that the Minister would object to it. I hoped he would go to take his vaccine during this time; he might not have. But I cannot see the validity of his reasoning in refusing to give this information in view of the fact that on April 23rd there was a precedent set and the Honourable Minister, in Hansard April 23rd, Page 2124, the Honourable the Minister did reveal the money spent in a certain constituency. Now I'll read it out of here: "In the Honourable Member for Fisher's area, he's got four disorganized areas and one unorganized. In the '58-59 season, '59-60, '60-61, '61-62, the Province of Manitoba spent in this constituency \$626,413.46." So we thought that if it was possible to do it in one constituency I don't see why it wouldn't be possible to do it for all the constituencies.

(Mr. Tanchak, cont'd) . . . . . The Minister just said that it is not customary to have the figures for constituencies, but here's an example where it was quite possible, so I think this information should be given us.

MR. WEIR: Mr. Chairman, in reply to the honourable member's question, I might say that all of the information that I gave during estimates is available. It is available in your annual reports, because that was purely money that was spent in regard to the unorganized and disorganized area of the honourable member's constituency. This same thing does not apply all over Manitoba and those particular figures are available in the annual reports of the given years.

MR. TANCHAK: Mr. Chairman, the Honourable Minister will agree with me that it is possible to give this by constituencies?

MR. WEIR: No, Mr. Speaker, under no circumstances do I agree with the honourable member.

Mr. Speaker put the question and after a voice vote declared the motion lost.

MR. SPEAKER: Committee of the Whole House.

MRS. CAROLINE MORRISON (Pembina): Mr. Speaker, I beg to move, seconded by the Honourable Member for Souris-Lansdowne, that Mr. Speaker do now leave the Chair and the House resolve itself into a Committee of the Whole to consider the following bills: Bill No. 56, Bill No. 103; Bill No. 102.

Mr. Speaker presented the motion and after a voice vote declared the motion carried and the House resolved itself into a Committee of the Whole House with the Honourable Member for St. Matthews in the Chair.

MR. CHAIRMAN: Bill No. 56.

MRS. MORRISON: Mr. Chairman, I have amendments I'd like to propose to this bill. These amendments are all deletions and therefore there are no new powers given. These amendments are the results of consultation with the Minister of Municipal Affairs and have his approval.

MR. CHAIRMAN: Section 68 (1) passed; (2) passed; proposed amendment 69 -- deletions . . . . .

MRS. MORRISON: Section (3) and (4) thereof.

MR. CHAIRMAN: Section 69, the deletion of (3) and (4).

MR. EVANS: Mr. Chairman, I'm not sure that the loud speakers were on at that point. I understand that the honourable member moved that sections (3) and (4) be deleted.

MR. CHAIRMAN: Agreed? That (3) and (4) be deleted . . . . .

MRS. MORRISON: There are some further deletions to this section and I would like them moved at this time. By deleting the word and figure "subsection (6)" in the first line of subsection (5) and substituting therefor "subsection (4)"; by deleting the word and figure "subsection (5)" in the first line of subsection (6) and substituting therefor "subsection (3)". By re-numbering subsections (5) and (6), respectively, (3) and (4).

MR. CHAIRMAN: Amendment passed? Agreed?

Sections 71, 72 and 73 of Bill 56 were passed.

MRS. MORRISON: I move the following amendments, Mr. Chairman.

Proposed Section 73 is amended by deleting the word "license" in the sixth line of subsection (1) and by substituting therefor the word "tax." Subsection (2), by deleting the words "licence fee" in the eighth line of said subsection (1) and by substituting therefor the word "tax." Subsection (3), by deleting the words, "authorized by section 69 for business tax applicable to such a business" at the end of the subsection (1) and substituting therefor the words "for business tax levied for that year." Subsection (4), by deleting the words "licence fee" in the first and second lines of subsection (2) and substituting therefor the word "tax."

MR. CHAIRMAN: Section 73 as amended passed; 74 . . . .

MRS. MORRISON: I move the following amendments Mr. Chairman. Proposed Section 74 is amended, subsection (1), by deleting the words "and license" in the second line of subsection (1) and substituting therefor the word "for." Subsection (2), by deleting the words "for the licence" in the first line of subsection (2) and substituting therefor the words "shall not exceed fifty dollars and." Subsection (3), by deleting the word "licence" where it occurs in the first and second lines of subsection (3). Subsection (4), by deleting the words "licence

(Mrs. Morrison, cont'd) ..... or other fee" in the sixth line of subsection (3) and substituting therefor the word "tax".

MR. CHAIRMAN: Section 74 as amended passed. 74A ....

MRS. MORRISON: I beg to move the following amendments Mr. Chairman, of subsection 74A: Subsection (1), by deleting the word "licence" in the first line of said section and substituting therefor the words "a tax or fee". Subsection (2), by deleting the word "licence" where it occurs in the sixth and eleventh lines of said section and by substituting therefor in each case the words "tax or". Subsection (3), by deleting the word "fee" at the end of said section and substituting therefor the words "tax or fee."

MR. CHAIRMAN: 74A as amended passed. 74B .....

MRS. MORRISON: 74B is deleted. I move, I so move Mr. Chairman 74B is deleted.

MR. CHAIRMAN: Section 1 passed; Section 2 passed, preamble passed.

MR. CAMPBELL: I gather they don't greatly affect the over-all bill. They're just structural or legislative changes are they, rather than change in principle and substance?

HON. JOHN A. CHRISTIANSON (Minister of Public Welfare) (Portage la Prairie): Mr. Chairman, if I might presume to answer for the Honourable Member from Pembina. The Minister of Municipal Affairs pointed out that some of these proposed -- or some of the original sections in the bill gave the City of Portage la Prairie rather larger powers than was implicit in the Municipal Act or in some of the statutes of other cities -- similar cities -- in Manitoba, and these amendments merely remove these sections from the act, and I would say that the amendments that are proposed have been worked out between the solicitor for the City of Portage la Prairie and the Department of Municipal Affairs and is with both their full concurrence.

MR. CAMPBELL: Would it be correct to say, Mr. Chairman, that the Honourable the Acting Minister of Municipal Affairs is cutting Portage down to size?

MR. CHAIRMAN: Bill 103. It's fairly extensive. Shall we take these by pages?

Bill 103 was read page by page and passed.

MR. CHAIRMAN: I presume we should take this section by section.

MR. MOLGAT: .....102, Mr. Chairman? Mr. Chairman is it 102 that you're calling now?

MR. CHAIRMAN: 102 now.

MR. MOLGAT: Before we proceed into Bill 102, Mr. Chairman. When we had a discussion on this bill originally in second reading, before going to the committee, I stated the position of our party, and that position I thought was quite clear, and this matter needed more study. The Minister in his reply subsequently poked fun at the position that the Liberal Party had taken, and indicated that we were inclined to be on the fence and so on. Mr. Chairman, it seems quite surprising to me after the position of the Minister that now we find the Minister himself on the fence, because the proposals he made in committee, I think, proved exactly the case that we stated here in the first place on second reading, and that is, that this matter does need more consideration. The fact is that the government now is proposing that a part of the bill be referred to the courts. The government is saying, "We don't know ourselves what this means. We can't tell what the legislation that we are proposing to this House actually means insofar as labour relations. We don't know what the effect of this legislation is. We can't even interpret, ourselves, the meaning of our proposals." So they're referring it to the courts and presumably they will attempt to hide behind the court in the decision taken there.

Mr. Chairman, this proves conclusively that this matter needs more study. The government itself doesn't know what this legislation means. Anyone who sat through the committee the other day, I think will agree, that there's a great deal of education needed in this field. There's education needed on the part of management; there's education needed on the part of labour; and there's also a great deal of education needed on behalf of the members of this House who are going to make the final decision in this matter. We heard many representations. By and large they fell into two groups depending on who was making the representation. We submit that the results of that committee were proof again of the position that we took in the first place. The government, in addition of course to what was given in committee, has received many briefs beforehand. This was evident from the representations made there, that they had received from labour and from management over the past year or so a number of

(Mr. Molgat, cont'd) . . . . . recommendations of which this House is not aware. The cabinet has these; we don't. These we believe should be given to the committee as a whole to be considered, in order that we can arrive at a sensible decision in this regard. When we listen, for example, to the representations made by the construction groups, be they employer groups or employee groups, in both cases the recommendation was the same, that the Labour Relations Act did not apply properly to the construction industry; that insofar as that particular aspect was concerned either it needed a separate act or it needed a separate section within the Labour Relations Act. This does not exist in Manitoba now and the present legislation does not propose this. When we listened to both groups once again we found that a number of recommendations which they were making were not covered by the bill that's before us. When you read what Mr. Justice Tritschler had to say the bill that's before us does not cover many of the items that he recommended. So Mr. Chairman, I cannot see the purpose in passing this bill at this time. I think there has been no case made for the urgency of passing this bill now. I went carefully, in my first speech, over the history of labour relations in this province and in particular the situation of the strikes. These were covered again in committee and no case was made there that this change had to be made now. On the contrary, all the way through the case was made, and now the government admits it by some of the changes it is proposing in the bill, that this whole question needs a great deal more study than it's getting now. It's time that our Labour Relations Act has a complete overhaul. It's time that we consider many other aspects. It's time that we approach all these groups, that we proceed with the education that Mr. Justice Tritschler recommends, and that we come out with a Labour Relations Act that will, in fact, cover more fully the needs of both labour and management in this province.

