

THE LEGISLATIVE ASSEMBLY OF MANITOBA

9:30 o'clock, Tuesday, July 7, 1970

Opening Prayer by Mr. Speaker.

MR. SPEAKER: Presenting Petitions; Reading and Receiving Petitions; Presenting Reports by Standing and Special Committees; Notices of Motion; Introduction of Bills; Orders of the Day. The Honourable House Leader.

HON. SIDNEY GREEN, Q.C. (Minister of Mines and Natural Resources)(Inkster): Mr. Speaker, will you call Bill No. 149 on Page 4, please.

PRIVATE AND PUBLIC BILLS

MR. SPEAKER: Second reading, Bill No. 149. The Honourable House Leader of the Liberal Party.

MR. GORDON E. JOHNSTON (Portage la Prairie) presented Bill No. 149, an Act to amend The Liquor Control Act (4), for second reading.

MR. SPEAKER presented the motion.

MR. SPEAKER: The Honourable House Leader of the Liberal Party.

MR. G. JOHNSTON: Mr. Speaker, I gave a partial explanation a few weeks ago when I first brought the matter up, but for a number of years now the veterans clubs have been declining in membership because of their by-laws and because of the fact that while they would like to have taken in friends and people who think alike, they had some restriction on them. So at the last convention of the legion they passed a national resolution - I'm talking about the Royal Canadian Legion - passed a national resolution to increase their honorary membership to 25 percent, I believe, from ten. Well, the Minister of Labour shakes his head and I could be in error, but they passed a resolution allowing the local clubs across Canada, if they wished, to increase their honorary membership.

The bill requests that it be enshrined in the Liquor Control Act that veterans clubs be allowed a 20 percent membership of honorary and associate members. Presently they have ten, and I believe by an unofficial agreement with the Liquor Control Board it stays this way. I know that this will not meet with favour with the hotel industry, I know that, but I think that the veterans clubs in many of the communities across Manitoba are not only a veterans club but they're a social centre for the community.

They also carry out works that are considered to be in the field of a service club. They work with the youth; they raise funds for various under-privileged groups; they are active in the athletic training movement through the field and track program the legion put on; and for other reasons that I will not go into at this time, I have proposed this bill.

The change that was made in our liquor law a few weeks ago where simple forms of hard liquor may be sold in beverage rooms, and by the admission of the hotel industry they intend to be able to sell at a lesser price and therefore cater to all levels of income who enjoy this particular hobby, so I don't think that this proposed amendment will cause any loss in particular to the hotel industry but it will be of great help to the veterans clubs.

MR. SPEAKER: Are you ready for the question? The Honourable Attorney-General.

HON. AL MACKLING, Q.C. (Attorney-General)(St. James): Mr. Speaker, I certainly do not wish to indicate by way of my remarks anything in repetition of some of the argument that was advanced in the earlier debates, particularly around the provisions in Bill 75. I view with very great concern the piecemeal change in the liquor control legislation, and as I indicated in the debate in the House on the amendment, or in the committee I should say on the amendment that my honourable friend referred to, I indicated that it was my view that this change is such a substantial one that it will be necessary for the Liquor Control Commission to have a look at the entire Act, principles and so on, to give it a complete study.

I wish to advise the members of the House, Mr. Speaker, that I have indicated my views to the Chairman of the Commission and I anticipate that in due course that government will be making some announcement as to some form of further study. I haven't got anything definitive to announce now, but I think that the private member's bill that's before us would create a good deal of further concern in the entire industry if this very substantial change were permitted at this time, and I would far rather that any changes were made after proper reflection and study.

I certainly have a great deal of sympathy for the goodwill, the conscientious endeavour of the veterans clubs throughout Manitoba. They do a great deal of good work and I have no hesitation in indicating my warm affection for the continuance of their operations of their clubs

(MR. MACKLING cont'd.). . . . in as effective a manner as possible and I have no doubt that some change may be necessary in their operating technique because of the fact that there is not a major influx of veterans from services in the armed forces. As a matter of fact, you know, that should be a cause for great thanksgiving, that we don't have thousands of people coming back from further conflict to become members of these clubs, but they do form a very substantial need in the communities where they're located and we all wish them well.

