

THE LEGISLATIVE ASSEMBLY OF MANITOBA
8:00 o'clock, Thursday, June 29, 1972

Opening Prayer by Mr. Speaker.

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

ORAL QUESTION PERIOD

MR. SPEAKER: The Honourable Member for Morris.

MR. WARNER H. JORGENSEN (Morris): I should like to direct my question to the Attorney-General and ask him in the light of the Supreme Court decision on the breathalyzer what instructions he intends to issue to the police of Manitoba.

MR. SPEAKER: The Honourable Attorney-General.

HON. A. H. MACKLING, Q.C. (Attorney-General) (St. James): Well, Mr. Speaker, as I've indicated outside the House, neither I nor my staff have had an opportunity to consider the ramifications of the decision. We will be giving instructions, and I'm not in a position to confirm what those instructions are now. It may be that the case isn't as far-reaching as we thought at first blush but certainly is something that will require some revision of the instructions we had given formerly.

MR. SPEAKER: The Honourable Member for Morris.

MR. JORGENSEN: Are we to assume then, Sir, that the present law as exists will still be applied in the Province of Manitoba?

MR. MACKLING: Yes.

MR. SPEAKER: The Honourable Member for Roblin.

MR. J. WALLY MCKENZIE (Roblin): Mr. Speaker, in the absence of the Minister of Municipal Affairs I guess I'll direct my question to the Honourable House Leader. I understand from phone calls during the supper hour that the Minister has announced that the Winnipeg City Council will receive grants up to some \$50,000 from Autopac for the practicing of safety for the Greater Winnipeg area.

MR. SPEAKER: Would the honourable member place his question.

MR. MCKENZIE: Yes, Mr. Speaker, I would ask, through the House Leader to the Minister, will those grants be matched in rural Manitoba the same as the 50,000 that's been allocated to the Greater Winnipeg area?

MR. SPEAKER: The Honourable Minister of Labour.

HON. RUSSELL PAULLEY (Minister of Labour) (Transcona): Mr. Speaker, I can accept this question both in my capacity as the House Leader and also the Acting Minister of Municipal Affairs. Any program that this government adopts in respect of safety, highway safety, industrial safety, applies to the whole of the Province of Manitoba. It is not restrictive, Mr. Speaker, to any particular location.

The Honourable the Minister of Municipal Affairs, as I understand, did make an announcement through Autopac that there would be a contribution made in respect of highway education for safety and a contribution to the Safety Council. I don't think there's any question of doubt about that. But I want to assure my honourable friend that the way that this government operates in the field of safety it is applicable to all of the province, the whole Province of Manitoba.

MR. MCKENZIE: Mr. Speaker, just for clarification. Either the press release came out to misinform the rural people - they are under the impression this is just for the Greater City of Winnipeg only.

MR. SPEAKER: Order, please. Would the honourable member place his question. The Honourable House Leader.

MR. PAULLEY: Mr. Speaker, I question whether we should be too technical about this. I just want to reiterate and to re-emphasize that as far as this government is concerned in its program of safety education it applies to the whole of the Province of Manitoba. If the press, if the press seems to leave the impression through its media that it only applies to a certain sector in the Province of Manitoba, Mr. Speaker, I say that is erroneous. We are interested in all Manitobans insofar as safety is concerned.

MR. SPEAKER: The Honourable Member for Assiniboia.

MR. STEVE PATRICK (Assiniboia): Mr. Speaker, I have a question for the Minister of

(MR. PATRICK cont'd.) Tourism and Recreation who is not in his seat. Perhaps I can direct it to the House Leader. I received a call over the lunch hour. My question is: is any part of Hecla Island Park open for summer vacationers or is there work underway at the present time?

MR. SPEAKER: The Honourable Minister of Labour.

MR. PAULLEY: I understand, Mr. Speaker, that my honourable friend refers to Hecla Island. Those areas in the general area of Hecla Island that are available will be available this summer. I'm sure, Mr. Speaker, my honourable friend realizes that in respect of Hecla Island it is in the process of development and expansion and some of the facilities are not available due to the fact that the facilities have not been expanded. But those that have will be available and are available at this time.

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

ORDERS OF THE DAY - GOVERNMENT BILLS

MR. PAULLEY: Mr. Speaker, I wonder whether we could call Bill 57. I note that the Honourable Member for Fort Rouge is not present and the adjournment stands in her name. I don't know whether or not it might be possible for a member of her political party or group may be in a position to forward this bill to Industrial Relations Committee. If so, may I respectfully ask that the Honourable the House Leader of the Conservative Party so indicate, because I may say, Mr. Speaker - and excuse me for my speech at this particular time - I'm sure all honourable members are most anxious that the resolutions or the bills standing on the Order Paper should be progressed at this time.

MR. SPEAKER: The Honourable Member for Morris.

MR. JORGENSON: I wonder if the House Leader would just stand with us for a shortwhile, perhaps call another bill, and I'll indicate to him privately when he is able to call this bill, if it's later on this evening that's fine.

MR. PAULLEY: Yes, Mr. Speaker, I thank my friend, the Member for Morris. I note that the Honourable Member for Assiniboia is here and that on Bill 65 he has the adjournment of the Act to amend The Landlord and Tenant Act standing in the name of the Attorney-General. He may be prepared to proceed.

MR. SPEAKER: The proposed motion of the Honourable Attorney-General. The Honourable Member for Assiniboia.

MR. PATRICK: Mr. Speaker, I wish to make my comments now on the Act to amend The Landlord Tenant Act. I rise to support the Act and compliment the Minister for bringing the amendments at this stage because I'm sure the members are aware that this is new legislation and like with any other new legislation you find after a year it's been operative that you find some difficulties with it. I don't know to what extent the legislation, the amendments will favour the landlords or the tenants, I believe it's about equal. So I don't know who will win and who will lose but I do know at least some of the problems that the landlords had and one of those was that after the tenant had left the premises, be it a house or an apartment usually there was some furniture that was left over and the landlord found himself in difficulties because he was not able to dispose and after he had a few apartments that were vacated he found himself also operating as a storage space for some of the people that left some of the articles behind, some furniture and some clothing and he was unable to get in touch with the tenant and still he had no right to dispose or throw the chattels out. I compliment the Minister for bringing this amendment. I believe that now with the consent of the rentalsman he will have the right to dispose of the stored furniture or stored articles left on the premises, he'll be able to dispose of them or tell the rentalsman to take them away but anyhow he'll have the right to do so. And I think it's a good feature.

The other one - there was some ambiguity in one part in the legislation which I also agree, which was a failure to fulfil obligations or responsibilities in accordance with the agreement and this gives a non-offending party the right to terminate the agreement and I think this is only fair and proper. So I think that in that respect I do believe. There's also, one of the principles involved in the bill is the giving of notice to vacate, but before you do that you have to get a court order and I understand this is not too difficult to do and you can only do that after the tenant had a fair hearing. So perhaps this is - in my opinion this would be fair legislation.

I know I can talk from a considerable amount of experience in our part of the City of Winnipeg and I believe that the greatest difficulty that we've had in The Landlord Tenant Act

(MR. PATRICK cont'd.) was perhaps not having proper lease forms and proper agreements signed, because from my experience very seldom, or even I can't remember when we had any difficulty either with the tenant or the landlord when there were proper agreements signed. And I'm talking of many leases in the number of between 75 and 100 on a going basis. I appreciate this is a different residential area, the property is almost in relatively good condition and it's new property so it's only natural that the difficulties wouldn't be the same as probably in the older part of Greater Winnipeg where you had some of the properties that are in very poor condition, some properties that perhaps maybe shouldn't even be rented. So I could see some difficulties in that area.

But there is one point that I wish to bring to the attention of the Minister and it has been brought to my attention and that's one of the principles involved in the bill is the failure to supply services. Perhaps I don't understand the clause or don't read it properly but it has been brought to my attention, that people who are involved in this business day after day, they don't seem to understand it and they don't seem to be satisfied with it. So I believe there must be something wrong with the clause and that's the one where the landlord is responsible for provision of heat or water, electric power services or any one, and if the landlord fails or neglects to fulfil, to provide these services or it appears that a tenant may be deprived of any of those services due to the failure. This is where some problem arises that it's difficult just to know what is requested of the landlord in this instance. So perhaps the Minister can explain. I'm prepared to let the bill go to Law Amendments Committee and perhaps we will hear representation from both sides and at that time maybe the Minister would be able or would give consideration to making the proper amendments that would be required to make this bill better legislation.

MR. SPEAKER: The Honourable Attorney-General shall be closing debate. The Honourable Minister.

MR. MACKLING: Mr. Speaker, I appreciate the very positive comments of the Honourable Member from Assiniboia and in answering his latter query I will be dealing with the concern evidenced by the Honourable Member from Sturgeon Creek who spoke as critic from the Official Opposition.

I appreciate that legislation sometimes is framed in rather technical language and there may be a problem of interpreting the language as it's framed in an Act, and I don't want to offend the rules of the House by dealing with the precise section but some of the wording has been brought into question and I would like to indicate to honourable members that the language used in the bill is common sense language. I think it's explicit. It indicates where during the term of the tenancy agreement, and the landlord is the person responsible for the payment of services, like heat and water and light, and he is either in default of payment of those services or it appears that the tenant may lose the use of those services by reason of the fact that the landlord hasn't paid for those services to the vendor of those services - and you know when we use the word "vendor" we're talking about the electric company or the gas company or the water company, in that case it would be the city corporation or the municipality involved - only in those circumstances then where it's obvious that the tenant's enjoyment of those services is in jeopardy by reason of the fact that the landlord hasn't paid for them and they may be cut off. It may be awfully cold out and a tenant doesn't want his electric heat cut off because the landlord hasn't paid his electric bill and the tenant knows it. Then under those circumstances it appears that there may be a frustration in the services, then and only then the tenant may upon the instruction of the rentalsman - the rentalsman will be brought in to confirm that - pay the rent as it falls due to the rentalsman.