Mr. Chairman, in view of this we are not prepared and will not submit amendments to this bill now. We stand by the position that we held before, which I say the government now admits is correct, that this matter should be reconsidered, that the Industrial Relations Committee should sit between the sessions or recess, and that we proceed with a complete investigation of our Labour Relations Act, that we do this in a period of calm and careful consideration, not by having four committee meetings in succession where we listen to briefs and don't have proper time to discuss this. So insofar as our group is concerned, we'll propose no amendments; we'll not proceed to vote in favour of any amendments; we suggest that the bill simply be referred back to the committee. And I beg to move, Mr. Chairman, seconded by the member for Carillon that Bill No. 102 be not now proceeded with, but that it be referred back to the Committee on Industrial Relations for further consideration.

Mr. Chairman presented the motion.

MR. LYON: I think before we proceed with the vote on that question, there are one or two points that I might comment upon with respect to the remarks of the Leader of the Opposition concerning the government's intention to refer the one section of this Bill by way of reference or stated case to the Courts of the Province.

My honourable friend made the statement that the government doesn't know what the section means. Well, I'm not going to get into any long harangue or argument with him at this stage at all. I merely want to reassure him that the government has a strong opinion and a very firm opinion as to what the section means and as to its full import and effect, because if he will recall, the opinion of the Legislative Counsel was read at the Committee the other morning confirming the government's position in this matter. Not only that, that opinion was distributed to members of the House who have had the opportunity, I'm sure, to peruse it since. We have taken other advice on this matter from other sources, I'm quite able, or quite free to tell my honourable friend, and the opinions that we have had coincide with the opinion of Mr. Rutherford, namely that this section does not confer any additional onuses or burdens, or prejudice in any way beyond the scope of what legal status does to any other group or organization which is accorded that status. So I want to disabuse my honourable friend's mind of any suggestion that the government doesn't know. What the government does know is that one could argue from now till doomsday before the Industrial Relations Committee on a legal question which could never be resolved by that Committee, because there is only one place to resolve such a question and that is in the courts, and that's why we make the suggestion that we do, that this one section, if, as there appears to be, there is some doubt, people do not accept the interpretation that the government and its advisers have placed upon the bill, if there

(Mr. Lyon, cont'd) ..... is doubt on this, as we must all agree there is, cast by other persons, then we will take the proper action, namely, to refer it to the courts for an opinion as to the effect of the section upon either employer or trade union groups who are accorded legal status pursuant to the bill.

I'm afraid that it's pretty cold comfort, maybe, to the Leader of the Opposition, but I'm afraid this action on behalf of the government offers neither an excuse nor an answer to his particular predicament, much as he would like to think that it does. This is, I suggest, a reasonable and logical way of approaching the subject matter of this one section. I don't intend to get into the other sections of the bill, because we've had this argument and debate before as to the advisability or otherwise of having protracted hearings, and enlarging the scope of the hearings and so on and so forth. That's not the purpose of my intervention at this point. The only purpose is to point out that our intention is to refer the one section to resolve any doubts that may exist and to let the courts tell us what the effect of the section is. Insofar as the other matters are concerned, there are others on this side of the House, and perhaps from the other side, more capable of speaking on this subject than me. I merely want to assure my honourable friend, the Leader of the Opposition, that far from adopting the line of argument that he puts forward, the government's line of argument, I think here, is essentially reasonable; it will be understood by all who have any knowledge of these matters to be the only logical step that one could take to resolve a question of this sort, and that this is what we propose to do; this is what will be done and I'm afraid it still leaves him in the original predicament in which he placed himself.

MR. PAULLEY: Mr. Chairman, before we proceed with the bill and the taking of this vote, I feel that it is incumbent upon myself to say a few words in respect of Bill No. 102.

I say from the offset, Mr. Chairman, that insofar as the motion that we have before us at the present time, introduced by the Leader of the Liberal Party, we certainly are going to support him. However, as far as I am concerned and as far as my group is concerned, to me it isn't a question of just merely referring this bill back to the Committee for more study. Our position has been clearly stated that insofar as Bill 102 is concerned that we're in opposition by and large to the major contents of the bill. For about four days, Mr. Chairman, we've sat in the Industrial Relations Committee to hear representations both from management and from labour in respect of this bill, and I think it should have been obvious to anyone as the deliberations proceeded and the representations were heard that the whole purpose sought of the government and I say, I think sincerely held, that this bill would enhance the good relationship between management and labour, were not being achieved. But as we heard representations in the Committee it was more and more evident that this bill and the main provisions in the bill, to the contrary would cause more disharmony between management and labour than there is under the present Labour Relations Act and that there has been in the past.

I don't think anyone who listened to all of the representations as intently and attentively as I did, could help but feel convinced of this fact. We dealt with the provisions of secret strike ballots and we had many representations from both representatives of management and labour and a number of individuals concerning this particular aspect of the bill. We dealt with the question of the legal entities of the trade union organizations. We heard representations from all sides in connection with this, and while I appreciate the fact that the government, who in the original instance, according to the words of the Honourable the Minister of Labour, seemed inclined to push through the Bill 102 in its original state, has now come to the conclusion that there is room for argument of a legal nature, that we should defer one section until the matter has been referred to the courts, and as I said, Mr. Chairman, this is appreciated to some degree, but we don't think that it is the answer. While we have had the assurance of the First Minister and, I believe, the Attorney-General, that there will be consultation with lawyers either for or against, to use it loosely, "labour organization" -- and I mean that respectfully not disrespectfully -- that there will be consultation in trying to arrive at a hypothetical stated case for submission to their Honours, the Justices of the Court of Appeal, there is also the question that under the provisions of the amendment proposed by the government by which they and they alone can proclaim or not proclaim the section of the bill, but there is no provision in the event, as I see it, whereby that there is any restriction at all on the Lieutenant-Governor-in-Council. It can conceivably happen that with a referral of the stated

(Mr. Pauley cont'd) ..... case to the Honourable Justices of the Appeal Court, that there may be a split decision three and two in favour of establishing that the provisions of the legal entities do not hold the union responsible for the actions of an individual, and the government could conceivably on the basis of a mere majority report of the Justices go through with the proclamation. I made the request in the committee that because of the time element that will be taken up, first of all in the preparing of a stated case, and secondly by the time that it will be necessary for the learned gentlemen to take this under review, that the whole Act and action on it be deferred for at least a year until the next Session of the Legislature, before being proceeded with. I was unsuccessful in my endeavours.

I want to point out, Mr. Chairman, for the benefit of some of the members of the Committee who did not have the opportunity of attending the hearings of the Industrial Relations Committee, what some of the comments were of those who made representation to us. I want to first of all refer to the question of the taking of a secret strike vote. It has been held in some quarters that unions take strike votes in a haphazard sort of a manner. There is the impression around that these votes are not conducted democratically, and had the rest of the members of this committee here this afternoon had the opportunity of those of us who were sitting on the Industrial Relations Committee to hear the explanation given by representatives of labour organizations as to how they conduct their votes, I feel sure that they in fairness would agree with me that this particular section should be eliminated from the act. But more than just the representations of labour union men, I would like to just read one or two observations of a very highly respected individual in our community who has concerned himself with Bill 102, and took the time and the energy to compile a brief to the committee of some 21 pages dealing with all aspects of this bill, namely, Professor H. C. Pentland of our University of Manitoba, who was not there as a representative of labour, and who was not there as a representative of management, but merely an individual who was concerned with industrial relations here in the Province of Manitoba; a man who has devoted considerable years of study to the whole question of labour-management relations, and this man took the time out of his busy life to compile a statement and a brief for the benefit of the committee, and I would like to just make one or two observations that he made in connection with the question of the conduct of a strike vote. And I refer to Page 4 of Professor Pentland's brief, item No. 1. The professor says, "This amendment which dealt with strike votes is inspired in the first place by a myth -- the myth that union officers frequently falsify the results of strike votes or fail to conduct votes in a sufficiently impartial way to obtain the true opinion of their members." And he goes on: "The essential reason that union officers do not commonly falsify strike votes is not just because they are responsible persons, and of those whom I have known at one time or another the overwhelming majority gave the appearance of being exceptionally reasonable and judicious persons. There is a more compelling reason for conducting votes honestly. It is because the officer who falsifies a strike vote takes the most reckless chances with his union and his own career. If he were to say that the union favoured a strike when it did not -- the case always supposed by those who favour government strike votes -- he would condemn himself to enter a strike battle with a ragged and divided force, with every probability of defeat. On the other hand, if the official reported the vote against a strike when the actual vote was in favour -- a course which some of the proponents of supervised strikes might approve -- he would court the strong risk of being thrown out of his membership. Contrary to what advocates of supervised strike votes seem to believe, workers have a very accurate knowledge of the balance of opinion in their group, and they will know when a vote result is falsified unless the vote is very close." Professor Pentland goes on and he poses this question, and I pose this question to you as members of this assembly: "The union officer was appointed to do the bargaining for his members and he must be free to do it for good or ill. It is no more appropriate to check or repudiate his representative actions through a voice vote supervised by someone else than to require company officers to let shareholders vote on each move they make or to require the Government of Manitoba to put each proposed act to the electors as a referendum. The proposal for supervised strike votes represents a confusion with something else. The more fundamental votes determining shall be the elected representatives in government. Who shall be the shareholders' representative, and who shall be the workers' bargaining representative from the officer of his union? Once any of these representatives are elected they must be allowed to represent or their



(Mr. Pauley, cont'd) .....positions and effectiveness is destroyed. Government strike votes will be particularly subversive of good labour relations if not only the over-all verdict but the numbers who voted each way are given to the employer." And he goes on there as to possible upsetting again of harmonious relations.