I frankly though, Mr. Speaker, have not had a series of meetings with the veterans organizations in connection with their problems. I did have representation from one club or one group, the Army and Navy and Air Force Veterans, who indicated that apparently one of their clubs had apparently been exceeding the number of honorary members, exceeding the guideline that apparently exists or that does exist in respect to the operations of these clubs. I didn't think it was any tremendous problem and there wasn't any indication to me that they felt that the Act, the regulations, would have to be changed, so it was with some very substantial surprise that I heard the Honourable Member from Portage indicate, or produce an amendment in the dying stages of the debate on Bill 75. However, I'm certain that there must be members of those organizations who feel that some change is required. As I've indicated, Mr. Speaker, I haven't heard from the command of these organizations. It may be that individual clubs have more of a problem than the organizations over-all.

In any event, I'm certainly prepared as the Minister responsible to report for the Liquor Control Commission to insure that a study is made of this matter - not only of the matter of the clubs, a study of all of the principles of the operation of the Liquor Control Act because there is going to be a substantial change necessitated by the amendments particularly that were referred to by my honourable friend. However I don't think at this stage that the Legislature wishes to make this further substantial change because I'm certain that we'll have very serious repercussions in the industry. We're still, at least hopefully the Liquor Control Commission is busy now in accordance with my instructions to set up guidelines in connection with the amendments which we've passed. I certainly couldn't recommend at this stage adoption of the honourable member's bill because I think it could create far too great a measure of chaos in the industry. I think that our approach to amendment of the Liquor Control Act has to be done, particularly in principles like this, after a more comprehensive review of the entire Act and the principles involved in it.

Some may say, Mr. Speaker, well you didn't say that when we were talking about Bill 54. Well Bill 54 was a government bill, was a housekeeping measure, it tidied up various things, but it didn't strike at the principles that were enshrined in The Liquor Control Act as a result of the fairly exhaustive commission hearings under the former premier of this province, Mr. Bracken; and those principles have seemed to work in our province and worked effectively. I'm concerned, therefore, that we don't emasculate those principles, erode them away, without understanding the ramifications of the changes we're making and I think in all fairness to the people of the province we ought to make those changes which are really fundamental to the Act after a thoroughgoing study.

Therefore, Mr. Speaker, I suggest that this bill be not proceeded with at this time, should not be passed. But I certainly, Mr. Speaker, as I've indicated, will endeavour to see that the principle involved in this bill together with any other problems associated with the changes that we have agreed to or any other problems are given thoroughgoing study. Now the form of that study is a matter that I'm not in a position to report at this time but I can assure you that I'm concerned that an adequate study be made and I'm hopeful it will be made before the next session.

MR. SPEAKER: The Honourable Leader of the Official Opposition.

MR. WALTER WEIR (Leader of the Opposition)(Minnedosa): Mr. Speaker, I'd like to just say a few words about this bill that's before us and indicate that this isn't the first time that I've heard words similar to the ones used by the Attorney-General this morning in terms of other amendments that we've had to the Liquor Act at this session of the Legislature, and if there is a change in principle, Mr. Speaker, if there's a real change in the background of the recommendations of the Bracken Commission, those changes took place earlier in the session; the changes that are contemplated in terms of the bill that is before us are inconsequential by comparison. I don't mean that they're inconsequential, but they're inconsequential by comparison, by comparison with the other changes that have taken place within the Act. Mr. Speaker, I rise simply to say that at this stage of the game I support the bill at second reading in order that a

(MR. WEIR cont'd.). . . . discussion can be held by the people that would be affected, the legions themselves and the industry because there would be an impact on the industry. I think that having given the industry and others the courtesy of hearing them and allowing amendments at Law Amendments Committee, of the significance that was allowed by the government at that stage of the game, that the least that this Legislature could do is to allow this bill to go to committee so that we could hear from those people that were involved, the legions and the industry as a whole, the arguments that they would present pro and con, and allow ourselves to make up our mind on that basis rather than on the excuse that was extended by the Attorney-General. Because if the government was to allow in any way, shape or form the amendments that they have allowed to go through at this session of the Legislature, an argument about the opening up of the Act or principles when you relate them to the principle that is contained here, it's my view won't wash. So, Mr. Speaker, I rise simply to say that I support the bill at second reading in order that we may hear arguments from both sides at committee.

MR. SPEAKER: The Honourable Minister of Labour.

HON. RUSSELL PAULLEY (Minister of Labour)(Transcona): If I may, Mr. Speaker. I rise because when the Honourable Member for Portage la Prairie was introducing his bill and made a statement or two I shook my head in the negative and I think that I owe it to my honourable friend to indicate more fully the reasons why I shook my head. He made reference to the recent convention of the Dominion Command of the Royal Canadian Legion and as my honourable friend indicated, that it took place recently I believe down east. On the presentation of the bill of the honourable member I took it upon myself as a member of the local branch in Transcona to find out what the position is at the present time in respect to the honorary memberships of the Royal Canadian Legion and I am informed that the present percentage of ten percent of active members is still retained by the Dominion Command of the Royal Canadian Legion and that no provincial command or provincial branch can increase the percentage unless and until the Dominion Constitution is changed.