So that the concern of the Honourable Member for Sturgeon Creek is here we are, the words "it appears that" is introducing some vagueness, some area where the rentalsman now is going to make a bigger bureaucracy and so on. Not at all. Very very few landlords who have obligations to supply heat, to supply light and to supply water default in those undertakings. But where they --(Interjection)-- Well when I conclude. But where they do and the tenant's quiet enjoyment of the premises is in jeopardy by that failure, surely the tenant shouldn't just have to get on his knees and plead to the landlord. And if the landlord turns a deaf ear he continues to plead and freeze or go without water or go without light. So because that situation, and it's a rare situation, because there are very very few landlords that are that mean or that foolish or that nasty, very very few, but it has happened, and where it does happen we want the tenants to be able to contact the rentalsman, and if the rental confirms that it appears that the services may cut off because the gas company says the bill hasn't been paid for three months and we're

(MR. MACKLING cont'd.) going to cut it off, then under those circumstances the tenant can pay the rent to the rentalsman and he can pay for the services and make sure that the tenant's not going to freeze. That's the essence of the bill, and that will be a rare situation but it does happen. Now the honourable member has a question.

MR. SPEAKER: The Honourable Member for Assiniboia.

MR. PATRICK: My question to the Attorney-General is, wouldn't it be spelled out in the lease or in the agreement because in some instances the tenant has to pay for his own services and other instances the landlords pay for the services, so there's different conditions, and even in the legislation it doesn't spell out clearly and say where it appears. I mean either he does not provide the services or he does.

MR. SPEAKER: The Attorney-General.

MR. MACKLING: Let me assure you that the wording of the section, and I don't want to offend the rules says, "Where under the terms of the agreement it's the landlord's obligation to supply those services". It's only then and a failure to provide those services, that the tenant can appeal to the rentalsman, pay the rent to the rentalsman, and make sure that the services continue. If under the terms of the lease, it's the tenant's responsibility, this section isn't operative, isn't operative at all. And it's not a concern - I wish the Honourable Member for Sturgeon Creek were here, and I hope that members of his caucus will convey to him, you know, the response that I've given. It is not our concern to get involved in any work than is necessary but there have been cases where a landlord for some reason, maybe he's got terrible financial difficulties, I don't know why - here's the Member now - I don't know why, doesn't pay for a utility and the tenants who have paid their rent in good faith are going to have that utility shut off because it's not two weeks, it may be three weeks, it may be three months in arrears, and the gas company has said, we're going to shut it off, and under those circumstances someone has to be able to act to make sure that money that is available for rent could be applied to make sure that those essential services aren't terminated to the extreme discomfort of the tenant. That's the provisions of the section. They're straightforward, common sense, and there's no attempt to do anything more than be fair and reasonable in this legislation.

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

MR. SPEAKER: The Honourable House Leader.

MR. PAULLEY: I wonder, Mr. Speaker, whether you would kindly call Bill 49, the bill Le Centre Culturel Franco-Manitobain.

MR. SPEAKER: The proposed motion of the Honourable Minister of Tourism and Recreation. The Honourable Member for Charleswood. Bill 49.

MR. ARTHUR MOUG (Charleswood): Thank you, Mr. Speaker. I wanted to make one or two comments on this bill. I see by the look of it that there's certain areas that I think should be questioned. It seems that this Culturel Centre will not have the responsibility of paying taxes to the city; there will be no grant to the city in lieu of taxes from the government, although it's a Crown-owned building, the property of the Crown, there'll be no local improvement charges charged against this property. If a new street goes through, or any such improvements as that, and we all know the adjoining businesses undoubtedly would have to pick up the slack or the loss of the revenue that would normally come from the premises at the corner of Provencher and Des Meurons which are owned by the Crown. I think that we should be careful here to move in and start making expenditures to one ethnic group and overlooking the balance. I think we should take a look at the Ukrainian group, the German group, and not spoil part of the Province of Manitoba as the Federal Government has spoiled part of Canada by being so good-hearted with Quebec. We know we're on the brink of separatism with the Province of Quebec. We've been handing them everything --(Interjection)-- I agree with you, I am pessimistic when I say that possibly, but maybe in a few years we'll find out differently. For the Minister of Public Works I might mention that just a few years ago when President de Gaulle was in this country he practically demanded the liberation of Quebec from Canada. He was here and asked for it, he forgot that the Canadian Army, along with other allied countries, fought from the beaches back through France into Germany and drove the enemy back, forgot all about it where all the Canadian boys died. He came over here and asked not only that what we had done for them at that time, that Canada back out of the governing of Quebec and liberate them from the Dominion. And I have no qualms about money going into St. Boniface but I say, are we prepared to put up this kind of money for the other ethnic groups that we have here in the province that outnumber the French. And I say that --(Interjection)-- Yes, and the Indian groups, certainly. England,

(MR. MOUG cont'd.) English group, we've got a Cultural Centre, we have a Cultural Centre, and I say that we have to watch what we do.

I think that the Federal Government is certainly spoiling Quebec. They've got them in the position now, they holler louder and louder each year. I read just a political circular that comes around from one MP in the province here, and he's a member of the Conservative caucus in Ottawa, and he was showing the number of projects that went out to through the DREE Program, and in Quebec there was 80 projects for a total of \$6,309,069, of a total of all other provinces to put it simply of \$2,790,184, less than half of what the Province of Quebec got, and oddly enough when you see money being filtered into one corner - from the Federal Government into one corner of Canada, I wonder why they do that. Why do they cater to the French when they know that we're continually threatened with Quebec trying to break away from us, and threaten us particularly with the St. Lawrence Seaway thinking they can hold that as a hammer over our heads. I don't think we should move into any one element, or one ethnic group, in the Province of Manitoba and do the same thing.

My feeling is that we should be more careful; the Federal Government favors them, they sent grants into the City of St. Boniface, the Provincial Government sent grants into the City of St. Boniface, and the City of Winnipeg sent grants into the City of St. Boniface. They won't give Charleswood any grants previous to our amalgamation, our new Unicity. They flatly refused a federal, or a national group that was together here curling in Charleswood. There was no way we could get money. The Ukrainians in Dauphin can't get a federal grant; I don't know about a provincial grant, but I know they can't get a federal grant.

The things that start taking place, the Festival du Voyageur is an example in our local level. And I compare that with Expo that took place in Montreal where the Federal Government had to step in with great grants; I wouldn't hazard a guess at the size of the grant that they had to make good to spell off the costs of Expo. And now we see that same thing happening again in the East where they want the Olympic games there, and the experts, such as they are, the sportswriters, say that never has one game been pulled off with less than \$650 million, and they suspect that with the goings on in Montreal they can expect a billion dollars. So I say we've got to level the spending out in the province where we have, supposedly have the control of it here.

I think the Culturel Centre got a half million dollars from the federal and a half million dollars from the Provincial Government and it's there and it's spent, and the building exists, according to the information I get, and this is simply money that they will get from year to year to operate and keep it open. Now I have French constituents, people in my constituency, and a lot of them, and I'm sure that they wouldn't be the least bit disturbed that I get up and speak towards this when they know that in our own constituency that we can't get the funds filtered into our constituency. We're not looking as though this was something that was going to benefit the French people in Manitoba. This is more to benefit the French people in St. Boniface per se. It's in a one isolated little corner of the Province of Manitoba. I don't know what benefits Notre Dame de Lourdes is going to get out of this. I question if any. Go into the constituency for Rock Lake, who has a lot of French-speaking people in there, not a majority of people, but I question what use they're going to get out of this Culturel Centre in St. Boniface. So I just say, I want just to bring to the minds of members here that whether we are steering in the right way, are we going about it the way the Federal Government did and make the mistake, that one day there should be an uprising here and they say, well we've got what we want out of the province; we've got what we want out of the city; we'll break away from the City of Winnipeg and become a separate identity. I don't know, but I say that we should caution ourselves before going ahead and spending this money the way that it looks like we're doing here.

I don't know what administration brought forth the half million dollars from out of the province, or the half million dollars out of federal, but the money's there and it's spent. But we're looking at a couple of hundred thousand dollars here, whether it's money well spent or not I just say that I have my doubts about it. The 132,000 that was dumped in there just to cover up one small local little Festival du Voyageur, I question that, because my community, your community, your community, everybody holds a Winter Carnival, and on a per capita basis St. Boniface had 38 or 40,000 people in our own community we had 15,000 people. We got no help from the Federal Government, none from the provincial, none from the City of Winnipeg. We don't go and ask for any, it's just - I think every community should operate on its own, but if this kind of money is being spent out on a per capita basis, I say that we're treating

(MR. MOUG cont'd.) St. Boniface too good, Mr. Speaker, and it's time that we take a second look at it. Go into Dauphin, the Ukrainians I think would agree with me tonight that they just get nothing over there. They were refused any support from the Federal Government whatsoever; they were left on their own as an ethnic group to run their own situation, and if the excuse that we say we're going to use on this is that this is a bilingual country, that's fine. Maybe this is the reason, but it hasn't worked in Quebec, and I say that if we keep it going it's not going to work in Manitoba regardless of what we're buying with this, or who's selling. I don't know, but it seems to me that the favoritism is just a little heavy in the St. Boniface area in the last three years.

MR. SPEAKER: The Honourable Minister of Labour.

MR. PAULLEY: Mr. Speaker, I'm somewhat amazed, I'm somewhat amazed that the members of the Conservative Party by their applause given to the Honourable Member for Charleswood --(Interjection)-- The Honourable Member for Inkster did not speak this evening but the Honourable Member for Charleswood did and you applauded the remarks of the Honourable Member for Charleswood, Mr. Speaker. --(Interjection)-- I don't give a continental what transpired after the Honourable Member for Inkster spoke. I am here this evening, Mr. Speaker, and I heard the applause of a few members of the Conservative Party applauding the remarks of the Honourable Member for Charleswood --(Interjection)-- I beg your pardon? Mr. Rhineland, what did you say? I beg your pardon?

MR. JACOB M. FROESE (Rhineland): Mr. Speaker, I said to the honourable member that they do the same for . . .

MR. SPEAKER: Order, please.

MR. PAULLEY: I still didn't understand you, or hear you.

MR. SPEAKER: Order, please. If we're going to have any decorum the interjections will be unnecessary. The Honourable Minister of Labour.