So the story goes of an independent man who stood before the committee and gave his opinions in respect of this. Then he went on into the question of union entity and pursued a similar line, pointing out, pointing out that while there have been some difficulties and some differences of opinions in the courts, by and large the amendments -- the government has recognized this, by having the matter referred to this Appeal Board -- that this is going to do nothing to enhance the good relations of management and labour in the Province of Manitoba.

I could go on, Mr. Chairman, and give a full history, I think, of what happened in the committee. It's not my purpose to do that this afternoon. We had a member of the Printers Union explain fully of all of the necessary steps which have to be taken by his organization before there's any possibility of a strike taking place. So I say, Mr. Chairman, that there was no substantiation in the committee. Even Mr. Tallin who was representing the Manitoba Chamber of Commerce before this committee, Mr. Chairman, declared in answer to a question, that as far as he knows in the experience that he has had in relationship between management and labour, at no time was there a falsified vote; at no time was he aware of any strike vote or any strike that was taken as a result of a strike, that did not represent the opinions of the unions concerned. Representative after representative outlined to us their strike procedure, and any fair-minded person on that committee could not but have come to the conclusion that insofar as this particular aspect of Bill 102, that is was unnecessary.

One of the biggest objections from the Canadian Manufacturers Association, the Manitoba Chambers of Commerce and the Winnipeg Chambers of Commerce, was that the bill did not go far enough. The objections of labour was that it went too far. We point out that because of these factors, a great deal more study has to be done in connection with labour relations here in the Province of Manitoba. We have suggested that we should not proceed at all with this bill and will eventually make such a proposal to the House.

I say to this committee, Mr. Chairman, before they should proceed with this bill, think what they are doing. They can upset -- and this is not my judgment alone -- what have been relatively good industrial relations in the Province of Manitoba. It has been pointed out through the reports of the Department of Labour that we here in the Province of Manitoba even under the present legislation with its deficiencies, that we have had one of the best provincial labour-management relations of any of the provinces in the Dominion of Canada. During the sittings of this committee we had appear before us, representatives of the second part, or one half of the part of labour-management relations and they have said to us in no uncertain terms, "We don't want this legislation; we feel that it is an imposition on us," and yet despite one half of a football team saying that this will make rules which are not acceptable to us, the other half of the team, namely management, say "We want this plus we want more, for our advantage." Surely Mr. Chairman, and members of this committee, this is enough illustration to indicate that this will not enhance more harmony or better harmony in the field of industrial relations in the Province of Manitoba. Many words have been spoken on this question. I have spoken to considerable length, Mr. Chairman, maybe too much in the opinion of some in this committee, but I want to impress upon this committee that if it is their desire, if it is the desire of this Legislature to enhance better management-labour relations, either adopt the suggestion as proposed by the Leader of the Liberal Party; you will have an opportunity of considering not even progressing with the bill at all from us. If you are sincere in your belief and in your desire to have a team of action -- a joint team between management and labour in the Province of Manitoba to enhance the future of Manitoba, then either throw this bill out or delay its passage at this time.

We heard the Honourable the First Minister here last night in his Budget Speech, telling us of the hopes of the Province of Manitoba for the future. He told us that we unitedly here in the Province of Manitoba must get together for the benefit of Manitoba and for the future of Manitoba. I suggest, Mr. Chairman, that if we are going to achieve the type of future visualized by my honourable friend the First Minister of this House, that we've got to go forward as a team to do it and we will not do it with the type of legislation that is before us this afternoon, and I

(Mr. Paulley cont'd) . . . . . appeal, as strongly as I can, to all the members of this committee to consider this. In the realm of politics, of course, we're going to have some criticisms of the budget address of the First Minister, but I say irrespective of what political affiliations we have, and it wouldn't matter who was on the other side of the House insofar as political stripe is concerned, that the future of Manitoba relies on the combined efforts of all of the people. Labour has shown to the Committee on Industrial Relations they don't want this; they feel that the rules being laid down under this is unfair to them, in the game of the progress of Manitoba, and I appeal to the Committee and to the government, you're going to delay part of the bill for reference to the legal courts. I say, Mr. Chairman, delay the balance of the bill to another court, a Court of Public Opinion, and I beseech all of you to consider all of these factors because they are so vital to the future progress of Manitoba.

MR. DAVID ORLIKOW (St. John's) Mr. Chairman, I think that it's essential to consider the history of this bill and to consider the reasons for the introduction of this bill before we decide what to do with the bill. This bill is brought into this House ostensibly for the purpose of improving the relationship between labour and management.

We heard a large number of representations before the Industrial Relations Committee from both management and labour as well as from some representatives of the public. I think all of them were agreed on one thing, and that is that on the whole the relationships between management and labour in the Province of Manitoba are excellent. Nobody disputed Mr. Russell's listing of the few strikes we had, and his calculations as to how few people were involved; nobody from the government which keeps the records and nobody from management who knows the record from experience; so I think we can all assume that Mr. Russell was giving in fact the actual situation as it was.

It is obvious, Mr. Chairman, that labour is completely united in opposition to this bill. There were suggestions made in this House and in other places that the opposition of this group, for example, was politically motivated and that we did not speak for labour. Well, Mr. Chairman, I want members of the committee to remember that the representative of the trade union movement in Pine Falls, which had some considerable part in the election of the Honourable Member from Lac du Bonnet to this House, appeared before the committee, after the Honourable Member from Lac du Bonnet read the brief into the records here, appeared before the committee to re-emphasize their brief and to make clear that they are not satisfied at all with the suggestions of the government that the fears which they have are needless. And Mr. James, the Secretary of the Manitoba Federation of Labour, appeared before the committee to read into the record the opposition of the North of 53 Labour Council of which the Minister of Mines and Natural Resources has the honour to represent. Nobody would suggest for a moment that theirs was a politically motivated statement. And, of course, the Manitoba Federation of Labour and the Winnipeg and District Labour Council, as could have been expected, also appeared in complete opposition to this bill.

Now let us be realistic, Mr. Chairman. Not only was labour opposed to this bill, but in fact, for other reasons, representatives of management were opposed to this bill, because in fact, what the representatives of management said, was that this bill did not propose the basic changes in labour-management relations in which the representatives of the Chambers of Commerce and the representatives of the Manufacturers' Associations believe is necessary if we are to have amicable relations between labour and management in this province. So, Mr. Chairman, it is obvious that this bill really meets the desires of nobody, and I must ask again, as I've asked on other occasions in this House and outside: who wants this bill? This bill doesn't meet the desires of labour; this bill doesn't meet the desires of management; who wants this bill and why was it brought in? Well, we've heard speeches from the other side that nobody wants this bill but the public. I suggest that the public doesn't want this bill because this bill Mr. Chairman, particularly this bill as we have it now, really does nothing -- nothing which will have the least effect on labour-management relations in this province.

Let's look at the sections of the Act which are now being proposed. We have a section proposing mediation. Now, Mr. Chairman, anybody who has worked in the field of labour-management relations knows that one of the major criticisms which can be made legitimately from both sides is the delays which take place when a dispute begins, and I think members of the Industrial Relations Committee will remember the testimony of Mr. Anderson, the

(Mr. Orlikow, cont'd) . . . . . President of The Building Trades Labour Council, about the dispute which they had with their employers with regard to a new contract, a dispute which began in -- I think he said February of 1961 -- and which is at the end of April 1962, still not completely processed. Now nobody can be happy about that kind of situation, and so if anything can be done to speed it up, any proposal which will work can be brought out, it would of course be met with unanimous support.

Well, the government is proposing that instead of a three-man conciliation board with representative of labour, representative of management and an impartial chairman, that where both sides are agreeable, that there shall be appointed a one-man mediator. I have no objection to this proposal and labour had no objection to this proposal, but both sides, Mr. Chairman -- because I ask members of the Committee to remember not only what labour representative does, but to remember what Mr. McPherson, who is an employer, who is a member of the Labour Relations Board, who is experienced in these matters, had to say -- both sides were in general agreement that these provisions which had to do with the appointment of a mediator will be, to a large extent, stillborn. They will be stillborn and inoperative because of the insistence of the government that the costs of mediation shall be paid by labour and management jointly. Now this, Mr. Chairman, as the Minister knows and as the members of the House should know, violates a basic principle which we have lived with in labour-management relationship, I suppose ever since the principle of conciliation was first enunciated, and that is that the cost of conciliation shall be borne by the government. In other words, shall be borne by the public as a means of promoting equitable discussions in matters and disputes.