My honourable friend mentioned a resolution that was passed seemingly to broaden the scope of the facilities in the legion. He is correct, but it had nothing to do with the type of membership it would permit using the clubroom facilities, so I am informed, and the resolution that was passed, passed very narrowly I understand, about 1320 votes to 1300 in opposition - it was a very close vote. But that was permissive legislation for social activities within the respective branches.

I am also informed, Mr. Speaker, that there is a Legislative Committee in Manitoba, representatives of the Amputations Association, the Army and Navy Association and also the Royal Canadian Legion, and that as of about two weeks ago, according to my information, this committee had not considered the proposition of my honourable friend. As a matter of fact we're not aware of the proposition. Now I'm not depreciating the endeavors of my honourable friend but I thought that it would be only fair to him, Mr. Speaker, to indicate why I nodded my head at the time that he was speaking. I believe that the information that I am giving to the House is the way it is because I did obtain the information from one of the chief executive officers of the Provincial Command of the Royal Canadian Legion.

MR. SPEAKER: The Honourable Member for St. Boniface.

MR. LAURENT L. DESJARDINS (St. Boniface): Mr. Speaker, I must say that I appreciate the remarks made by the Attorney-General, but I think it was clear that I do not like the way the liquor reforms were proposed in this session. It seems to me that we're trying to get the best of both worlds. If you remember, Mr. Speaker, when the Honourable Member from Rhineland proposed that the bill be not reported, I also voted in favour the bill be not reported, and these are my reasons why I did so.

I feel that in an important thing like this I would like to see the government take this responsibility and bring in a government measure, sponsor the bill. Now I can understand that maybe there's a question of conscience on this thing and it shouldn't be done and then it becomes a free vote. Instead of that I would like to have seen a commission something like the Bracken Commission study first of all the Bracken Commission, the change in the life of the people of the province and then make recommendations even if you should have a free vote, either a free vote or some kind of commission. But we did not do this. I do not question the sincerity of the Attorney-General, but I cannot see where we're going to decide in the House, where we're going to have something where it's going to be a free vote, but on certain things, on certain sections the Attorney-General's going to stand up and say, well as the Minister responsible I don't like this or I don't like that. Either the Minister responsible brings in a bill and it's a government

(MR. DESJARDINS cont'd.). . . . bill, or we bring in a commission, or if we decide that it's going to be a free vote, it's going to be a free vote. As far as I'm concerned, maybe this will create problems, I don't know; but I certainly think that a lot of other things that we pass in Bill 75 will create a lot of problems. I don't think that it's right to say after - there's no doubt in my mind and I don't think there's anything wrong - but there's no doubt in my mind that whoever prepared Bill 75 talked to the industry as the Leader of the Official Opposition said. That's one side of it, the change will create a lot of problems as far as I'm concerned. I've always been in favour of liberalizing the liquor laws and I still am, but I don't like the way it was done and if we started in this session by saying well the liquor laws, it's a question of conscience and everybody will be free to vote the way he wants to; I don't think that this is fair enough only of the industry, and I'm certainly prepared to vote in favour of at least letting it go for second reading and then hear the representation and then see if this is advisable to do it. But we've started this way now and I think we've got to keep on this session of keeping this a free vote and give a chance to everybody. So I intend to support the motion.

MR. SPEAKER: The Honourable Minister of Finance.