MR. PAULLEY: Mr. Speaker, I'm amazed as a WASP, a White Anglo-Saxon Protestant --(Interjection)-- yes, a WASP, and I don't make any apologies for being that, but I am tolerant. I do recognize, Mr. Speaker, that we do live in basically a bilingual country under the Constitution of Canada; that we do recognize under our Constitution the duality of language; that we do recognize under our Constitution the duality of religions. I realize, Mr. Speaker, that in accordance with the Manitoba Act that only English is the language of record in the Province of Manitoba. I do recognize, Mr. Speaker, that there are some within this Assembly, and some without, who interpret that as meaning that we should reject the duality of cultural Franco-English in Manitoba. As one, Mr. Speaker, who has been honoured to have been born in this Province of Manitoba, I do recognize the cosmopolitan make-up of Manitoba. I do recognize the fact that the Ukrainian contribution to Manitoba comprise about a third of the total population of Manitoba. I do recognize that the Mennonites, the Germans, the Swiss, the Icelanders, and all groups, have made a contribution to the forward thrust of Manitoba. I regret very much, Mr. Speaker, that an honourable member of this Assembly takes the opportunity to use this bill to protest as to the development of a cultural centre which involves the historic components of this great country of ours, for what does this bill actually say, Mr. Speaker, and what does it mean? It says basically that there will be a contribution from the public treasury of the Province of Manitoba to the development of a Centre Culturel Franco-Manitobain. It does not mean, Mr. Speaker, that we are attempting by this bill to thrust down the throats of those whose ancestral background may be other than French or Anglo Saxon. It simply means a recognition by this province of the contribution that has been made by those of French extraction and --(Interjection)-- I beg your pardon? That's right a recognition. And I would say when my honourable friend from Sturgeon Creek says that I hit the nail on the head, Mr. Speaker, he is absolutely correct because in this cosmopolitan make-up of Manitoba, it is historic that we have recognized all of the people who have made a contribution in Manitoba.

The other day, Mr. Speaker, I had the honour of standing up in this House and saying that the first Ukrainian words that were spoken in the Legislature of Manitoba were spoken by a descendent from Great Britain. I happen to have been that individual. --(Interjection)-- How do I know? Because the record shows it. How do I know? And it was recognized at that time and some of the ignoramuses opposite may not recognize that. I'm proud of my ancestry, the fact that my parents came from Great Britain from Dorset, the home of the true trade union movement, and because of the fact of their true consideration for the rights of the Trade Union Movement that some of my ancestors were banished to Tasmania, and New Zealand, and to

(MR. PAULLEY cont'd.) Australia - I'm not worried about that, I'm proud of it. But when an honourable member of this House stands up in objection to Bill 49 because it recognizes the fact of participation, Mr. Speaker, and the fact --(Interjection)-- I beg your pardon. What were you saying? Dare you confess what I am saying because I know where your ancestors came from. Your ancestors came, the Honourable Member for Rhineland, if I am not mistaken, that his ancestral background is Germany, Holland, and the Mennonites. Have I at any time, or any member on this side of the House, taken exception to his ancestral background, the background of the Honourable Member for Lakeside, the background of the Honourable Member for Morris. We recognize, and we honour, and we respect, Mr. Speaker, the contribution that the Mennonites, the Germans, the Hollandese and others, have made to the forward thrust of this great Province of Manitoba.

And because we also recognize that under the make-up of the Constitution of Canada that there is emphasis on the Franco participation in Canada, Manitoba and its government recognize this. We, Mr. Speaker, have made contributions to the Festival at Dauphin, the Ukrainian Festival; we have made contributions, Mr. Speaker, to the Icelandic Anniversary, which normally happens Labour Day in Gimli. We have made contributions to the recognition at Altona and Steinbach and Beausejour, and other areas as well --(Interjection)-- yes we've even recognized the Norwegians during our Festival in the springtime when we have made a contribution to the Festivals of the Nations who comprise the basis of Manitobanism, and we are doing this constantly. So, Mr. Speaker, when I hear what the Honourable Member for Charleswood had to say tonight in respect of Bill 49, which establishes the Centre, Cultural Centre for Franco-Manitobains in Manitoba, Sir, I hope and I trust that his remarks are not the opinions of the Conservative Party in Manitoba because if they are, Sir, and if these are transposed into the federal opinions of the Conservative Party, how in the hell can we ever have a united Canada? How can we ever have a united Canada? And I would suggest --(Interjection)-- watch my language. Mr. Speaker, I apologize because I am exercised. That's right, that's right. Mr. Speaker, the Honourable Member for Lakeside is so correct that there are children in the back bench and one of these days I hope they come out from being children, so that they can mature and to realize and become mature in their thinking in this House.

The Honourable Member for Lakeside, Sir, is so correct, and I ask, I ask the Honourable Member for Lakeside who appears at this particular time to be the Leader of the Official Opposition, in the absence of his Leader, I ask him whether the honourable member answers to the Conservative Party of the Province of Manitoba. I ask him, the temporary leader of the Conservative Party, whether the child in the back row that he referred to, really represents the Conservative Party in the Province of Manitoba, because I would say, Mr. Speaker, I would say, Mr. Speaker, that the utterances, that the utterances of the Federal Leader of the Conservative Party, the Honourable Robert Stanfield, would not support the contentions of the Honourable Member for Charleswood and if they did, Mr. Speaker, I would say that the Honourable Robert Stanfield is just as phony as the member for Charleswood --(Interjection)-- I beg your pardon? I never said what you said. You said it, and if you now want to reject what you say, will you have the intestinal fortitude to stand up and say so. I doubt, Mr. Speaker, I doubt, Mr. Speaker, whether my friend from Charleswood will so do. And I say to him, and I say to the Conservative Party, that if you really mean, if you really believe what the Member for Charleswood said, then damn it all, vote against this bill, which will recognize a cultural fact of life in Manitoba.

My honourable friend, Mr. Speaker, says he will vote against it. After what he said I doubt very much whether he has any alternative but notwithstanding my honourable friend, I am not dealing with him the individual, I am dealing with the political philosophy of the Conservative Party in Manitoba. Do they recognize - does the Conservative party in Manitoba recognize the French factor in Canada? Do they recognize that fact? That to me, Mr. Speaker, is the important consideration. Have the Conservatives in Manitoba the guts to back up the pronouncements of the Member for Charleswood in face of what the Federal Leader of the Conservative Party has been trying to say from coast to coast that we recognize in Canada that we do have bilingualism, that we do recognize the French factor. Mr. Speaker, the challenge in my opinion to Conservatives in Manitoba has been laid tonight on this bill by the utterances of the Member for Charleswood, and I say to the Conservatives in Manitoba, stand up and be counted --(Interjection)-- recognize - yes I'll sit down, and I dare you to stand up and refute what I am saying because in refuting what I am saying, you are refuting the whole philosophy of the Federal Leader

(MR. PAULLEY cont'd.) of the Conservative Party of Canada, and I dare you to do it, particularly in view of the fact that it is considered, Mr. Speaker, that in a matter of two or three months, that we may be facing a federal election in Manitoba, in Canada. This to me is the important consideration.

I don't mind the mumbling of my friend from Rhineland but I do want to say to my friend from Rhineland, and my friends of other than French extraction in this Assembly, that I as a descendent, a member of Anglo Saxon heritage, I do recognize the contribution that has been made to Manitoba and to Canada by all nations, by all ethnic groups, and here in this bill, Bill 49 the only proposition is, Mr. Speaker, a recognition of the ethnical fact that Canada through its constitution recognizes bilingualism, basically French, Anglo Saxon, and in this bill we are making the provision, we are making the provision for some financial consideration to carry through the fact, to carry through the fact of Confederation and a recognition --(Interjection)-- I beg your pardon. High-priced, \$100,000. High-priced with what? High-priced for Autopac. That, Mr. Speaker, indicates the intelligence of my honourable friend from Charleswood. He's trying to relate Autopac to a fact of life. He's trying to relate Autopac to a fact of the Constitution of Canada. How ignorant can some of the members in this House be? This bill does make it permissible for an approximation of \$100,000 of Manitoba's tax dollars to create a cultural centre. I don't know, Mr. Speaker, whether my honourable friend really realizes what is meant by culture, or a cultural centre, but this is what this bill establishes, Mr. Speaker. I'm proud, as I have said at the offset of my remarks, as a WASP, a White Anglo-Saxon Protestant, to give my support to the recognition of biculturalism and I am prepared to support the creation of a cultural Franco-Manitobain centre. I don't care whether it's in St. Boniface, whether it's in Transcona, whether it's in Altona, whether it is in Steinbach, or even whether it's in Roblin, I'm prepared to accept the facts of life; I'm prepared to accept the basis upon which this great Confederation, now called the Dominion of Canada, was established and despite the remarks of the Honourable Member for Charleswood I think this House should accept in its entirety Bill 49 without equivocation in any way, shape or form. We are Manitobans I trust and hope, Mr. Speaker, that we should work together to develop this province of ours and the price contained within this bill is insignificant to the accomplishment of the desire and the objectives of this particular bill. I'm sorry that my honourable friend from Charleswood - and I admire him very very much - I think normally he is a reasonably intelligent individual. I think tonight - yes, my honourable friend from Minnedosa there mimicked me because I happen to use my arms and say and I wanted to encompass him, the Member from Charleswood, as being a Manitoban. I think that normally he is a reasonably intelligent individual and I would suggest, Mr. Speaker, that tonight --(Interjection)-- What's that? --(Interjection)-- That's right. I am being sensible, I am being paternalistic, I would suggest to my honourable friend, Mr. Speaker, when I say he is a reasonably intelligent individual and I hope he doesn't fault me from saying it because I said that. Because I sincerely believe he is a reasonable individual. I'm sure he will not fault me, Mr. Speaker, tonight if I say that at least once in his contributions to the debates in this House he was unreasonable; that he spoke before his mind really conditioned his tongue into what he should say.

MR. SPEAKER: The Honourable Member for Sturgeon Creek.

MR. FRANK JOHNSTON (Sturgeon Creek): Thank you, Mr. Speaker. I rise on this occasion to speak after the Minister of Labour, to really speak on a cheap political effort on his part, an expose that only the Minister of Labour could put on trying to make an assumption or throw the assumption that the Progressive Conservative Party that we don't recognize the French fact. And I say to him that we don't need any political cheap exposes of that kind because I'm as much a WASP as he is and I recognize the French fact in Canada.