Now we have pointed out, and there's been no suggestion and no evidence that we are wrong, that if it is expected, and it is more than expected it is mandatory under the provisions in this bill, that mediation proceedings will be paid for by labour and management jointly, that we will, in effect, restrict the use of mediation to large unions and to large corporations which can afford mediation; that neither small unions nor small managements will be in a position to pay for mediation since there's nothing in the Act which sets out the scale of costs for mediation services. Now it's true, as I think the Minister said, that anybody who is willing to think about mediation will ask what the mediator will charge, but, from experience, we know that the kind of people who will be effective mediators will not work for the kind of money which small unions or small employers will be in a position to pay. Now Mr. McPherson, appearing as a manufacturer, made the very reasonable suggestion that the government should be willing to pay for a mediator the same cost as they are now prepared to pay for a conciliation board, to wit \$45.00 a day, and this was turned down by the government. I suggest, therefore, that all the provisions in this bill which had to do with mediation may read very well, but will, in fact, not be used.

Now there is the question of the strike vote, Mr. Chairman. I have no intention to make a long speech about the strike vote except to say this, Mr. Chairman, that there was not one scrap of evidence -- not from the government members, not from any employers' representatives -- not one scrap of evidence to the effect that in the Province of Manitoba the strike vote has been abused on one single occasion by any trade union. It may be said that there are such cases, but I think it's significant that there was not one piece of evidence to indicate that this is so.

I want to say, Mr. Chairman, that this being the case, that trade unions and trade union members can draw no other inference from this proposal calling for a compulsory government supervised strike vote than that the Government of Manitoba and the Legislature of the Province of Manitoba are dubious about the way trade unions conduct their business; that the Government of Manitoba and the Legislature of Manitoba are suspicious that trade unions are being manipulated by certain un-named, unspecified people to get results which the membership doesn't want. Now members of the government have denied that this is their intention, that this is their belief. I want to suggest that there can be no other explanation for a provision in a bill which will call for a compulsory strike vote conducted by the government.

I want to suggest one more thing, Mr. Chairman, that every time you put into Legislation a provision which calls for further government intervention in management-labour relationships, that you break down the ability and the desire of the two partners to try to reach agreement voluntarily, because what happens now with the whole business of conciliation, with the whole business of a strike vote, which I think Mr. Goodman, when speaking for the Winnipeg and

(Mr. Orlikow, cont'd) . . . . . District Labour Council pointed out so well, is not required in the Act up until now and which is purely a voluntary measure taken on the part of trade unions. What happens now in most cases is that there is no real effort to reach voluntary agreement until trade unions take a strike vote, and if members of Committee doubt this, they only need to look at the history of the negotiations which take place annually between the railway unions and the railway management. What happens? Every year the railway unions make proposals to the company and every year these proposals are turned down. There are no counter-proposals; there are no compromise offers. The proposals of the railway unions are turned down in total and it's only after the railway unions conduct a strike vote of their members -- and incidentally for the record, let it be said that it's a secret strike vote of all the members involved -- only after they conduct that strike vote and the vote is tabulated and the union members indicate their solidarity with their leadership by voting in the neighbourhood of 90 or 95 percent in favour of a strike, only then do you get real negotiation because then you have the threat of a strike. I suggest that this proposal that the government conduct their secret strike vote will only harden the attitude of trade union members and will only make it more difficult to reach an agreement. Because when a trade union official employed by a trade union to represent his members has behind him the vote conducted by the government of a secret strike ballot, and when that vote goes -- and I predict, Mr. Chairman, and I think I have some experience with labour unions -- I predict that the vote will run in the neighbourhood of 90 to 95 percent in favour of a strike, then it will be even more difficult for a union representative to reach compromise agreement than it would be before this kind of vote was taken. So I say, Mr. Chairman, that this proposal will only hurt rather than help in reaching amicable settlement.

I want to say one more thing, Mr. Chairman, and then I will be through with the question of the strike vote. It has been said, and I'm sure it will be said again, that the government doesn't bring this in because it distrusts trade unions; it doesn't propose this measure with regard to the secret strike vote because it thinks anything is wrong on the part of labour. I want to suggest, Mr. Chairman, that if the government really felt that, that the way in which the government could prove that it was being fair to both sides in the labour-management team-- and there are two sides and this should be remembered by anybody who wants to think about this problem -- that the only way in which the government could show labour, to demonstrate conclusively that it is not considering this from a one-sided point of view; from an anti-labour point of view, would be to bring in the same kind of legislation so that before a strike or lock-out takes place, that the company management shall be required to take a vote from the shareholders to make sure that it has the support of its shareholders before it reaches a final decision; because that is what the government is proposing that labour be required to do. Now we made that suggestion and we made it in all seriousness, because we thought that if labour-management relationships are to work, that they must be equitable. They must not only be just; they must appear to be just. I must apologize for using the phrase which was first used, as far as I know by the Honourable the Attorney-General, because in nearly everything else I disagree with him, but it's a phrase which holds a good deal of merit. So, Mr. Chairman, there is really nothing to be said in favour of this provision of the bill.

Now, Mr. Chairman, there is one more provision of the bill, and that deals with the prosecution of violations of The Labour Relations Act. It says, in essence, that the Attorney-General may prosecute offences under the Act. Now, Mr. Chairman, this is a provision which labour has been asking for for a number of years. We questioned in this House on other occasions whether the word "Nay" is sufficient; whether the word ought not to be shelved. Well, Mr. Chairman, the First Minister pointed out to us that in all other Acts the word used is "Nay". Even if this is so, Mr. Chairman, I want to say that this in itself will not really come to grips with the problems which arise.

I wish the Honourable the Attorney-General was in his seat because I want to refer to a case in which he did prosecute. He was asked to prosecute a case and he accepted, and he did prosecute a case having to do with Pepsi Cola Company which dismissed a man. The union was attempting to organize the employees of Pepsi Cola Company and was succeeding when the company fired people for union activities. It was brought to the attention of the Attorney-General and the Department did prosecute, Mr. Chairman, and the prosecution was successful. And what

(Mr. Orlikow, cont'd) .....happened? I think this should be of interest to members of the Committee who are interested in amicable relations. The court assessed a fine -- a fine of \$100.00 on the company. I presume the fine was paid; and I presume that the coffers of the Treasury of the Province of Manitoba were enriched by the sum of \$100.00. Mr. Chairman, of what use was that to the union involved? Of what use was that to the man who was dismissed from his job for participating in the activity of trying to build a union -- an action which is prohibited by The Labour Relations Act of the Province of Manitoba. That was of no use to him at all. Now, Mr. Chairman, other jurisdictions in the United States and in Canada have provisions in their Labour Relations Act under which the Labour Board may order a company to cease and desist; they may order reinstatement; they may order the payment of back pay; all of which are certainly warranted when the law of the Province of Manitoba is broken, and all of which work. Of course, we have no suggestions along this line from the government, and this is to be expected in the kind of patchwork act which we are dealing with today.

So much for the three sections of the Act, Mr. Chairman, which I said when I first spoke on this bill really were not very important. I want to deal with the last section which is of importance, and which the Honourable the Attorney-General tells us the government hasn't changed its mind about. Now, Mr. Chairman, we have had ample evidence, and Mr. Rutherford didn't disagree at all in his submission, that we now have a situation where unions can sue and can be sued. We on this side suggested that the only effect of section 14 of the Act -- of the bill -- which amends Section 46 of The Labour Relations Act by the addition of a new Section 46 (a), the only effect of this section would be that a union might be sued for the actions of an individual member of the union which was not authorized by the union. Now members opposite argue that we didn't know the law. Members opposite argue that this wasn't what was the intent; that this wasn't the way the court would interpret it. Well, Mr. Chairman, I admit today as I admitted before, that I'm not an expert in the law, but members of the Committee will remember that we had appearing before the committee Mr. Syd Green who is a lawyer, who is a lawyer who works pretty continuously in the field of labour matters; who represent labour unions; and Mr. Green did make precisely this argument.

I want to come back to the real question, but I want to deal with what happens to this section of the bill. Despite the fact that we were told on innumerable occasions that we knew nothing about the law; that we were wrong in our interpretation; that this wasn't what this section meant; the First Minister, after hearing representations in Committee proposed -- and it's now included in the bill -- that this section of the bill will not now be proclaimed, even if the bill is passed. This section of the bill will be referred to the court through the preparation of a stated case, and that if the court rules that this section means that a union can be sued for the acts of an individual member which they have not authorized, that this section will not be proclaimed by the government.

Well, Mr. Chairman, I want to ask the members of the Committee: what does this mean? Because if this is what is going to happen, then I suggest to the members of this Committee that there really is no purpose to this section of the bill, because if the courts rule that this is not the proper interpretation of the Act; if trade unions cannot be sued for the actions of individual members of the union which they have not authorized; then, Mr. Chairman, this section of the bill is completely unnecessary. We had ample evidence from Mr. Green and from Mr. Clive Tallin, representing the Chambers of Commerce and from Mr. Rutherford, that in fact unions can be sued for actions for which they are responsible. So, Mr. Chairman, in fact, with the reservation of the government with regard to this section of the bill -- and I want to give the First Minister credit for making this proposal, which I think is a very important and a very good amendment to a very bad bill -- but in effect, Mr. Chairman, the one section of the bill, which is important, has been emasculated. That being the case, I want to ask: what purpose is there in passing this bill?