HON. SAUL CHERNIACK, Q.C. (Minister of Finance)(St. Johns): Mr. Speaker, it seems to me that what is involved in this proposal is really a social and community problem rather than a liquor problem. I hate to think that we talk about the membership and the activity and the value and the historic significance and the future of the veterans' organizations in terms of liquor legislation. I don't want to get involved at this time in a review of my own thought about vested interest groups. I must say that I've always had certain concerns about the length of time in which a vested interest group continues to exist, and when I left the army it was the pressure of joining a legion to participate with your comrades in those matters which were of common interest and special interest to veterans, but I found after the Second World War, which was the only war in which I played a part, that I didn't think then that there was a real need for the veterans of that war to have a group, an association, to protect their rights as against government or as against any sections of society. I felt then that the government was keenly aware, and society was, of the responsibility it had to the veterans and I had concerns, which I still have, as to the continuing and continued justification for a veterans' group so many years after the kinds of wars that have been fought, and I suppose we would all of us welcome the thought that in another generation there would not be any - well, let's live a little longer, let's say in a couple of generations - that there would not be anybody left who would have the right, the eligibility to belong to a veterans' society because he's a veteran. I'd like to think that we are thinking in terms of these institutions becoming truly the community institutions that the Honourable House Leader of the Liberal Party referred and suggested that they are becoming. I believe he's right, and I believe that that is the only proper and hopeful future of veterans' organizations. I would hope that the purposes of the veterans' organization as it is now will disappear because there won't be anybody around who has that kind of a stake either in being a pressure group - and let's admit clearly the veterans' organizations are to a large extent a pressure group or a lobby group on behalf of veterans and veterans' heirs, veterans' widows, and also a comradeship group - and let us hope that as time passes that comradeship between citizens is more important than comradeship from the battle lines.

The Honourable Member from Rock Lake and I almost held hands in battle in the fields of Wainwright, Alberta, I think it was, where we fought the empty battle of dust and mosquitoes and we have a comradeship of some kind, but the comradeship we've established here is much more important to me than the fact that we wore the same uniform and were members of the same regiment during a time when we were torn from our families and during a time when people were being killed and were dying and were suffering, whether they were in the services or whether they were in the countries that were war torn, whether they were in the concentration camps. Those are times we must never forget, but those are times that we should not be reliving.

Therefore - I shouldn't have made this speech at all, because we're talking on the liquor bill, The Liquor Control Act (4). I wanted to say how sorry I feel that we are discussing this very important part of our community life in the context of eligibility for liquor licensing.

I'm satisfied that this matter should go to committee. I am hopeful that whether we give it a long discussion or a short discussion that we will be discussing, not the Liquor Control Act as such but rather what is it that is the future of the veterans' groups and how will they become, and I hope we will all want them to become truly community clubs. The West Kildonan

(MR. CHERNIACK cont'd.) Legion whose membership, part of whose membership is in my constituency, is a community group as far as I can see, and yet perforce it excludes many members of the community. There are other legions that I know of, legion clubs, that are part of the community and yet aren't the community, and I am sure that they would be the first to say, we don't want to build our future on the sale of beer or on the sale of liquor; we don't want that to be the justification for our existence. We don't want the sale of liquor to hold together members in that kind of community who have some sort of memories and some sort of dedication.

So I must tell the Honourable Member for St. Boniface that I am not under the impression that the Attorney-General has given any instructions to me or to other members here on voting against this bill or indeed for the bill. He expressed concerns. I share his concerns. -- (Interjection) -- Oh, well then I'm glad I misunderstood the honourable member. I'm quite prepared that we should discuss it, but if we don't have time in this session to discuss the community aspects, the future of it, then let's hope that we will have future occasions to do so, and not let the question of liquor become the paramount question in making decisions about the future of veterans' groups and their relationship to the community.

MR. SPEAKER: The Honourable House Leader of the Liberal Party.

MR. G. JOHNSTON: Mr. Speaker, I'd like to say a few words in closing debate. To begin with, I appreciate the level of debate when people discuss this. Obviously there's great divisions of feeling, but I think everyone has been quite fair, but I'm sure that I would not have brought this bill in had not Bill 75? - 75 - had shown in the manner in which it did. With no sign of disrespect to the sponsor of the bill, it was rather evident that on steering the bill he was not sure of all the answers and consequently the Attorney-General had to pretty well guide the bill along and answer the questions. So because of the deep changes that were made - and I'm certainly glad to see there's some second thoughts now by at least one Cabinet Minister in this respect - because of the deep changes that were made in such a casual manner by the House - I don't say by the government - by the House, it appeared to some of us, well this is the way the liquor legislation is going to be proposed in the future and it was with some reluctance that I did make the suggestion of an amendment and also the bill, but it appeared that was the new way of treating what has been a difficult problem over the years, not only in Manitoba but anywhere in the world where liquor is used; so that I'm quite happy to have this bill go to committee and hear from the industry and the veterans' groups and then the members make up their mind at that time.

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

MR. GREEN: Mr. Speaker, will you call Bill 139, The Landlord and Tenant Act.

MR. SPEAKER: The proposed motion of the Honourable Attorney-General, Bill No. 139. The Honourable Member for Rhineland.