Mr. Speaker, let's not beat around the bush with this bill, the building is there, it's been paid for by both governments I believe - Federal and Provincial. The moneys being voted are to operate this Cultural Centre which is built and ready to be used at the present time. So really when we start to get into debates about culture, French culture, any other cultures, we're really stretching very far afield in this Assembly because really the matter of fact is the building must be operated, it's a government building that has been paid for and it's a fact and it's there. So, Mr. Speaker, we could carry on this business of French Canadians, English Canadians and all kinds of Canadians for many many days in this Legislature and only accomplish what we heard tonight - a bunch of rot, so let's get down to business.

Mr. Speaker, my only concern about this bill is what I said before. Face facts. There is no question that the other ethnic groups in Manitoba have worked hard and over the years

(MR. F. JOHNSTON cont'd.) have been just as much a part of Manitoba as any other ethnic group. I believe in the umbrella that the two ethnic groups give Canadians as mentioned by the Member from Inkster today but if you really, and I intend to be very brief on this, if you really want to sit down and look at it once you have made this decision to put this kind of money into any cultural group when the Member for Inkster mentioned about an English Centre in Quebec. I don't know of an English Centre in Manitoba; I know of an Art Centre which we all use, so once we start putting this kind of money or working in this trend towards any one ethnic group in this province, we're not possibly helping the ethnic group the way we think we are. We might be drawing up sides which we don't need any more of in Manitoba.

So face the facts. Once you have done this, once this bill is passed, and I don't understand why it is a government bill, it's frankly all taxes. --(Interjection)-- It's a money bill, yes, but why couldn't they have incorporated like any other organization and then asked for grants from the government? Why couldn't this be done in that way? But really this gives - there's no taxes to be paid on this building; all loans and interest will be taken care of by the government; a \$100,000 now; I question the bill at the present time. Is this the end or will it go further? So let's not beat around the bush about this. There's really a little more to it and quite frankly we don't need the exposé we had tonight which is rather cheap, trying to make people think that the Progressive Conservative Party doesn't recognize that there are two cultures in this province, because I do and all the men on this side do. But we are interested in Manitoba. You have to face the facts that you will get other requests as you have opened the door now. No matter what you call it or what side of the cat you call it on you'll get the requests and you're not going to be able to turn them down, so that's it. This has to be thought of very carefully. Thank you, Mr. Speaker.

MR. SPEAKER: The Honourable Member for Winnipeg Centre.

MR. J. R. (BUD) BOYCE (Winnipeg Centre): Mr. Speaker, I wish to thank the Member for Sturgeon Creek, he brought me back down to the situation before us. Perhaps it was necessary for some people to expunge themselves of some of their feelings in this matter, but nevertheless the points made by the Member for Sturgeon Creek, I think, are well taken. Really, Mr. Speaker, the brief contribution I would like to make on this is just to draw to our attention to perhaps a quiet revolution that is taking place in Manitoba since I was a pup. When the Member for Sturgeon Creek says that we accept the French fact, I as another WASP accept it and I think that we have to move in this direction. As I mentioned during another debate on education as far as our young people who wish to perhaps proceed through the civil service that they are going to have to be bilingual: Whether I like it or not is at this point in time irrelevant.

But, Mr. Speaker, having spent most of my life in Manitoba, there has been a change in attitude, there has been a change in people's outlook. When I was a little lad I suspected anything that I was unfamiliar with, people who were different than I, I was perhaps fearful of. If people didn't speak English I thought they were stupid and if you got real close to them and hollered real loud they would understand. But since that time to the present day having had the opportunity to travel in the Navy quite considerably for five years and contacting people all over the world, I have come to learn it really doesn't make any difference whether a person says *Je t'aime de toute mon coeur*, or *Ich liebe dich* or *Ja Gébié Bardzo Kocham*, or I love you, they all mean the same thing.

A quiet revolution has been taking place in the City of Winnipeg. For example, three years ago 250 property owners in a place that is geographically located between City Hall and the CPR tracks and Main Street and Princess Street, we have been quietly discussing moving on trying to build this particular area into a place that can reflect in a meaningful way the ethnic mosaic of the Province of Manitoba. One of the most active groups in this particular location is the Chinese community and doubtless you people have heard the announcements as they have progressed. It has been quiet, there has been really no politics involved in it, Mr. Speaker, because there has been agreement and that's why I call it a quiet revolution. In fact the Member for Fort Garry and I have attended many meetings in this particular regard with the leaders of the Chinese community and there is no dissension, no disagreement, and I had hoped that when this particular bill came to the floor of the House that it would pass with not too much fanfare.

The only reason I rise at this point is to just draw your attention to many many things that are going on in our community that really reflect how we have progressed in the last 20 years. The announcement last week of the Federal Government has given a grant, as the Member for Sturgeon Creek suggested perhaps that is one approach to solving the problem, perhaps

(MR. BOYCE cont'd.) this could have been used in this instance, the decision was made not to, the decision was made to proceed in this manner. But nevertheless having been given this grant by the Federal Government this particular ethnic group themselves, not by governments superimposing their thinking or superimposing plans which have been developed in Toronto or Timbuktu or even in Athens. They have been devised and developed by the Chinese community, by the people that live there - Winnipeggers and Manitobans. Mr. Speaker, I personally am quite hopeful that this component of what I see to be an ethnic downtown identification point for many many people of different ethnic origins, I think that this particular development of the Chinese people will act as yeast, that as other people see what is being done by the people themselves and by the people themselves with the assistance of the politicians who aren't trying to make political hay out of this particular operation.

Mr. Speaker, I intend to support this bill but I thought it was necessary because of the thrust of the debate and the direction it perhaps had taken, that it was necessary to mention that other ethnic groups are doing something in the Province of Manitoba.

MR. SPEAKER: The Honourable Member for La Verendrye.

MR. LEONARD A. BARKMAN (La Verendrye): Mr. Speaker, I will be very brief. I wish to say that I have no problem with myself in supporting Bill 49. I want to look at this bill as a forerunner for the same kind of assistance in the future to other groups than the French or English speaking groups. That this is going to further the culture of members of the Franco-Manitobain Society. I want to support it. I just was reminded of a beautiful day that I spent last Sunday in the village of La Broquerie. It was indeed a very enjoyable St. Jean Baptiste holiday that not only members of the La Broquerie area or only French people enjoyed, there were many others from southeastern part of Manitoba that enjoyed this day with the French people in that area. And I wish to say if this can be assistance as the Member for Emerson said some time ago - I was not in the House but I read it later - that he wished that this could be not only for the French people but for all Manitobans, and I believe he was sincere when he said this. And I feel the same way. I think it is deserving of the French to receive this but it is also even more deserving if other Manitobans including the French can deserve benefits from this Cultural Centre.

On the lighter vein, Mr. Speaker, when you follow the bill and it's one of the principles in the bill I guess, I must admit that I'm not sure if this bill suggests that a MLA should be a member or maybe a member of the board without forfeiting his seat even if he increases some money for pocket expenses. As I say, I say that on the lighter vein, because I do not read the bill that a MLA has to be represented, I read it as that he may be represented without losing any rights. However, Mr. Speaker, not too many years ago this would have been a very contentious bill, and as I said at the outset, I hope it is a forerunner of some of the things that our governments are going to do for this group at this time and for many other groups in the future.

MR. SPEAKER: The Honourable Member for Roblin.

MR. McKENZIE: Mr. Speaker, I move seconded by the Honourable Member for Brandon West that debate be adjourned.

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

MR. PAULLEY: . . . call Bill No. 68, Mr. Speaker.

MR. SPEAKER: The proposed motion of the Honourable Minister of Labour. The Honourable Member for Assiniboia.

MR. PATRICK: Thank you, Mr. Speaker. My contribution now is on Bill No. 68, an Act to amend The Vacations With Pay Act. I don't know just how to treat the Honourable Minister. I could be very complimentary and polite and tell him how good he is, or I could hit him hard and be very critical. But he acts very strange, you know, when we get to this time of the night. Somehow he reminds me of a, I'd say an athlete in the fourth or third quarter when the going gets tough and somewhere he's able to reserve to that extra adrenalin that one has and, you know, when the going gets tough, you know, he gets tough and this is what I see in the last few nights in here. The Minister at 11:00 o'clock he's really full of fire and brimstone and really goes at it, so I don't know just what to say but I do wish to say to him at this time I rise to support the bill; I agree with it and I'm sure that he must remember that this is something that I have requested in this House for quite a few years. I'm sure he must be disappointing at least to the members on this side when he believes he's the only champion of the employees, and I will agree that the Minister may be called different names at different times. But I will give him credit that perhaps he did fight for lay employees, perhaps most of his life

(MR. PATRICK cont'd.) for the ones that he felt were not getting a fair share of a fair break as far as the wages were concerned. But I've listened to debates in this House for the last two sessions or three sessions since the Minister became Minister of Labour, and I've listened to the Member for Emerson who in my opinion I believe has made a contribution towards any labour legislation and is concerned about labour, you know, to improve the legislation and to improve the conditions for many people. I can perhaps remind the Honourable Minister because he forgets quite often when we get debating this late in the night if he would refer to the Journals of 1969 he'll find what we're talking about, the legislation that we are debating at this present moment.

I wish to quote from Page 23, 1969 Journals where I presented a resolution to this House and it's on record: "Whereas longer vacation periods are being more widely accepted throughout the province and Canada; and Whereas our neighbouring province of Saskatchewan has for some years had legislation on their books providing employees three weeks' vacation pay after five years of service; and Whereas increasingly collective agreements provide for three weeks' vacation after five years of service; and Whereas many Manitoba tradesmen are leaving to work in other provinces where better wages and benefits can be obtained; Therefore Be It Resolved that the Government of Manitoba amend The Vacation With Pay Act providing employees three weeks' vacation after five years or more years in the service of their employer."

So I hope that the Minister will appreciate that some other members are as well concerned, are as well concerned about the concern of the working person. I wish to bring to the honourable members' attention, perhaps my second year in the House which I introduced a resolution to amend The Employments Standards Act to deal with, to deal with certification problems which we had a considerable amount of problems with because at that time the courts used to deal with the certification matters and before you could get any witnesses and due to the delay process that the courts - when problems went before the courts it was very difficult to prove, it was very difficult to prove; and subsequently my resolution I believe was accepted by the government of the day, and I believe two years later or a year and a half later the Woods Committee made the same recommendation along my lines and the government of the day then put it into legislation. So surely the Minister must remember that. He must remember my resolution on general holidays to pay the employees - to pay the employees for the holidays that they had not worked because it was not in the legislation; although I said generally speaking most employers are good and will pay, but there may be a holiday falling on a Monday and the employer would deduct that one day from a week's salary because it was not spelled out in the legislation. So I had before this House, it's as well I believe in one Journal that not only that we should make it mandatory for the employer to pay for statutory holidays but as well I asked to increase the statutory holidays, I believe from seven holidays to nine. So I'm sure that the Minister must remember that. I as well asked for - continually for increase in minimum wages; I have asked continually for legislation on automation, and I'm sure the Minister is well aware of those points. So I'm sure that to be fair, to be fair and reasonable to the other members on this side or all members, that he would at least give some credit to the members that do give concern or are concerned about legislation in this area.