But, Mr. Chairman, I want to spend just a few moments in putting into the record some of the legal opinions with reference to Section 14 of the bill which proposes a new section to The Labour Relations Act. I do this, Mr. Chairman, because I must say that I did not appreciate the speeches of the Honourable the Attorney-General which suggested in no uncertain terms that members who were opposing this section of the bill really didn't know anything about the law -- I think he really was suggesting we didn't know anything about anything, but we certainly didn't

(Mr. Orlikow, cont'd) . . . . . know anything about the law, nor did we know what this section meant.

I want to summarize briefly what Mr. Green said in his submission to the Industrial Relations Committee, and I want to say now, Mr. Chairman, for the record, that Mr. Green heard the submission read to the Committee by Mr. Rutherford, the Legislative Counsel, and Mr. Green said, after hearing Mr. Rutherford's opinion, that he agreed with every single word which Mr. Rutherford had said but that it really had nothing to do with how the court would interpret this bill if they had occasion to rule on the bill through an actual case. And here is what Mr. Green had to say, and I will give a short summary of what he said to the committee. He pointed out, Mr. Chairman, that the inspiration for this bill resulted from some misconception on the part of the drafters of the bill, misconception that unions cannot sue or be sued. He pointed out that this is not true. There is a feeling on the part of some people that unions can engage in unlawful acts because they cannot be brought to task in the courts, but the common law gives protection and, using procedures now established by the courts, there are no real difficulties either in suing unions or in unions suing. Legal entity, Mr. Chairman, can be a person, a corporation, or a group of persons. The group of persons can exist in a business partnership or a trade union. Many of these combine to do things without asking for a government Charter. It's been pointed out that a company cannot be sued as a company, but it can be sued in its capacity as a Limited Company, because this is the proper description of a company. In a similar way a union can be sued even though its not a legal entity -- a union can be sued or can sue if the union is properly described; and any voluntary organization can be sued in a similar manner. It's been pointed out that trade unions are continually appearing in Court either as plaintiffs or defendants; anytime actions have been disallowed by the Court it has been because the unions have been improperly described.

Mr. Green gave as illustrations the Dussessoy case in the Province of Manitoba and the Therrien case in British Columbia which went to the Supreme Court of Canada in which the unions were sued successfully and in which the unions were named by name as well as through their members and officers. A trade union is liable for contracts it enters into and every member of the trade union could be held responsible for breach of the contract under this Legislation, Mr. Green felt. A judgement against a union or its representative can be executed against any member of the union. In Court it has been held that the responsibility of a group of individuals does not extend to the actions of one of that group. This proposed Legislation; Mr. Green felt would equate the status of a member of a trade union with the status of an employee of a corporation. In a trade union unless the trade union members act together to authorize an Act, the act of one individual member of a union is not in the same category as that of the employee of a corporation because every member is a free agent and not controllable by the union. There is no limited liability for a union as there is for a corporation. Mr. Green pointed out that we now allow people to choose whether they want the privileges and responsibilities of corporate status; but under this Legislation unions would be required to accept legal liability, that of corporate status, and that is something which nobody has suggested should apply to all businesses. This Legislation would increase the liability of unions; and Mr. Green asks if this was not the purpose, what other purpose could there be.

Mr. Green pointed out that Mr. Justice Tritschler did not recommend corporate status, but that what he did recommend -- his recommendations would have the same effect because Mr. Tritschler did recommend in his report that only people who'd be listed and registered be permitted to picket. Mr. Tritschler recommended that in this way the actions of any picketer -- the union could be held responsible for the actions, because there would be a list of them and so on. Mr. Green pointed out that it's not only in labour-management disputes that it takes time -- because this is one of the arguments which was used -- it was suggested that in the case of Tunney versus Orchard it took Mr. Tunney a number of years to get a final decision from the Court in his case against the Teamsters Union. Mr. Green gave as an example the fact that he is suing on behalf of a man who claims that he is owed over-time pay to the extent of \$200.00 and that the case is now going to the Supreme Court of Canada, when his case was begun in 1957. So that the failure of unions to have legal status certainly is not the only reason why cases take the time which they do.

So, Mr. Chairman, so much for Mr. Green. Now I want, Mr. Chairman, to read into

(Mr. Orlikow, cont'd.) . . . . the record a short section of an opinion with regard to the effects of this Bill which I received from the Assistant Professor of Law, Professor H. W. Arthur, at Osgoode Hall law school, and he deals with some sections of the proposed section 46 of this bill. And here's what he says in part, Mr. Chairman, about Section 46 (a) (1) "There seems to be no constitutional barrier to the passage by a provincial legislature, hence the following comments are essentially value judgment. (1) The present law. Persons injured in the course of a labour dispute by a violation of the Act or by any other means have available a whole arsenal of common law action, nuisance . . inducing breach of contract; conspiracy to injure; interference by wrongful means with the right to conduct a business. The present trend of case law Therrien versus Teamsters; Gagnon versus Foundation, Maritimes, to use the legislation as a guide to the propriety of the conduct that injured the Plaintiff. However at common law the Court can also consider the nature of the defendant's interest in pursuing its course of conduct and at least theoretically may deem the infliction of harm upon the plaintiff justifiable. Moreover the present Labour Relations Act enables the injured party to institute quasi criminal proceedings against the wrongdoer with the consent of the Board, Sections 45 to 47. Taken together the common law and the statutes tends to minimize litigation between the parties. Common law is so uncertain and the chances of litigation so unsure that there's pressure towards compromise. The requirement of the Board's consent to any prosecutions is to an expert tribunal the ability to reserve prosecution for flagrant and unconscionable breaches and to deny the right to prosecute where prosecution is sought by a complainant who is himself guilty of wrongdoing, or who seeks merely to destroy the accused by legal processes. To the extent that the Ontario's experience is relevant both management and labour appear to respect the Board's declaratory power which carries neither civil or penal sanction, and even where consent to prosecute is granted it is acted upon in barely 33% of the cases."

Further, Professor Arthur says, "The impact of Section 46 (a) (1). Section 46 (a)(1) does not preclude the present existing common law actions; What it does do is to add to them unlimited opportunities for litigation; the blanket imposition of unlimited liability precludes the interest balancing which exists at common law. It treats alike all breaches of the Act, whether by omission or by commission, regardless of severity or excuse, and imposes on the party in default a crushing liability." Even the British Columbia Trade Unions Act which is similar in terms to Section 46 (1) simultaneously abolishes the common law conspiracy action. Section 303 of the U.S. Taft-Hartley Act which creates a civil right of action confines it to cases involving the particular type of unfair labour practise, the secondary boycott pressure provisions in section 9 (b)(4) which is deemed to be exceptional as the impact. The net effect is to . . . . and inflame labour relations by inviting the parties to have recourse to remedies which are compensatory in form but liable to be punitive in nature. In the crudeness and all-embracing nature of Section 46 (a)(1) there is no pressure for compromise; indeed it is clear from Section 47 (3) of the new Act that compromise has been replaced as public policy by punishment. That section allows the Attorney-General to conduct prosecutions without consent of the Board. This means that the Attorney-General might proceed with a prosecution, not withstanding that the parties have resolved their differences. The wording of Section 46 (a) 1. The section authorizes an award of general damages. This involves an award which goes beyond the plaintiff's calculable out-of-pocket loss, special damages and includes (a) damages at large for unascertainable future discomfort and dislocation (b) punitive damages intended to punish the defendant rather than compensate the plaintiff. General damages are particularly inappropriate in a labour situation as they tend to represent judicial evaluation of the anti-social quality of the wrongful act and our way of demonstrating the Court's emotional reaction to the plaintiff's plight. I could go on Mr. Chairman, but in view of the proposal of the First Minister - -

MR. CARROLL: Mr. Chairman, I'd like to ask the member if he would table the letter that he just read for us?

MR. ORLIKOW: Mr. Chairman, I will have a copy made of this and turn it over to the Minister of Labour.

MR. EVANS: Mr. Chairman, on a point of order it is customary for any member to table forthwith, any letter or document that is referred to during his speech.

MR. ORLIKOW: Well, Mr. Chairman, I was not trying to evade my responsibility or anything else. The only thing is if I table this, I then have no copy. I'm certainly willing to . .

MR. EVANS: There would be no question, Mr. Chairman, in our minds that my honourable friend would give us the copy and we can naturally accept his undertaking in that regard.

MR. ORLIKOW: Mr. Chairman, I could go on in some detail, we had other legal opinion which we felt was valid and much to the point indicating the difficulties which would arise if Section 46 (a) were added to the Labour Relations Bill; but in view of the proposal of the First Minister which is included in the amended bill to refer this to the Courts for an opinion, I see no particular purpose. But having said that, Mr. Chairman, I must say that in view of this proposal I see no purpose in proceeding with this section, and indeed if one doesn't proceed with this section, in fact one has emasculated the bill to the point where there is really nothing of value in the bill.