MR. JACOB M. FROESE (Rhineland): Mr. Speaker again, Bill No. 139 is an Act to amend the Landlord and Tenant Act. Earlier this session we had a report from a committee which brought in various recommendations in connection with what are now the contents of Bill 139. I did speak on the report and I don't want to repeat what was said at that time. Certainly some of the points and provisions in the bill I think are positive and good. There are some things though which I question and have reservations on. I think some of the contentious points, there have been provisions made in connection with those to soften them up, in my opinion, but whether that will do the trick I'm not quite sure.

There are a number of matters left to the jurisdiction of the rentalsman and I'm just wondering whether we're not leaving too much up to the rentalsman. We don't know who this person is going to be. I think we have to take great care in choosing the right person for the job because so much will depend on the rentalsman, and I imagine there can be more than one, at least provision is made for more than one, so that these people will be considerate and try and make peace wherever possible if troubles do arise, and no doubt they will from time to time.

The matter of subletting was one that I looked closely at and I feel very strongly on, because if the landlord does not have some jurisdiction when subletting takes effect he could get a tenant who would not be agreeable to him and this certainly is an area where you could expect trouble. There, too, again certain powers are left with the rentalsman and I do hope things will work out. We've heard from other members who take exception much stronger than I do and certainly, as I say, I have reservations myself on various points.

The matter of entering rented premises; there's provision spelled out here in connection

(MR. FROESE cont'd.). . . . with privacy and so on. I do not want to discuss the point in detail but this is also an area where certainly if not proper care is taken that problems can arise. The matter of concentrating authority in rentalsmen, as in some of the following provisions, again is subject to scrutiny and probably apprehension.

I think another area is the area of repairs and this again is a matter of opinion because you will have variance between what one tenant might consider is well done if repairs are made or another is not so keen if something is not exactly to Hoyle that they will not cause trouble. Other parties will cause trouble with the slightest thing that may be wrong or that might be not just in order as he would like to see it and we know the people vary greatly and this shows up very strongly in tenants, in my opinion. Here again the rentalsman is supposed to resolve differences wherever possible and this is subject to him again.

The matter of retention of moneys -- I'm just wondering under the provision of section 119 subsection (5) and I normally don't like to refer to sections -- but why do we ask for twice the estimated cost of the repairs? I feel it's unnecessary to ask for double the amount than what you would estimate using. Why make it that large when you're not going to use it? I think this could be reduced and certainly with the very many cases that could be involved this could be a large sum of money and then again it could be quite long before some of the repairs could be made to the satisfaction of the tenant, and this could involve keeping these monies for long periods of time. I think these are some matters that we should look at in committee and especially I would like to hear from representatives in this field, maybe both from the tenant and also especially from the landlord because if the law is not proper this bill could be a serious deterrent to future expansion in facilities of this type because if the landlords feel too restricted under the legislation we find that they will hesitate to go into a business of this type and this could have an adverse effect on the whole business in this province. We know that if we have more people coming to this province, if we have birth increase, this means naturally that we have to provide for more facilities, more homes and more housing of this nature.

Then there is provision made for a Board to be set up by the Lieutenant-Governor for the purpose of rent review. Here, too, I am not sure -- some of the powers no doubt will be left to regulations. To what extent will this review operate and how often? Or will this just be a matter of cases referred to them? I think we should have a better explanation of this provision so that we know exactly in what terms we are speaking of and spell out the powers of this Board.

Mr. Chairman, other than that I don't want to repeat what some of the other members have said and the concerns they have. I join with them in certain of the reservations that they have but I certainly do not want to oppose the bill on second reading. I would like to have it go to committee and hear the representations that most likely will be made and then try and improve it wherever possible. Thank you.

MR. SPEAKER: Are you ready for the question? The Honourable Attorney-General.

MR. MACKLING: Mr. Speaker, if I speak now I'd be closing the debate. Mr. Speaker, it was with exceeding interest that I listened to the contributions of the various members in the debate. I wasn't, Mr. Speaker, quite prepared for the very negative approach that was made by the Honourable Member from Fort Rouge. I was quite astonished, as a matter of fact at what appeared to be a completely critical analysis of the bill. I don't know whether she was as definitive about how she was voting as was the Honourable Member from Rhineland. At least in his remarks, brief as they were, he indicated some few reservations about some of the several aspects of the bill but did indicate that in principle amendments were necessary and he wanted to see it go to committee. I don't recall that explicit indication on the Honourable Member from Fort Rouge. It seems that everything about the bill is wrong. The committee report was one thing, apparently that could be tolerated; that's about the tone of her remarks but the bill was something else again.