So these are some of the points and I feel the legislation is good. I do have a couple of questions to raise to the Minister which perhaps he can give some consideration. The point that I wish to raise is there are many people that have been working for different companies and organizations, and perhaps they left the employment and they're going back to work for the same employer maybe two or three years later. In the meantime they may have had four and a half or five years of service, so when they're rehired say at some later period when there is a certain period inbetween the termination of their employment prior and after again seeking employment with the same employer; maybe a small entrepreneur who has three or four employees and in that instance he would have to pay three weeks that first year or the first year of employment. I don't know if the Minister has heard from any of the employers or not but I think this is something that perhaps you will hear before the Law Amendments Committee. And it has been brought to my attention that perhaps the employer will not rehire that same person because he says I'll be faced with the first year of paying three weeks instead of two weeks so - because the way I understand the legislation prior employment will have to be taken into consideration and perhaps there should be some, there should be some conditions how far back the legislation will go or can go and this may simplify the matter.

So that's the only area that I wish to see if the Minister can - or at least I believe the

(MR. PATRICK cont'd.) employer maybe should have some right - to see if the Minister can rule on a decision like this that is brought before him. So this may correct the situation. But aside from that I do believe that not only the legislation is proper, it may be even perhaps overdue. I think we should have had this legislation. We are going now to four days working week and not only in Winnipeg that we have some firms on a four-day working week, in Canada we have in the thousands and thousands now on this basis. So you will find a shorter working week and naturally I feel if an employer has had an employee for five years' he must be a good employee and surely after five years' service I feel that he deserves three weeks' holiday with pay. So I agree with the Minister, I just want to bring it to his attention that he must appreciate I for years have presented this resolution to the House. I have never presented a resolution to this House if it had been presented prior by some other member so I have never heard - the Minister may have made speeches to that effect but I've never heard the Minister or anybody from the NDP Party when they were on this side requesting this. He may have had in the speeches but he had never put it into a resolution form. So I agree with the legislation and I wish that one point that the Minister would take into consideration and see if this could be, in some maybe small way some consideration given.

MR. SPEAKER: The Honourable Member for Brandon West.

MR. EDWARD MCGILL (Brandon West): Mr. Speaker, I rise in support of this bill. I agree with the intent and the general principle. I just wanted to bring to the Minister's attention one technical point that perhaps the Honourable Member for Assiniboia has already mentioned, but I think nevertheless deserves to be perhaps restated. In one part of the bill it suggests that where a statutory holiday falls within the three-week pay period that the holiday will be lengthened by one day. To lengthen the holiday by one day is a problem for small firms who have to arrange holidays for people going and coming usually on weekends. And there is a problem when a preceding weekend is used for travelling and the terminating weekend is used for travelling, to add a statutory holiday to that day and yet have the next person to go on leave, be away for the following day. So I think probably most firms and certainly the people I've heard from agree that a statutory holiday falling within the period of the annual leave should be picked and should be an extra day's holiday for the person involved, but perhaps it would be better and be more convenient for all concerned to allow them to take this not as an addendum to the annual leave but at a subsequent date. In general terms as I have stated, we are completely in support of the principle of this bill; we hope the Minister will give this technical point some consideration and possibly amendment.

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

MR. PAULLEY: Mr. Chairman, I want to thank the honourable members for the support that they have given to this bill. And I trust the support that they have given to this bill indicates support in general to all the progressive labour legislation that the Government of Manitoba is introducing at this time. I'm sure that if my honourable friends opposite want to make the Minister of Labour happy in his elder years they couldn't make him any happier than apparently they are doing thus far in accepting the very reasonable propositions that the Minister is making in respect of labour legislation. I trust that the co-operative spirit as it has been exhibited by the Liberals and Conservatives this evening in respect of labour legislation will continue and I would welcome it.

And now the Honourable the Member for Assiniboia did mention the fact that during his sojourn in this House he has on a number of occasions put forward resolutions in respect of vacations with pay and the likes of this and I recognize, Mr. Speaker, that he has. I compliment him for so doing in the past; I compliment him and others for their support this evening.

Now the Honourable Member for Brandon West has mentioned the question of the application in The Vacations With Pay Act of - the application of the Act where within the three-week period of vacation a statutory holiday takes place, as to whether or not consideration might be given rather than in the terms of the present Act, proposed Act that that must apply as an extension of that three weeks' vacation; and that he mentioned that he has had representation to consider whether or not in order to facilitate the staff organization and the likes of that within a firm and I would suggest, Mr. Speaker, my honourable friend from Brandon is really speaking of a firm that has a relatively small number of employees or possibly only one. I also, Mr. Speaker, have received within the last day or two representations from that great City of Brandon, particularly the medical clinic in Brandon if I may be specific, as to the application of this and I'm quite prepared - being a reasonable individual I trust - to take into consideration the points raised in that communication. If it's feasible to have within the

(MR. PAULLEY cont'd.) legislation some flexibility so that they will not be pre-judicial to the employee, certainly I'm prepared to recommend to the Committee on Industrial Relations that will be considering the bill, some way in which this can be accommodated.

Well, Mr. Speaker, I do want to thank my honourable friends opposite and also my honourable friends in my own caucus for their support for this progressive legislation. It is indeed a long time coming. I appreciate the criticisms that have been directed because this government has been in power - to use that term in its broad sense - for three years and it is now only enacting this legislation. But I guess, Mr. Speaker, when we compare the three years in office as against a hundred years from the time that Manitoba was born, it's not too long a period. So, Mr. Speaker, again I thank my honourable friends for their co-operation and this bill will now go the Industrial Relations Committee for further consideration.

MR. JORGENSON: I wonder if my honourable friend would permit a question.

MR. DEPUTY SPEAKER: The Honourable Member for Morris.

MR. JORGENSON: Would he have expected that this legislation would have been introduced in 1871?

MR. PAULLEY: Not, Mr. Speaker, by the then government any more than I would have expected it to have been introduced during the regime of the Honourable Dufferin Roblin and the Conservative Party who formed the Government of Manitoba I believe in 1959.

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

MR. DEPUTY SPEAKER: The Honourable House Leader.

MR. PAULLEY: I wonder, Mr. Speaker, whether the Honourable Member for Emerson might make his contribution which I await with glee, in respect of Bill No. 66 dealing with equal pay.

MR. DEPUTY SPEAKER: On the proposed motion of the Honourable Minister of Labour. The Honourable Member for Emerson.

MR. GABRIEL GIRARD (Emerson): Mr. Speaker, I think that there might have been an error in our calculation, the one I was expecting was Bill 57. I'm not really prepared to make my comments on 66 at this time.

MR. PAULLEY: Mr. Speaker, my honourable friend is not the beautiful lady from Fort Rouge in whose name stands the adjournment on Bill 57. I realize - I recognize the qualities of the lady from Fort Rouge as against those of the Member for Emerson. But I will call 57 if my honourable friend would like to take the place of the Honourable distinguished lady from Fort Rouge.

MR. DEPUTY SPEAKER: Order please. The Honourable Member . . . Agreed that the matter stand?

MR. PAULLEY: . . . Mr. Speaker. If he wants to stand Bill 66, I am agreeable to that. If he wants to take the adjournment standing in the name of the distinguished Member for Fort Rouge dealing with 57 and that if it is understood that she will waive her rights, that's okay by me.

MR. DEPUTY SPEAKER: The Honourable Member for Lakeside.

MR. HARRY J. ENNS (Lakeside): Mr. Speaker, on a point of order. Let's understand something. I know we're in speed-up but we're not in that kind of a hurry to pass legislation that we will suffer, you know, under the sufferance of the House Leader as to just how we have to rush ourselves into debating a piece of legislation. I think the question of whether or not a member is present or not, certainly for one adjournment, is, you know, quite acceptable by long tradition and standing, and I would suggest the Honourable House Leader cool it.

MR. DEPUTY SPEAKER: The Honourable House Leader.

MR. PAULLEY: Would you kindly call Bill No. 72.

MR. DEPUTY SPEAKER: Bill No. 72. On the proposed motion of the Honourable Minister of Labour. The Honourable Member for Emerson.

MR. GIRARD: May I have the matter stand, Mr. Speaker.

MR. DEPUTY SPEAKER: Agreed? (Agreed)
The Honourable House Leader.

MR. PAULLEY: Mr. Speaker, would you mind calling Bill No. 81, standing in the name of the Honourable Member for Emerson.

MR. DEPUTY SPEAKER: On the proposed motion of the Honourable Minister of Labour. The Honourable Member for Emerson.

MR. GIRARD: May I ask the indulgence of the House to have the matter stand please.

MR. DEPUTY SPEAKER: Agreed? (Agreed) The Honourable House Leader.

MR. PAULLEY: You know it's a damn good job school is out.

I called Bill No. 72. The school teacher wants that one to stand too. Yes, I'm sorry. Bill No. 73, the adjournment standing in the name of the Honourable the Minister of Agriculture.

MR. DEPUTY SPEAKER: On the proposed motion of the Minister of Municipal Affairs. The Honourable Minister of Agriculture.

HON. SAMUEL USKIW (Minister of Agriculture)(Lac du Bonnet): Mr. Speaker, I took the adjournment although it was not for myself, it was for the Minister of Municipal Affairs but I presume that if others want to speak on the matter at this point, it's quite in order.

MR. DEPUTY SPEAKER: The Honourable Minister will be closing debate. The Honourable Minister of Municipal Affairs.

HON. HOWARD R. PAWLEY (Minister of Municipal Affairs)(Selkirk): I would just like to make a few brief comments which will take about ten minutes.