Mr. Chairman, we heard enough at the Industrial Relations Committee to indicate conclusively that in the light of experience since the Labour Relations Act was first drafted, many things have happened which would indicate that major revisions of the Bill are required. Members, I think of the Committee must have been impressed with the unanimous feeling of the representatives of the employer and the employees in the construction industry that the Labour Relations Bill as it now is written is much too cumbersome to be effective in reaching the quick and equitable decisions which are required in the construction industry. Reference was made before the Committee to the inquiry conducted on behalf of the Ontario Government, by Mr. Carl Goldenberg into the conditions existing in the Ontario construction industry. We have had no inquiry of this scope in the Province of Manitoba. I want to say, Mr. Chairman, that while I, like any other member of this House or anybody in the public, hates to think that we are going to have strikes, I want to say, Mr. Chairman, that if the construction unions in the Province of Manitoba move to organize the workers in the house building industry as they did in the Province of Ontario, that we are likely to have the same large strikes, the same difficult strikes, the same violence which they had in the City of Toronto. I don't want to see this but we will have this because the Labour Relations Act as it is now written simply doesn't meet the problems of the construction industry. And the Labour Relations Act as it is now written does not meet the other questions, the other basic questions of principle which have been raised before the committee and on other occasions by both representatives of labour and management.

This is a patchwork act, Mr. Chairman, which now has patches on the patches. It will be ineffective. I believe, Mr. Chairman, if we are to have a continuation of the good relationships which have existed in this province between labour and management, it is important, it is essential that the whole question of labour-management relations be considered coolly, calmly, collectively, not in haste -- and not just by the government, not just by the Labour Department, not even just by the Cabinet -- but be considered by all the people who are interested. Be considered by representatives of labour, by representatives of management, by representatives of the public; be considered in detail, be considered over a long period of time; and only then can we get a basic and the major revisions of the act which are long overdue.

That being the case, Mr. Chairman, I see no alternative but to vote for the motion moved by the Leader of the Opposition that this matter be sent back to the committee, with the hope that the committee would then meet between sessions to hear representations from all the people interested; to take up all these recommendations which come from all sides to consider them in detail and to then try to reach a consensus -- and I think a consensus which will be agreeable to most people can be reached through that kind of discussion -- and bring it to the next session of the Legislature, when it could be enacted and when the amended bill would have the effect of improving labour relationships which a really good bill could have.

. . . . . Continued on next page.



HON. J. B. CARROLL (Minister of Labour)(The Pas): Mr. Chairman, I believe I should make some comments on some of the remarks that have been made. First of all I would like to say a word to the Leader of the Opposition and say that I certainly did not intend to poke any fun at him or members of his party in my remarks that they would have to get down off the fence. The fact that some of the other members chose to laugh on that occasion was not through my provoking; because I must confess that I was really dead serious in my remarks at that time. With respect to our position at this time I certainly think there's no doubt about where we stand. We certainly aren't on the fence; we are prepared to proceed with the legislation that we introduced with those minor amendments which resulted from the discussions which took place in committee. With respect to what the Act means -- I believe the Attorney-General was very specific in suggesting that we at no time have had any doubts in our minds as to what this particular section of the act means. However, in view of the uncertainty in the minds of certain members of the public, largely the trade unions, that this will in some way or other adversely effect them, we felt it would be imminently fair and demonstrate the best intentions of the government if we were to refer this matter to the courts; set their mind at ease and give them the assurance that nothing would be done if this act is interpreted as meaning something other than what it is intended to mean by those of us who are proposing it.

Now much has been said about the discussions which took place in committee and I must confess that there were some very constructive criticisms made at that time, and I do admit that some of the problems which exist in the construction trade are not improved in that industry which is different from manufacturing; different from distribution; different from most other types of industry. Their main problem of course is that construction jobs are for a very short duration -- 6 months, maybe 12 months, a year and a half, 2 years is a very long construction job -- and during the course of this construction they have a constant changeover in the kinds of labour required on that particular job.

But there was so so many references made to the Goldenberg Report that I'm quite sure that members of the committee must not be fully aware of what the recommendations of the Goldenberg Report were. Now I'm only going to touch on a few of them because I think it's very important to recognize that we in Manitoba have solved a great many of the problems which are unresolved in the Province of Ontario and which were recommended by Mr. Goldenberg in his report on the construction industry. For instance he recommends multiple certification. Well this has been in effect here in Manitoba for a great long time. The Grand Rapids project is probably the best project representing a case where you have a number of trade unions joining together to get certification on one particular project. They talk about multiple bargaining; bargaining by more than one trade union and more than one employer; and this, of course, is the situation which exists between the Winnipeg Builders Exchange and the Construction Trades Council of Winnipeg. But they also go on to talk about vacation with pay, and I think that you will agree, those that are familiar with our legislation, that we've resolved this problem to the bulk of the construction trades in Manitoba. They talk about the successor rights at the time when a business changes hands, either through lease or through bankruptcy sale or in any other way. Well, we brought in amendments this year that take care of that particular situation. They talk about discrimination by employers against employees, firing them for giving information to departmental officials. Well we've changed our Labour Act this year to plug the one loophole that appeared to remain with respect to that section. They talk about amending the Master Servant Act down there to raise the amount of money that an employee can claim from his employer from \$200 to \$500. Well members will recall that last year we amended our Wages Recovery Act to do this same thing.

I think the greatest area of criticism appears with respect to the procedures for certification and things like that. We feel that we have within the department itself, the ability to make administrative changes which will, to a large extent prevent delays, at least any delays that could be attributed to the administration of the department. We also set the wheels in motion to have a panel of our Labour Board set up to deal speedily with any problems arising from the construction industry. The main area of complaint that was brought forward, and the main recommendation of the Goldenberg Report appears to be with respect to a construction wage board and a zone system of wages for the construction industry -- and of course members here will recall that we have this in the Province of Manitoba under our Fair Wage Act.

(Mr. Carroll, cont'd.)

There's some suggestion about the very protracted negotiations which took place in the Ironworkers Union -- Mr. Anderson made quite a point of telling us all about the delays. Well I have here with me an account of those delays and why they resulted -- and I'm not going to read this because it's a full page containing 12 items -- but it indicates very clearly that the delays were within the control of the Trade Union involved and the employer involved; and there were I would say, just as many delays attributed to the trade union as could be attributed to the employer in this case. To begin with he mentioned that the department had established a conciliation officer and then withdrew him. But why did we withdraw the conciliation officer? Because Mr. Anderson or his union applied for a conciliation officer saying that they had proceeded in good faith with their negotiations and hadn't arrived at a settlement and they wanted a conciliation officer. So the same day that that application was received we set up a conciliation officer. And what did we find out? We found out that many of the major issues had not even been discussed by employer and employee. Surely there was no bargaining in good faith here; they hadn't even discussed wages. Can you imagine that they would ask for a conciliation officer, saying they had bargained in good faith when they hadn't even discussed wages. And this application came from the trade union; came from the Ironworkers trade. Now the year before -- and I recall this and I thought maybe this happened last year but it didn't -- the year before we had to withdraw the conciliation officer in their workings with the Ironworkers and their employers. And why did we do that? Because during the course of their negotiations before a conciliation officer was on the job, they had an illegal strike; they called all their workers off the job so that they could consider the issue, so they say; but this in effect was an illegal strike. So I think when trade union representative come before the committee and say that there are delays because of the workings of our Labour Relations Act, I say that they should examine very, very carefully what has caused these delays and is there any responsibility attributable to themselves through their actions.

The Leader of the Opposition -- I think he's out, is he -- well he says that he wants to have further opportunity to consider briefs and so on that could be presented from labour and management. I'd like to say to him that we had I think, 26 -- 26 representations made to that Law Amendments Committee. We sat for five mornings. We had 26 representations which I think included just about all the objections and all the -- the opportunity was certainly there for any representation that labour wanted to bring before the committee or that management might want to bring before the committee -- and surely after this opportunity, if there are any further suggestions that weren't brought forward, it's certainly not the fault of the committee. It's not the fault of the government. It can only be attributed to the people themselves who had nothing further to bring before that committee. Because I submit that if there are any ideas with respect to changes in that Labour Relations Act they should have been brought before that committee, because that was the proper forum for a discussion of any problems that might have been overlooked in the draughting of this particular bill. And I say that there was no stinting of time. We were prepared to sit in that committee as long as necessary to get all the views of any person who wanted to appear before that committee to tell us what they thought should be done with the Labour Relations Act.

MR. PAULLEY: Mr. Chairman, may I ask the Minister a question. Wasn't the purpose of the Industrial Relations Committee at this session ostensibly to refer to Bill 102 and for that reason we did not deal or enter into any discussions or arguments on the additional proposals of the Manitoba Chambers of Commerce?

MR. CARROLL: I think it's very obvious that other matters were brought to the attention of the committee. That committee was to consider Bill 102 and any further amendments that anyone felt should have been made to it. And I think you'll agree that -- Jimmy James, the Secretary of the Manitoba Federation of Labour said he thought that arbitration boards should be included in the same way that conciliation boards are with respect to people with pecuniary interests. And we made that amendment. There were many other suggestions made, many other suggestions. We didn't say that they were limited with respect to the ideas that could be presented before that committee.