Now the bill has some significant provisions and the provisions, we think, will go a long way to rectifying the one-sided position that has existed in the landlord and tenant relationship contractually over the years. And that's the whole purpose and spirit of the amendments that are provided. I don't however, intend, Mr. Speaker, to endeavour to rebut, point by point, the negative comments that were made by the Honourable Member from Fort Rouge. I think that the Honourable Member from St. Matthews did indicate much of what I would have said in reply to those comments.

There have been contributions made by others; the Honourable Member from Assinibola had some concern about the security deposits being placed with the rentalsman and of course

(MR. MACKLING cont'd.). . . . this was one of the items which the Honourable Member for Fort Rouge looked at with such a great degree of abhorrence. There is no great problem involved, Mr. Speaker, from the point of view of administration of the Fund because, as the Honourable Member from St. Matthews has pointed out, there will be no endeavour, there will be no necessity for allocations of interest. It will be a simple recording of a principal sum held in trust and returned. In the security deposits being held in this manner it will insure that no party will have extra leverage in respect to when and if the monies are repaid or if there are in fact repairs that have to be made and to be charged out of the security deposit. The rentalsman, who will be playing a unique and hopefully a very vital role in the whole relationship of landlord and tenant, will therefore be in a position of some strength to ensure that the parties do conscientiously endeavour to arrive at an agreement and he will act in a mediating role to ensure that the parties have ample opportunity to review their differences of opinion.

As it has been indicated where these differences are not resolved by mediation the parties may, upon mutual consent, agree that the rentalsman will act as an arbiter and this will therefore, Mr. Speaker, make for a very effective, simple and speedy settlement of disputes between landlord and tenant and far from introducing a negative aspect and an irritant and a stumbling block in the landlord and tenant relationship as seems to be indicated in the negative viewpoint of the Honourable Member from Fort Rouge which was later picked up by the Honourable Member from River Heights. I submit, Mr. Speaker, that this will be a positive factor. It will be a positive factor and it will be welcomed by landlords in our community because it will provide an efficient technique for fairly handling disputes of a minor nature that nevertheless take up a great deal of time and trouble on the part of landlords and tenants. I'm sure that landlords, as a result of this legislation, will be able to make a far more reasonable contractual arrangement with agencies who look after their apartments, because there will be a lot less of the fussy dispute that will necessarily take a good deal of the landlords' agencies' time and effort. Far from, as I indicate Mr. Speaker, being a negative factor there will be a very great positive contribution on the part of the rentalsman.

The Honourable Member for Fort Rouge is concerned about this terrible great pile of money that apparently is being heaped up and that the government is going to get at again. Well, she's concerned about all the totality of the interest that may exist. Well, I've lived in quite a number of apartment blocks during the course of my early married life. I, like a lot of other young people, could not afford to own my own home initially and we lived in the apartment blocks. During the course of the time that I lived in apartment blocks there was never a security deposit requested. There are a great many apartment owners in this city where security deposits are something that they don't recognize, they don't feel it's a necessity. It's a technique that is employed only in a fraction of the rental accommodations that are available, so I don't think that there's going to be multi millions of dollars available for government reinvestment or what have you. What it will do is put these funds in trust and the interest that is earned will in part go to defray the cost to government of supplying what are in fact rental ombudsmen right throughout the province, and this is going to cost money and government is going to have to find the money to ensure that the people who may be engaged in some other capacity - they may be engaged for example in the Department of Health and Social Services. Perhaps the rentalsman can be someone who would otherwise be inspecting, to ensure that health standards are maintained in rental accommodation, and instead of just being an inspector he will also become a rentalsman for the purposes of the Landlord and Tenant Act. But there's no doubt in my mind that there will be additional administrative expense. How much we don't know with certainty until the plan has been completely operational. But nevertheless is it wrong to expect that a small part of the additional cost may be obtained by the interest that is earned by holding in trust the monies that are held for the respective parties? The amount of interest would be fractional to either party, but in total it may have some small, but nevertheless a significant contribution to make towards paying the cost of these additional services which will hopefully, Mr. Speaker, provide for a much more effective and equitable climate in the area of the contractual relationship between the parties.

Of those who contributed in the debate, I was least impressed and I feel at a loss to have to say this, but by the contributions from the Member for River Heights, because although the Honourable Member from Fort Rouge was almost totally negative in her thinking, at least she came out on one side, she's all "agin" it; that's the impression that she left. Now she didn't say how she was going to vote or what the consensus of her thinking was but it appeared to be all negative.