First, the Honourable Member for Gladstone in the course of his discussions on the bill asked what the definition of a mobile home was. I should refer the honourable member to Section 439 of the Municipal Act. I should add to that definition an indication to my honourable friends that the mobile home must be paying a license fee in order to receive the benefits of the plan. I think this is one of the very serious defects in the act as it presently stands, is that there was not a provision for the payment of rebates in regard to the occupants or owners of mobile homes. This will rectify that. I think honourable members would agree that it will create a more equitable situation insofar as this very important group of citizens are concerned, especially a growing number of citizens in our midst and in a transitory age.

The Honourable Member for Sturgeon Creek asks a question with regard to a tenant September 30th and if a person in fact was not a tenant on September 30th, occupant on that date but moved out earlier, then what would be his rights in respect to the act itself. The answer to that, Mr. Speaker, is that first the situation is that the tenant of record on September 30th is the tenant that is entitled to the rebate. Wherever that tenant, or occupant, is on that day, then he will be entitled to the rebate pertaining to those premises on that particular date. Insofar as the sale of homes are concerned - and the Honourable Member for Sturgeon Creek suggested for example someone that might sell August 1st, where would he stand? I could only suggest to the honourable member that I think what will happen here will be the same as occurred back in 1964 under the previous program in that, vendor-purchaser transactions, the solicitor would prepare a statement of adjustments and adjust the rebate accordingly between the vendor and the purchaser, and I would anticipate that that practice would be pursued now as it was back then.

The Honourable Member for Souris-Killarney asked what would happen if the moneys were not paid by the taxpayer until say 1974. The answer to that is that the ratepayer of course would not be entitled to the benefits of the rebate until that time and not before, only entitled to this when he would pay his bill on the tax bill. It would be my understanding from the information that I have received with regard to this insofar as the preparation of the machinery of the act is concerned, that the municipality however would receive the moneys ahead of that date in respect to that \$50.00 even if the moneys were in fact not paid until 74, so the municipality would be paid at an early date despite the late payment of the sum in question.

The Honourable Member for St. Vital did raise an issue that has caused us considerable thought and that was in regard to a landlord, say with a number of apartments, say some of those apartments vacant on September 30th, why should the landlord be required to refund that money to those rebates to the treasurer? All I can say in answer to the Honourable Member

(MR. PAWLEY cont'd) for St. Vital that the intention of the School Tax Reduction Act is is that occupant-resident families receive the benefit. It's a program for the relief of the actual residents of premises, and when you have a landlord with vacant premises, and if in fact the rebate was paid to that landlord in respect to his vacant premises, it would be inconsistent with the principle of the act itself.

The Honourable Member for St. George asks whether or not there would be interest charged on the rebate until such time as the payment of the taxes itself. The answer here is of course that there is the total amount of the tax bill, that if the tax bill shows a credit for the amount of that allowed under the School Tax Reduction Act so that you have net taxes, the interest is payable in respect to that net, to the net itself, so in fact there is no interest charged as against the credit, only against the net tax bill.

I would like to thank honourable members for the very constructive comment that we have had in respect to this bill. I look forward to the further discussion that will take place in committee stage.

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

MR. DEPUTY SPEAKER: The Honourable First Minister.

HON. EDWARD SCHREYER (Premier)(Rossmere): Mr. Speaker, I believe that the next bill to be called would be Bill 70.

MR. DEPUTY SPEAKER: On the proposed motion of the Honourable Minister of Tourism and Recreation. The Honourable Member for Inkster.

MR. SIDNEY GREEN, Q. C. (Inkster): Mr. Speaker, I beg the indulgence of the House to let this matter stand. I understand that there are others who wish to proceed at this time, so it needn't go undebated.

MR. DEPUTY SPEAKER: The Honourable Member for Point Douglas.

MR. DONALD MALINOWSKI (Point Douglas): Thank you, Mr. Speaker. Mr. Speaker, I believe by giving up the power to censor film in this province we would be taking a big step in the wrong direction. Films in the past few years have reached an all-time-low in degradation. So much so that even the editor of the Motion Picture Herald deplored the fact that so many films are devoted to obscenity, pornography, extreme violence and tasteless vulgarity. The Winnipeg Tribune in an editorial on one occasion put it even stronger. It said, "It is a filthy obscene business run for profit by the kind of evil men who traffic in narcotics." The Tribune was referring to the many pornographic type of films. Articles in Time and Life Magazines state, in fact point out, that men from the underworld of crime are associated in the financing and introducing of pornographic movies.

The U.S. Commissioner of the Federal Bureau of Narcotics has been complaining about a film industry showing too many films in which young people are seen taking drugs, "Dope films" said the commissioner, "make dope addicts."

Mr. Speaker, I don't want to make a wholesale indictment of the film industry. Some good films are still being made. There are no doubt many fine and decent people in this field; some of them are as much concerned about the deplorable state of the movies as we are. But we must also face the fact that there are some utterly irresponsible and unscrupulous people in this business who will do anything, and show anything, to make a dollar.

I believe by relinquishing all powers of censorship over films we would be giving free reign to these people. Is that what the majority of people in this province want us to do? If I am any judge of public opinion the majority of people are revolted, disgusted and fed up to the neck with some of the film garbage that has been coming into our theatres for the past three or four years.

There is also the public opinion poll published in the Canadian Magazine in January of this year, clearly indicated that the majority of Canadians want more censorship applied to rid our theatres of the pornographic type of films. They were equally opposed to the indiscriminate killing, violence and torture shown in so many movies.

Those opposing censorship generally do so on the lofty grounds of freedom. They say censorship has no place in a free society. They forget that in any kind of civilized society freedom is relative. We are not all completely free to do anything at all times. I am not free to throw rocks at honourable members or drive through a red light. We in this House are not free to sit in this Chamber in our bathing suits or use foul language. The members of the press gallery must conform to certain standards set by their papers. If in reporting these proceedings they use the kind of foul language heard in movies, they would soon find themselves out of a job,

(MR. MALINOWSKI cont'd)

My friend the Honourable Member for Crescentwood --(Interjection)-- disappeared? That's too bad - may be opposed to censorship of films but in his capacity as Editor of Dimension he must like all editors and publishers apply to a rigid kind of censorship. The editor must exercise editorial supervision over whatever goes into his magazine or newspaper. Why then do some people object to exercising some public control over what goes into our public theatres? The building industry must conform to certain building codes. Food stores are not free to sell contaminated meat or rotten eggs. All industries and professions must abide by certain laws and standards. All individuals in our society must conform to certain acceptable standards and behaviour. They must adhere to certain moral standards established by numerous laws and customs. Why should the movie makers be exempted? What is so sacred about this industry that it should be exempted from all moral and legal restraints?

I think there is a general agreement that films have an important influence in this society. If youngsters are constantly subjected to bad TV programs and movies, it can hardly have a good influence on them. A California judge Justice John Holland expressed the view that a steady run of films in which sex is degraded, is bound to have eroding effects on moral standards. An essay in Time Magazine said movies are making sex hideous and inhuman. I don't see many films myself, Mr. Speaker, but I consider it my duty to see at least a few. In many films the sex act is portrayed as taking place in the most sordid surroundings. Often young people are shown getting high on drugs before indulging in sex. The lives of prostitutes are frequently portrayed in films. The foulest kind of language can be heard in films. Sex is seldom shown in movies as a healthy moral process of life, associated with love, affection and respect.

Such films are no help in getting young people to adopt a healthy attitude towards sex. The same is true with violence. If youngsters see nothing but films in which human beings are shown being indiscriminately cruel or tortured in every conceivable way it will hardly enhance their respect for human life. Mr. Speaker, I have heard it said many times that no government appointed or no group of adults should decide what other adults may see. The fact is before any film can be shown somebody must make the decision as what will be shown. Who then should make the decision? Should this decision be left entirely to a small group of adults in the film industry? Should the adults in this government or in this Legislature have no say in the Matter? Should the educators and religious leaders or the parents of this community have no say whether in determining the kind of film, why are the moral standards in this field for our community to be set by the handful of irresponsible and decadent movie makers in New York, Denmark, London, or any other place. --(Interjection)-- Maybe.

Mr. Speaker, I know many of us on both sides of this House are concerned about this issue. Most of us, in fact I believe all of us have children or grandchildren. I'm sure all of us are concerned about the kind of future they face in this rapidly changing mixed-up world. I'm sure we don't want them to face a world in which everything goes; a world in which all standards of morality, decency and civilized behaviour have disappeared. I have heard the Honourable the Attorney-General express his concern about films. I am aware the Honourable the Minister of Tourism, Recreation and Cultural Affairs is very much concerned. He's loaded down with many responsibilities and the matter before us is only one of them. I know that one of the main reasons for wanting to be rid of the censorship is because of the difficulty censorship poses in this permissive era.

But, Mr. Speaker, by giving us the power and responsibility of censorship we shall be inviting even greater problems. Once the news gets out that censorship in this province has been abolished, we will be flooded with the worst kinds of films which have been rejected in other areas. I have before me, Mr. Speaker, a newspaper clipping of what happened in San Francisco, the most wide-open city without censorship. That city has become known as the smut capital of this continent. Films are shown there which are so utterly degrading, I wouldn't want to describe them in this Chamber. In the film pages of San Francisco newspapers, every form of sexual depravity is openly advertised but according to this news report I have before me, the majority of decent people in that city were not happy with this kind of freedom. They are not happy to have their city known as a smut capital. They were not happy to have this sordid business in their midst. The District-Attorney in San Francisco refers to the people in this business as this: "Depraved film makers and exhibitors." He has been involved in endless prosecutions trying to clean up this mess to some extent without much success.

Mr. Speaker, I believe this matter can more easily be kept in check by a permanent government board with the powers of censorship, or perhaps supervision might be a better word. At this point I must raise an important question as regards the provisions in the criminal code

(MR. MALINOWSKI cont'd) against obscenity. In the recent obscenity charge against certain film people the judge did not pass an opinion as to whether the film in question was obscene. He said it was the responsibility of the Censor Board to determine whether a film was obscene within the meaning of the criminal code. But if censorship is completely abolished who then will determine this - or will, rather, the movie makers and exhibitors be free to ignore with impunity the provisions in the criminal code against obscenity?