Now the Leader of the NDP said that the government assumed that votes by trade unions were taken in a haphazard manner. Certainly nothing can be further from the truth; we did not

(Mr. Carroll, cont'd.) . . . at any time imply that. We said that we were stepping into this field to remove criticism, suspicion, doubt, etcetera, which people have with respect to votes which are conducted by trade unions -- and I think this was made amply plain in the introductory remarks. But then the Leader of the NDP went on to quote from a brief presented by Mr. Pentland; and I, too, would like to read from this brief because I think he said something here which I think should be put on the record. Mr. Pentland said this: "I would like to say that I have studied the Brandon report and cannot find anything seriously wrong" -- not seriously wrong; obviously he found something wrong -- "with the unions conduct of its vote or any other vote: Rather if this vote could prove anything it would offer a reason why union strike votes should be left to the union." That's the end of the quote from Mr. Pentland, and I draw that to the attention of the Committee to read in conjunction with a rereading perhaps of the Tritschler Report and some of the other evidence with respect to the strike vote which was taken in Brandon.

Now there has been suggestion to international constitutions and as they suggest, they require their members to take secret strike votes. Well, I'd just like to draw to the attention of the Committee once again that there are also some international unions that say you don't have to take a strike vote and that the international president can call a strike on his own initiative without reference to the local or to anyone else. He has that within his own authority. I think this is something which should be repeated on this occasion. Now, no evidence that strike votes have been taken improperly. I think this was the suggestion just made now by the Member for St. John's and has been made from time to time by a good many others. Well, I would like to say this, that there is a general feeling among trade unions that only trade union members vote. I think that the preamble to the Act was read out by one of the employer representatives who appeared before the Committee, and the preamble doesn't say that this is an Act -- I'd better read it -- "An Act to promote equitable relations between employers and employees"-- and he went on to emphasize "employees" because it does not say that this is an Act to promote equitable relations between employers and trade unions. The Act I think, does contemplate that all members in a bargaining unit should have the right to vote. Well the fact that there is common disagreement among trade unions that this is not so, indicates that they haven't been conducting their strike votes among all of the members in the bargaining unit. I just draw that to the attention of the Committee.

But I'm also advised that some locals, some locals of unions cover not one employer but a number of employers. This is the case with the retail clerks who have agreements which cover several of the chain stores. This is also the case with the Amalgamated Meat Packers, and there are cases on record of where the larger local have voted on a strike issue affecting one small segment, one plant, where the larger unit, people who have voted on the strike issue who weren't directly affected by it. Now this is a matter of record. I think we'll recall the strike that took place at Thompson, of the electrical workers. The men who were on strike in a settlement of that strike -- was it the strikers that voted on that issue? I don't think so. I think it was the Winnipeg Electrical Workers Union, who voted on that issue; who may or may not have been members at Thompson, but the chances are the preponderance of employees who expressed their opinion on that were not members of that local union -- although I'm not certain of that point. But I think there is substantial evidence that many votes are taken by stand up or show of a hand where there is a great deal of pressure put on individuals who might not want to express themselves in opposition to the majority opinion.

I don't know whether there was anything else here now in connection with strike votes or not. I suppose not -- I think that covered -- Oh yes, the question of the shareholders. Well I think to begin with, there's certainly no evidence in Manitoba of any lockouts ever having occurred in the province. And I think, too, that there's pretty substantial evidence that the officers of a company are pretty close to the negotiations and they in effect represent the shareholders as opposed to the management of the companies themselves.

MR. ORLIKOW: Will the Honourable Minister permit a question? Mr. Chairman, will the Minister permit a question? Are you really suggesting seriously that the officers of a corporation are closer to the shareholders who are spread all over the continent, than the officers of a local trade union are closer to the members of that trade union?

MR. CARROLL: I'm not suggesting that at all.

MR. ORLIKOW: Then where is the difference in legislation?

MR. CARROLL: It is an entirely different situation. The officers have been duly elected; the directors have been duly elected at shareholders' meetings; they have the right and the power to conduct the affairs of the company on behalf of their shareholders; and while some may find a parallel between this and the other situation, I think you'll find there isn't an exact parallel at all. There is quite a substantial difference in the situation -- quite an impractical situation; an impossible situation to try to canvass the shareholders of a corporation. But another important difference -- another very important difference, and this is one I think that we should bear in mind -- that the strikers, the employees, are directly affected; their whole future is directly tied into that strike vote and shareholders may, or may not, be getting their full support from their investment in that company. So I think there is another important difference there that probably we should bear in mind.

Now there was some suggestion about the mediator procedure, and I think I suggest to the Committee the other day the government were quite prepared to have a look at this situation after we've had it in the Act for a period of time to see whether or not it's working satisfactorily. And I do repeat again that the control of the costs are directly with management and labour who appoint the mediator, because the mediator will work for those wages that are agreed between them at the time that they make the arrangement. And there are a great many small companies where negotiations shouldn't be protracted, because the issues are simple, and surely they can get a man with whom they have confidence to act -- possibly someone retired -- to act for a nominal fee. But in the large very, very complicated companies where your management-labour relations are difficult, then I think you're into the area of your labour experts -- and I think that Colonel Aiken said that this would certainly be no hardship in his opinion on any of the trade unions that they deal with. And he seemed to suggest at the same time, too, that it would not be an unnecessary burden on the employers that they're dealing with as well.

Some suggestion about the railway vote that took place -- we're getting back to strike votes again -- I think that there's been no strike vote that I've heard complaints about than actually the strike vote that was referred to by the Member for St. John's; because it surprises me how many railway union employees, railway unionists, objected to having to sign his name on a ballot, which was subsequently forwarded along with that ballot to national office where it was opened. A very large complaint -- and if you think there isn't, you want to get out and circulate among some of the trade union people, some of the rank and file people in railway unions, to see whether there wasn't pretty substantial criticism. --(Interjection) -- Yes, and I'm quite sure you've heard this complaint, haven't you? --(Interjection)-- You haven't heard this complaint? I've heard it from a great many people and I would ask you to get your ear a little closer to the ground and hear what some of your fellow employees are saying.

MR. PAULLEY: Mr. Chairman, I'd ask my honourable friend to get his feet on the ground.

MR. CARROLL: Some suggestion about not many strikes in the province, and I would agree with that, but I just want to say one further thing on the question of a strike. It isn't the strike that's the real danger -- that's the real weapon. It's the threat of strike that's the weapon in labour-management relations. And I think that as long as we have a vote that's properly taken, that management and labour both have confidence in, surely there can be no objection to the full free protection of the democratic rights of individuals. --(Interjection)-- Incidentally, a very interesting thing, we hear about the solidarity of labour before that committee in there, but we heard -- and they criticize management because management was represented in many cases by employers -- but there were very few workers appeared before that -- rank and file trade unionists, or officers of trade unions. I think one of the few was Mr. Lawrence Taylor from Pine Falls. The rest I think pretty well were all paid officials as distinct from the rank and file trade unionist. It surprised me to hear comments that were passed along to me -- they're second-hand -- that a great many paid officials of trade unions did not appear before that committee, and they didn't appear before that committee because they didn't disagree with the bill that was before it. You can have a look at the unionists that were there, and I don't know how many unions we've got in the province, but there were a very small percentage of the unions actually represented there. And it has come to me that many trade union officials,

(Mr. Carroll, cont'd.) . . . and among some of them the paid officials as well, who did not appear because they did not have any major disagreement with the bill that was before the House. And furthermore, a great many of the rank and file have indicated in various ways that they do not oppose the bill that is now before the House.

With respect to legal status, I think that that's probably been pretty well covered. But I really don't know what to make of Mr. Green's remarks before the Committee. I think that if one were to try to interpret what he said, I think he was suggesting that trade unions should have full corporate status. I think that was what he suggested. Now the Member for St. John's he furrows his brow, he's not so sure; but I think really the arguments that he put forward seem to lend support to the idea of full corporate status.

MR. ORLIKOW: Mr. Chairman, I'm sure of one thing, and that's that the Minister of Labour either didn't understand or didn't even listen to Mr. Green.

MR. CARROLL: Well, I may not have understood but I must confess I was trying to listen. There was some suggestion that our Act here and the provision with respect to legal status was similar to the B. C. Act. I think this was in the letter that will be tabled by the Member for St. John's. Now if this is the report of an expert, I wonder if he's read the B. C. Trade Union Act -- or the amendments to the B. C. Act. Because what does the B. C. Act say? What does it say? Do you know what it says? --(Interjection)-- The Member from -- Do you know what the B. C. Act says?

MR. ORLIKOW: You're speaking. Let's hear it.

MR. CARROLL: Well the only thing I'm going to say is that the B. C. Act says this, that a trade union is guilty unless they take some overt action to indicate that they aren't -- they're presumed to be guilty -- and then your legal expert from Osgoode Hall says that this legislation here is similar to the legislation in B. C. Well I'm not an expert either, but I would suggest that our legislation is in no way similar to that because we do not presume this guilt unless they prove differently.