(MR. MACKLING cont'd.)

But the Honourable Member for River Heights seemed to bounce up and down on that teeter-totter. He was at once seeming that he didn't want to be pessimistic about, you know, the changes we're making in the law but he had to think about the pessimistic side, so he gave us a healthy dose of pessimism about perhaps the developers of apartments wanting to go to another jurisdiction because the atmosphere might not be as buoyant because of a concern on the part of government to change the law, to make it more equitable, and so he suggested that perhaps he might move to Saskatchewan; perhaps the developers might move to Nova Scotia. I don't know just where they might move, but the fact of the matter is that the economic community in this province, far from being pessimistic, far from picking up the attitude of the Honourable Member from River Heights and others who sometimes reflect his pale image, the economic community in this province demonstrated their faith in reasonable government in the recent Manitoba Savings Bond issue - the greatest, the greatest single Savings Bond issue in the history of this province. That's the measure of trust and interest that the investment community has in this province. -- (Interjection) -- Yes, a very significant thing, and far from business running away, far from the investment community taking flight, they have faith and we have demonstrated with them that we are reasonable people and far from there being a negative reaction on the part of the developers -- (Interjection) -- the developers of apartments - I wish my honourable friend were here because I could assure him that I have received communication from some of these people agreeing with the basic principles of the reform in the Landlord and Tenant law, and that's a significant statement to make and I'm happy to say, Mr. Speaker, that obviously the majority of landlords in this area act responsibly and are prepared to see a far greater measure of equity in our relationship in the law between landlord and tenant, and it's a credit to that investment and that community, that community of people who have associated in the ownership of rental premises. And I want to pay respect to that progressive thinking on their part. It's not negative, it's not pessimistic and it's not as completely callous as some members think.

So Mr. Speaker, I want to conclude my few remarks by saying that I trust that in Law Amendments Committee those who have any further questions about the workings of the details of the Act will feel at liberty to ask those searching questions, but I trust, Mr. Speaker, that the approach to these reforms will be as sincere and as dedicated as were the efforts of those who worked on the committee and of those who came before the committee and gave very positive contributions towards change in our law.

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

MR. WALLY JOHANNSON (St. Matthews): Yeas and nays, Mr. Speaker.

MR. SPEAKER: Call in the members.

A STANDING VOTE was taken the result being as follows:

YEAS: Messrs. Allard, Barkman, Barrow, Beard, Bilton, Borowski, Burtiniak, Cherniack, Claydon, Craik, Desjardins, Doern, Einarson, Enns, Evans, Ferguson, Fox, Girard, Gonick, Gottfried, Graham, Green, Henderson, Jenkins, Johannson, Johnston (Portage la Prairie), Johnston (Sturgeon Creek), Jorgenson, McBryde, McGill, McKellar, McKenzie, Mackling, Malinowski, Molgat, Patrick, Paulley, Pawley, Petursson, Schreyer, Shafransky, Spivak, Toupin, Uskiw, Uruski, Watt, Weir and Mrs. Trueman.

MR. CLERK: Yeas, 48; Nays, Nil.

MR. SPEAKER: I declare the motion carried. The Honourable House Leader.

MR. GREEN: Please call Bill 102, Mr. Speaker.

MR. SPEAKER: The proposed motion of the Honourable Member for Brandon West. Bill No. 102. The Honourable Member from Winnipeg Centre.

HON. HOWARD R. PAWLEY (Minister of Municipal Affairs)(Selkirk): Would the Clerk provide me with a resolution form, please.

MR. PETER FOX (Kildonan): . . . Member of Winnipeg Centre for the Minister of Municipal Affairs.

MR. SPEAKER: The Honourable Minister of Municipal Affairs.

MR. PAWLEY: Mr. Speaker, this is a matter of considerable concern insofar as I think the members of all parties are concerned. Certainly it has been a matter that has been brought to the attention of government by the various municipal associations, including the Union of Manitoba Municipalities. This has also been a matter which has been dealt with by the labour organizations in the province. All this, I think, demonstrates the very apparent, the very real concern about the problem involved insofar as the litter and waste that is

(MR. PAWLEY cont'd.). . . . involved in respect to the present distribution of this form of bottles.