I submit, Mr. Speaker, that in this era our permissiveness in our society censorship is not easy to apply, it is not easy to determine where to draw the line but this is no reason why we should run away from this problem. All provinces are grappling with this problem and mind pollution through films. I would like to see in this bill, specifically in subsection 1 of Section 23, a few general moral guidelines which I am sure would be acceptable to the majority. I think the very least we should do to establish the general principle that films being of the obscenity ruling in the criminal code, are not acceptable to be passed for public viewing. The esteemed Justice Freedman in a ruling handed down in a case in 1970 gave us at least one sound guideline that should be acceptable to all members of the House and the majority of people. Mr. Justice Freedman on the occasion pressed the point that the law takes into consideration the fact that the sex act is one of the most intimate of human acts for which people crave absolute privacy. What two consenting adults do in the privacy of their own bedrooms is nobody's business but their own. But the relevant section of the criminal code reads and quote: "An act shall be deemed not to have been committed in private if it is committed in a public place or if more than two persons take part or are present." So greatly is the law concerned with privacy in this matter that a man watching the sex act by peeping in his neighbour's bedroom window would be arrested if caught. We have a name for such people --(Interjection)-- You said it, Peeping Toms. People who do this are regarded as being sick. To me it seems there is something sick in our society to see hundreds of seemingly normal adults sitting in a theatre like so many Peeping Toms watching nude simulated sex acts on the screen. They are entertained with numerous sex orgies, group sex activities, rape and every form of sexual perversion. They are being entertained by watching people killed and tortured in the most brutal, savage and sadistic way --(Interjection)-- like in ancient, decadent Rome. Thanks for help!

In my calling, I am of course concerned about the moral behaviour of my fellow-men under all circumstances whether in the privacy of their homes or in public, but Mr. Speaker, I am as much a believer in a free society as anyone here in this Chamber. I agree with the provisions in the criminal code that what people do in the privacy of their homes is their own business, but in this Bill 70 before us we are not dealing with what people do in the privacy in their homes; we are not dealing with the kind of movies people show in their homes; we are dealing with the kind of films being shown in our public theatres. Complete abolition of censorship over films would put this province in a line with Denmark. Denmark had achieved a great popular reputation for its export of excellent bacon. It is becoming better known now as the export of smut, and many Danish people are not happy about this development. And I am convinced, Mr. Speaker, that the majority of Manitobans do not want to follow the Danish example. I therefore suggest very strongly that if amendments are made to subsection 1, Section 23, that the power of censorship be retained in this bill and that this fact be clearly spelled out. The responsible Minister can always determine how the powers of censorship are to be used. He can modify the actions and directions of the Film Classification Board by using directives from time to time; but once we have given up the powers of exercise supervision and control over films, we'll be powerless to prevent this community from being utterly polluted with the most decadent kind of films. Thank you.

MR. SPEAKER: The Honourable Minister of Public Works.

HON. RUSSELL DOERN (Minister of Public Works)(Elmwood): Mr. Speaker, I think one of the interesting things in this particular debate is to see the wide variety of opinion, not only on the government side of the House but I trust on the Opposition side of the House; and I know that throughout the province as a whole there is a range of opinion that ranges from a belief that censorship in any form is bad, is destructive of freedom ranging to I suppose the other extreme in which any kind of - what shall I say, any kind of activity which in the minds of people who have extremely narrow minds should be abolished. I am one of those, Mr. Speaker, who believes that there is a distinction between liberty and license and I wish to try to indicate my views on this particular subject.

One of the things that I think is an important point to make is the fact that there is a distinction between the erotic and the pornographic. I think that all of us recognize that in works

(MR. DOERN cont'd) of art that it is not a clear-cut question, that for example the exhibition of a nude in a painting for example is necessarily evil. I think some of us recognize that in classical works of art, etc. this is an accepted form --(Interjection)-- and as my honourable friend for Crescentwood assists me, he mentions that in this very Chamber there are examples of art which I think all of us would recognize as - well, it's almost pushing it to say that it's erotic but it would fall into that category rather in the category of the pornographic which is something of another kind. I also think that some people are very up-tight on this particular subject. I always think back to the day some ten years ago when the Winnipeg Blue Bombers entered a float in the Grey Cup Parade; and at that time the float primarily centred around a papier-mache figure of the Golden Boy and somebody became quite alarmed at this rough approximation of the Golden Boy on the dome of this particular building. There really was nothing to be alarmed about, there was nothing to see but someone thought nevertheless this particular figure was in fact nude and that something should be done. And, Mr. Speaker, I find this a very difficult point to make because even as I say it I find it hard to believe, but I have the article at home and I recall the incident. Somebody went to work and manufactured a pair of shorts and the shorts were placed onto the figure of the Golden Boy and the Winnipeg Blue Bombers' float in the City of Toronto went down Yonge Street, the Golden Boy wearing a pair of BVDs. Obviously that is too far in the other direction.

I would like to read, Mr. Speaker, a dozen lines on the distinction between the erotic and the pornographic from the report of the Commission on obscenity and pornography which was a commission in the United States which says as follows: "But in art there is an enormous difference in intention if in nothing else measurable between the erotic and the pornographic. Eroticism is to the artist the expression of a very precious part of life. The artist's intention is not pornography but truth. Eroticism is woven into the web of his words and offered as part of life. It is clear that the artist wishing to employ eroticism in his work should in no way be hindered. However if the erotic artist can be allowed his privileges, then he must also recognize his duties. Art is not pornography and while simple pornography can be easily categorized as such so that no one buying would be under any illusion regarding his purchase art, be it a novel, a motion picture, a play or a painting is more difficult to label."

Mr. Speaker, I am one of those who saw the movie "Joe", and I know that my former colleague the Member for Thompson also saw that particular movie and I'm sure many other members --(Interjection)-- and identify with one of the characters, one of my colleagues says, and I suspect that is true as well. The point is that those of us who saw it, I think many of us reached a different conclusion about that particular movie. I thought it was an excellent movie I thought it was a movie that had a message. I regarded it as a movie that pointed out some of the dangers of the drug culture, and a movie that pointed out some of the dangers of intolerance on the part of a large sector of American society which was exemplified by the character of Joe.

The Member for Thompson saw the movie and saw in it some scenes which he found offensive, and some language which he found offensive, and there was indeed some swearing in that particular film, but I don't think that by itself would rule it out as being unsuitable for public viewing. One of the comments in the movie, I found particularly amusing, and it was said by the character Joe in reference to American liberals, small "l" liberals when he said at the end of one particular speech that forty-two percent of the liberals are queer, and that's a fact. Some Wallace people took a poll. I remember with some amusement when I was listening to the hot line show one day and Mr. Asper was on the film and somebody phoned up and read this figure to him believing that this therefore proved that members of the Liberal Party fell into this category.

Mr. Speaker, the movie was described in Time Magazine in the following manner, in a couple of quotes, as follows: "It is a film of Freudian anguish, biblical savagery, and immense social and cinematic importance", or again, "Beyond Boyle's superb performance the most striking aspect of Joe is the film's essential honesty." So I suppose that you see in a movie certain things depending on your mental set and depending on your particular background.

There is of course a problem when a group attempts to of course make a decision on the merits of a particular movie and I think most of us in this Chamber if any one individual got up and attempted to say that he would speak for all of us, then I think there would tend to be those who would strongly disagree. Some of us would feel that a particular member was too liberal, and others would feel that a member was too conservative, or too restrictive in their particular outlook.

(MR. DOERN cont'd)

Now having said that, I suppose some members would feel that I personally believe in the abolition of any form of censorship, and in general to that question I would have to say that I don't. That I do believe that there are some things that should be prohibited. I think of the neighbourhood theatre and I think of stag films, and in my judgment there are movies that are not fit to be screened or viewed by the general public. I know my honourable friend the Member for Crescentwood does not agree with me on this point and I respect his judgment, but I know, Mr. Speaker, that there are films and performances that are being staged throughout the world that I think are disgusting and I would cite as an example the experience of a friend of mine who went to Denmark, sat through two or three of the filthiest films that he ever saw--(Interjection)-- yes, sat through them and maybe enjoyed them, and inbetween, because these films were not enough, inbetween the films on that very stage, there were exhibitions of live intercourse. Now I don't know if people think that that's acceptable or not, but I for one don't. It's also of course not true that the Scandinavian countries are the pornographic capitals of the world, because I think all of us recognize that Hollywood takes second place to nobody, or at least American film makers of whatever size certainly don't run second to whatever is being produced in other nations of the world in this particular field.

Another thing that of course concerns a lot of people, and this possibly is more damaging, is of course the extent of violence in films. Anyone who has seen the movie Straw Dogs, as I have, or the Godfather, knows that there is a fantastic, a fantastic amount of shootings and killings and all sorts of bizarre forms of maiming and executions. --(Interjection)-- Well "Diamonds are Forever" I didn't see it, but I'm sure that it's pretty feeble stuff in comparison to Straw Dogs.

Mr. Speaker, under the present system, the one that this bill would alter, I think there are certain inconsistencies and certain anomalies, and I think this is one reason why this bill has been brought forward because under the present system a representative, or purportedly representative group of people, views films and then makes judgments as to their suitability, and cuts part of the material from them. In fact I suppose not that much cutting is done because I think the films come through another province and another censor, therefore it's not particularly necessary for us to do the cuttings as someone else tended to do it for us, but nevertheless there are instances, the most recent being the Stewardesses, where a film was cut by the board, but then after that it is still possible for I suppose an individual to make representations, or the Attorney-General on behalf of citizens, or on behalf of the people in general, or on behalf of his own observations or his department, they can still prosecute in accordance with the obscenity sections of the criminal code after a government appointed body has made certain judgments about the suitability of that film, and obviously this is a certain inconsistency and an anomaly. Once having passed the film as "suitable" then a charge is laid by the Attorney-General against that particular film so I think that the proposed new system is in fact an improvement. At least it deserves a trial. Under the new system the Attorney-General may either allow a prosecution or may initiate an action on behalf of the people of this province.

But either way the government is involved. I don't believe that under the new system the government simply passively observes a scene. I believe that the Attorney-General acting as the chief law officer of the province will still be involved, either by approving prosecutions or by initiating prosecutions.

The citizens of Manitoba are going to be called upon to indicate their approval, I suppose, but in particular their disapproval of the kind of movie fare that is exhibited in our theatres, and I'm sure that they will via the phone, or through the mail, protest and exert pressure on the government and on the movie industry when they feel that a certain film, or it has gone too far, or there's a certain trend that is observable in the theatres, that goes beyond what is in their judgment the limits of decency.