I suppose I could comment on a few other things that were said; however I don't think I should at this time. But I would like to say this to the committee, that to me at least it's significant that a great many people appearing before that committee said we haven't gone nearly far enough, and a great many others said we'd gone too far; and I would think, Mr. Chairman, that this probably indicates that we're somewhere in the middle where we should be and that this resolution should be defeated on that ground.

MR. ORLIKOW: Mr. Chairman, I don't want to make another speech. I just want to comment on one thing which the Minister said, Mr. Chairman, I have all kinds of time. If the members want to keep on applauding I'll still speak. I just want to say this Mr. Chairman, that the representatives of the Manitoba Federation of Labour are the official representatives of the labour movement in the province. The representatives of the Winnipeg and District Labour Council are the official representatives of the Winnipeg trade unionists; that Mr. Taylor officially represented the Pine Falls trade unionists; that Mr. James read the submission from the secretary of the Flin Flon Labour Council who are the official representatives of the trade unionists in Flin Flon. Anybody else who wanted to speak for the trade unionists of any part of this province in support of this bill, or to say that they didn't mind this bill, could have appeared before the committee -- that is the place they should have been. And Mr. Chairman I reject completely the suggestion of the Minister that some people purportedly came to him through means which he didn't give us -- I don't know whether they phoned him or they sent him unsigned letters or what they did -- but I want to suggest that that kind of suggestion is unworthy of a Minister of the Crown.

MR. CARROLL: Mr. Chairman, I have one question now to ask, and that is: Did the submission of the Manitoba Federation of Labour to the Cabinet in January represent the views of the trade unions of Manitoba in expressing their views on the Tritschler report?

MR. ORLIKOW: Mr. Chairman, I want to suggest that you don't answer one question by asking another question. The Minister of Labour is not an executive officer of the Manitoba Federation of Labour, and neither am I. I've read all kinds of stories; I've heard all kinds of stories about who wrote that brief; how many people saw it before it came to the cabinet and so on. I have no official knowledge, and I do not make speeches on the basis of speculations what somebody tells me in the back room of some meeting hall.

MR. E. R. SCHREYER (Brokenhead): Mr. Speaker, if it's in order to say a few words. I just want to deal with one argument which the Minister used, and I only rise because that argument was so puerile and childish that I think it should be dealt with and dismissed. He seemed to suggest that simply because there were not many rank and file trade unionists appearing before the Committee, he seemed to draw from that the conclusion that the rank and file must have found or been in general agreement with the provisions of the bill. I would like to point out to him that he should just reflect back to the time when we had before us the Margarine Bill. If there's one thing that farmers of Manitoba are almost monolithic about was their opposition to margarine; there can be no question about that. And yet how many actual farmers appeared before committee? How many? They relied upon their spokesmen. They relied upon their spokesmen -- leaders of the various farm organizations -- Dairy and Poultry Co-op -- and I might be wrong, but I don't think that there were more than two farmers who came in to make representations on their own. Does this mean that the farmers were in agreement with the Margarine Bill? Of course not. And in like nature, I think that the same thing applies here. That argument was completely invalid.

MR. CHAIRMAN: . . . . . question. The motion, moved by the Honourable the Leader of the Opposition that Bill No. 102 be not now proceeded with but that it be referred back to the committee on Industrial Relations for further consideration.

Mr. Speaker put the question and after a voice vote declared the motion lost.

MR. MOLGAT: A standing vote, Mr. Speaker.

A standing vote was taken, the results being as follows: Yeas, 19; Nays, 30.

MR. CHAIRMAN: I declare the motion lost.

Section 1, 2 as amended, 3, 4, 5, 6, 7, 8, new section 9 of Bill No. 102, as amended were passed.

MR. PAULLEY: Mr. Chairman, I move that Section 10 of the bill be deleted.

Mr. Chairman presented the motion and after a voice vote declared the motion lost.

MR. PAULLEY: Could I have a standing vote please, Mr. Chairman.

MR. CHAIRMAN: . . . . . 2 passed.

MR. PAULLEY: Mr. Chairman, I'd like a standing vote on it. A standing vote please.

A standing vote was taken, the result being as follows: Yeas, 18; Nays, 30.

MR. CHAIRMAN: I declare the motion lost.

Sections 10, 11, 12, 13 and 14 were passed.

MR. PAULLEY: I move that Section 14 be deleted from the bill.

Mr. Chairman put the motion.

MR. PAULLEY: A standing vote please Mr. Chairman.

A standing vote was taken, the result being as follows: Yeas 18; Nays 30.

MR. CHAIRMAN: I declare the motion lost.

Sections 15, 16, 17, 18, 19, 20 were read and passed.

Bill to be reported passed.

Committee rise and report. Call in the Speaker.

Mr. Speaker the Committee of the Whole has considered certain bills and has directed me to report as follows: Bill No. 102 without amendments; Bills No. 56 and 103 with amendments, and directed me to report the same and ask leave to sit again.

MR. W. G. MARTIN (St. Matthews): Mr. Speaker, I beg to move, seconded by the Honourable Member for Swan River the report of the committee be received.

Mr. Speaker presented the motion.

MR. MOLGAT: Mr. Speaker, I beg to move, seconded by the Honourable Member for Carillon that the report of the committee be not now received in respect to Bill 102, an Act to amend the Labour Relations Act, but that it be referred back to the committee for further consideration.

MR. SPEAKER: It has been moved by the Honourable the Leader of the Opposition, seconded by the Honourable Member for Carillon that the report of the committee be not now received with respect to Bill 102, An Act to amend the Labour Relations Act, but that it be referred back to the committee for further consideration -- which committee?

MR. MOLGAT: I think the only choice that I have, Mr. Speaker, under the rules is to refer it back to the Committee of the Whole. If the rules permitted me I would be referring

(Mr. Molgat, cont'd.) . . . back to the Industrial Relations Committee so that it would be studied between the end of this session and the next session.

Mr. Speaker presented the motion.

MR. MOLGAT: Yeas and Nays, Mr. Speaker.

MR. SPEAKER: Call in the members.

A standing vote was taken the result being as follows: Yeas: 20; Nays 31.

YEAS: Messrs. Campbell, Desjardins, Dow, Gray, Guttormson, Harris, Hawryluk, Hillhouse, Molgat, Orlikow, Paulley, Peters, Prefontaine, Reid, Roberts, Schreyer, Shoemaker, Tanchak, Wagner and Wright.

NAYS: Messrs. Alexander, Baizley, Bjornson, Carroll, Christianson, Corbett, Cowan, Evans, Froese, Groves, Hamilton, Hutton, Ingebrigtsen, Jeannotte, Johnson (Assiniboia), Johnson, (Gimli), Klym, Lyon, McKellar, McLean, Martin, Roblin, Shewman, Smellie, Stanes, Strickland, Watt, Weir, Witney and Mrs. Forbes and Mrs. Morrison.

MR. SPEAKER: I declare the motion lost.

MR. ROBLIN: Mr. Speaker, the time is running on, but I was wondering if the members of the House would be willing to take the votes on the three bills that have been reported from the Committee and get them off the Order Paper; otherwise they'll clutter it up again tonight. If that's agreeable, I'd suggest that you put the motion, Sir, on the three motions so that we can have the votes cleaned up.

MR. SPEAKER: That would be Bill 103, is it?

Bills No. 56 and 103 were read a third time and passed.

MR. CARROLL: Mr. Speaker, I beg to move, seconded by the Honourable the Minister of Education that Bill No. 102 an Act to amend the Labour Relations Act be now read a third time and passed.

Mr. Speaker put the question.

MR. PAULLEY: Mr. Speaker, I beg to move, an amendment, seconded by the Honourable Member for Inkster that Bill 102 be not now read a third time, but read a third time six months hence.

Mr. Speaker presented the motion.

MR. PAULLEY: Mr. Speaker, I might say that it is not our intention to carry on any further the debate. I think all of the points of my own particular group have been raised. I can't speak of course for the Liberal Party, but we're perfectly satisfied if you call for a vote that that be recorded subject of course to the rights of any other members in the House to speak on this motion.

Mr. Speaker put the question and after a voice vote declared the motion lost.

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

MR. SPEAKER: I beg your pardon?

MR. MOLGAT: The same division, Mr. Speaker?

MR. PAULLEY: I don't know if anybody left, or have changed their minds.

MR. FROESE: Same division.

MR. PAULLEY: Okay, agreeable.

MR. SPEAKER: Agreeable on the same division?

MR. PAULLEY: Very easy to get along with today.

MR. SPEAKER: I beg your pardon?

MR. ROBLIN: . . . now put the main motion Mr. Speaker. The main motion.

MR. PAULLEY: Third reading on the bill.

MR. SPEAKER: Which one?

Mr. Speaker presented the motion.

MR. PAULLEY: Same division, Mr. Speaker.

MR. ROBLIN: Same division on this side, Mr. Speaker.

MR. MOLGAT: Same Mr. Speaker.

MR. FROESE: Agreed.

MR. SPEAKER: Agreed on division.

MR. ROBLIN: Mr. Speaker, I think that brings us to the end of the Order Paper for this Session, so I'll move the adjournment, seconded by the Honourable Minister of Industry and Commerce.

Mr. Speaker presented the motion and after a voice vote declared the motion carried and the House adjourned until 8:00 o'clock this evening.