Mr. Speaker, unlike my colleague the Member for Point Douglas I am a keen movie goer. I suppose it would average one or two films a week. I tend to read the reviews in various magazines and newspapers, etc., before they appear. I think that most people know, or have a fairly good idea of what they are going to see when they in fact do decide to go to a particular movie. Certainly if a movie has a certain type of ad and contains no name stars on the billing, it might indicate that that particular movie is sensational, and so on.

One thing that I would really like to see reinstated in this province, and particularly in the capital city, is the reinstatement of the movie critic. I don't know what's happened to both of our Winnipeg dailies but I don't recall having seen a review in either newspaper for some

(MR. DOERN cont'd) time, and I think that people who are interested in the movies are interested in the opinions of people who go to the movies, particularly those who are professional critics or pretend to be professional critics.

I notice that a recent development is that one chain of theatres is beginning to put sentences into their ads for the first time which I think is useful as I think it gives some indication to people of what they are going to see. Just as an example the movie "Nicholas and Alexander" is described in small type as a historical drama of Czarist Russia. Another film - I might say I saw the movie. I am fascinated by that period in history and I thought it was a dreadful movie, quite boring and overlong. Something called "Catch the Burglars" is on, starting tomorrow night, it's described as sophisticated cops and robbers picture with moderately rough language, so they are starting to give an indication of what you are going to see. And as an example, a final example, Alfred Hitchcock has a new movie called "Frenzy" which is described as an Alfred Hitchcock thriller, nudity, sex, some violence, rough language. Sounds like a typical film.

I would, as I say, hope that the two newspapers in particular, would consider reinstating their movie critics. I know that the CBC on radio, and now on TV, has some critics who give capsule reviews of the movies. The Christian Science Monitor which is one of the best papers in the United States, those who aren't familiar with it might think that it's a very stodgy old paper that is only read by supporters of Christian Science, or people who pray round the clock, but it is in fact one of the best newspapers in the United States. They themselves offer a movie guide which I think is very useful. They sound out their readers and ask them to provide opinions on particular movies and they give ratings to the films as to whether they are suitable for adults, or for a family, and also as to where they sort of stand on a general scale. Just as an example they describe a movie called "No Blade of Grass" Cornell Wilde's Science Fiction Thriller about a pollution caused disease that threatens to starve mankind. It generates from chilling message drama to sordid melodrama. Well at least that gives you some idea of what you're going to see. Mr. Speaker, I think that the new bill, as I said, I do regard as an experiment. I think it's an attempt to improve the present system and I think that it deserves a chance. I think that the general public those people in the general public who are concerned that this is a backward step are mistaken. I think that they will have a greater opportunity than ever before to indicate their feelings on particular movies, or on movies in general to government. It's obvious that the Attorney-General will have to exercise discretion on this question because you know the mere fact that two or three people phone him or his department on a particular movie does not necessarily mean that that movie should be taken off.

Mr. Speaker, it is very difficult to draw the line between liberty and license but I don't believe that it is an impossibility. It may be an impossibility to draw a precise line to get general consensus on fundamental principles, or to get general consensus on a particular movie but I think in general, when people view a particular film if one were to take a vote I think that it's relatively easy to determine whether or not that movie is in fact pornographic or otherwise.

There are many other comments that I could make, Mr. Speaker, on related subject of literature, and so on. I had the experience of teaching high school literature, and so on. It's very interesting to see the opinions of parents about particular books that are used in the high schools or in the universities. There were great debates at one time about the suitability of "Catcher in the Rye", which I think was a very great piece of writing about adolescents in the 1950s, and there were some four letter words in it, but again one has to decide whether the inclusion of words like that means that the particular book is therefore unsuitable. We all recall the great judicial questions in the United States and in England over "Lady Chatterley's Lover", which was another book that was controversial which nowadays I think would be regarded as totally non-controversial.

In short, Mr. Speaker, I believe that this bill may be an improvement but at the very least is an experiment and an attempt to tackle this very complex problem, and I believe deserves the support of the members of the House.

MR. SPEAKER: The motion will remain in the Honourable Member for Inkster. The Honourable First Minister.

HON. EDWARD SCHREYER (Premier)(Rossmere): Mr. Speaker, I understand that we would proceed by calling Bill 90 and then 94, and depending on the time that will take we may be able to adjourn at a reasonable hour.

MR. SPEAKER: The proposed motion of the Honourable Attorney-General. The Honourable Member for Sturgeon Creek. Bill 90.

MR. F. JOHNSTON: Thank you, Mr. Speaker, and with those words again from the First Minister that we could adjourn at a reasonable hour, I will be very brief.

Mr. Speaker, on Bill No. 90, an Act to amend The Trustee Act, I probably should have suspected, or the Attorney-General should have suspected, when he mentioned that he had received some advice from the President of the Progressive Conservative Party on this bill, that we would have passed it immediately this afternoon, but you know we have a tendency to disagree among ourselves at times and so certainly we have to check all the bills very carefully. The Trustee Act as the Attorney-General has said does set up a much better working situation as far as this act is concerned and the taking off of the limitation is a very desirable thing for society today. So, Mr. Speaker, we have no hesitation in passing this act and would like to see it go to committee.

MR. SPEAKER: The Honourable Member for Rhineland.

MR. FROESE: Mr. Speaker, I haven't really had time to peruse the bill. It was only given second reading, or introduced on second reading, this afternoon. I will have further comments when we get to Committee of the Whole on this bill because I notice that there is provision here for guaranteed trust certificates, or receipts of a trust company, and then there are provisos that certain organizations can avail themselves of it. But they have to be members of the Canadian Deposit Insurance Corporation and I think excludes credit unions as such in Manitoba. Credit unions have their own - well, I don't know whether you can call it exactly an insurance company, or system, they have what they call a stabilization plan in which they pay moneys into, so that if a certain credit union faces heavy losses moneys will be taken from that fund to stabilize the credit union that is in trouble, and not only make loans to the credit union concerned but also will make grants or make the credit union solvent. So that in this way they have some kind of stabilization form, but do not necessarily subscribe to the Canadian Deposit Insurance Corporation. If they have to do that this brings in with it a number of conditions which they would have to meet and I don't think at this time that the credit unions in Manitoba are prepared to go in for that, and would want to do that, because of the conditions and restrictions that would be placed on them. And therefore I don't think that they will be able to avail themselves of this provision. So naturally I would give further study of this matter, inquire further into it, so that when the bill comes before Committee of the Whole that I can then either place an amendment, or at least give some further information.

MR. SPEAKER: The Honourable Attorney-General who will be closing debate.

MR. MACKLING: Mr. Speaker, I recognize the concern of the Honourable Member for Rhineland, and for our part in government we have been most concerned to make the systems, financial systems, where possible as equitable for the credit union movement as possible, and in many instances we've been able to do that. I don't think that there is a particular hardship invoked here, trustee investments that are talked about here in connection with mortgages, if there is a guarantee by an insurance company guaranteeing the additional amount required, or intended to be loaned, beyond 66-2/3 in the 80 percent, then any credit union would be able to, as long as it can effect that insurance, and it may be through the self-insurance of the Credit Union League - fine. I don't think there'll be any particular problem there. However if, you know, there appears to be, we'll certainly be anxious to make it equitable and I think with those few remarks, Mr. Speaker, it may go to committee.

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

MR. SPEAKER: Bill 94. The proposed motion of the Honourable Attorney-General.
Bill 94.

MR. PAULLEY: Mr. Speaker, an indication has been made to me that there is an inclination to also pass Bill 89 tonight. I understand that it's a rather innocuous bill - with my fingers crossed - that agreement has been indicated to me that Bill 89, although there was an announcement, I understand, that we would just deal with 90 and 94. So if that is so, Mr. Speaker, would you call 94 and then we'll call 89, and possibly that's okay.

MR. SPEAKER: The Member for Sturgeon Creek.

MR. F. JOHNSTON: Thank you, Mr. Speaker. The Attorney-General again has a bill here that there is certainly no objection to from our side. The use of the students regarding legal aid is something that is desirable and certainly as long as they're being used in a manner not contrary to the Law Society Act, this is desirable. I must also say that the Attorney-General is being very wise in that he has been receiving a report obviously, very steadily, very routinely that is not necessary, and this bill directs that that report can be submitted on his

(MR. F. JOHNSTON cont'd) request. And the striking of the word "magistrate" . . . the other sections of the bill is a housekeeping matter and this bill can go to committee, Sir, as far as our side is concerned.

MR. SPEAKER: The Honourable Member for La Verendrye.

MR. BARKMAN: Mr. Speaker, I beg to move, seconded by the Honourable Member for Rhineland, that debate be adjourned.

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

MR. PAULLEY: Bill 89, Sir.

MR. SPEAKER: The proposed motion of the Honourable Minister of Transportation, The Honourable Member for Lakeside, Bill 89.

MR. ENNS: Mr. Speaker, I adjourned the debate on behalf of my colleague the member for Birtle-Russell.

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

MR. HARRY E. GRAHAM (Birtle-Russell): Thank you, Mr. Speaker. When the Minister introduced this bill he said it was a very minor change. He is quite right. It is just prescribing fees for the search of registration of snow vehicles but I would think on trying to check it against the Snow Vehicle Act that the proposed change in the legislation was brought forward, or was proposed, before the amended statutes of last year were considered and the numbering is probably wrong, and that is strictly a technical matter which can be handled in committee.

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

MR. PAULLEY: Mr. Speaker, I had hoped that His Honour would be here to give the Royal Assent to three bills but however that will be done tomorrow. It does seem to me that the bills still on the Order Paper, we're not able to proceed with them this evening, and it may be convenient to the members of the House that I move the adjournment of the House. So therefore, Mr. Speaker, I move, seconded by the Honourable Attorney-General, that the House do now adjourn and stand adjourned until 2:30 tomorrow afternoon, and in making the motion may I remind members that the Committee on Economic Development will meet tomorrow morning at 10:00 o'clock, and that Dr. Briant will be in attendance to answer questions, so I understand, of the honourable members.

MR. SPEAKER presented the motion and after a voice vote declared the motion carried and the House adjourned until 2:30 tomorrow (Friday) afternoon.