There are a number of difficulties that are involved in an immediate ban in this area. It is a form of legislation that should be passed only after giving it some far-ranging study and consideration. Since we are intending to go into these various matters in committee stage, the Municipal Affairs Committee, after this session has been concluded prior to the commencement of the 1971 session it would seem that it would be a very feasible area to be dealt with by this committee itself. I think that in principle we're all quite favourable to it; we do have to study the various ramifications of this, including the effect that it might have on the bottling industry itself within the Province of Manitoba.

With these few remarks then, Mr. Speaker, I would move, seconded by the Honourable Minister of Transportation, that Bill No. 102, The Beverage Container Refund Act be referred to the Standing Committee on Municipal Affairs either during recess or after prorogation for consideration and report to the House at the next session of the Legislature.

MR. SPEAKER presented the motion.

MR. HARRY ENNS (Lakeside): Mr. Speaker, before the motion is put, am I privileged to speak to it?

MR. GILDAS MOLGAT (Ste. Rose): . . . could ask the last speaker a question. Is it not true that certain jurisdictions in Canada, certain provinces have now acted on this type of legislation?

MR. PAWLEY: It is my understanding that the Province of British Columbia has recently acted on this legislation.

MR. SPEAKER: Are you ready for the question?

HON. ED. SCHREYER (Premier)(Rossmere): Mr. Speaker, on a point of order. It occurs to me that the proper wording for a motion at this time that would have the effect of referring the subject matter of a bill to a committee, the wording should be that the bill be not now read a second time but referred. If that's the wording, fine; if not I suggest it may have to be changed accordingly.

MR. SPEAKER: I wish to thank the First Minister for bringing it to my attention.

MR. ENNS: I wish to thank the First Minister, too, because it was precisely on that basis that I wanted to get up and make a few comments because I, too, accept the fact that in actual fact the motion is asking for the bill not to be reported at second reading at this time and to be referred to a later committee. I'm asking whether or not it's my privilege to speak to it shortly or briefly at this time. -- (Interjection) -- Thank you, Mr. Speaker. In the absence. . . .

MR. GREEN: . . . amended wording as proposed by the First Minister is acceptable, so that it's then properly on the floor.

MR. FROESE: . . . agreeable provided the amendment is acceptable to the member and the seconder.

MR. SPEAKER: Leave? (Agreed) The Honourable Member for Lakeside.

MR. ENNS: Mr. Speaker, I don't wish to debate this at any great length but I have a personal interest in this matter and was most pleased to see my colleague, the Member for Brandon, propose and move this bill. I had hopes of doing the same, particularly while I had some jurisdiction and responsibility with the problem of transportation. As the current Minister of Transportation must be well aware, the additional littering of our highways just in that one area alone is accounting for quite a substantial increase in costs to some of his equipment, tires and so forth. So just to mention one particular area that I am personally acquainted with and which really doesn't enter into the pollution problem that we refer to here but from a very practical point of view of the cost of replacing tires and mowers and tractors and highway equipment is quite substantial.

Now, Mr. Speaker, I really think the Honourable Minister of Municipal Affairs' reluctance to accept the bill at this time is a little difficult for us to understand because some of the principal reasons that he expressed was his concern for the possible effect that it may have on the industries, the bottling industry in particular and I of course have on other occasions expressed concerns about other forms of industry, notably the auto insurance industry for one but I now find the government representatives, speaking through the Minister of Municipal Affairs, becoming very concerned about the possible effect that this legislation may have on the bottling industry. Of course, Mr. Speaker, it is going to have a very major effect on the bottling industry. It will indicate to them that some of their practices that they are currently pursuing,

(MR. ENNS cont'd.). . . . that is in the non-returnable disposable bottles that are littering our parks and our highways and our yards and our countryside as a whole just is not acceptable to us any more. We recognize the increasing volume of this garbage that is being littered on our ground throughout the province and that we, by acting in this manner and as has been pointed out by the Member for Ste. Rose, not in a precedent-setting way; the Province of British Columbia has already enacted legislation of this kind. There really, Mr. Speaker, is not too formidable objection as far as I can see for moving strongly and aggressively into this area at this time. As the Minister indicated there is an aura or degree of general acceptance in principle in the House here. I think the Honourable Minister or other members of the government could well use the occasion again, as they have in the past - and I can't fault them for suggesting well why didn't we do it when? We still suffer with that and no doubt will for some time but I would suggest, Mr. Speaker, that this is a problem that has accelerated very rapidly and you know every twelve months makes a difference in this particular business. Back in '67, referring particularly to the years '67-'68 when we gave it the first real serious consideration by the previous administration, I think that was also the first year that the different organizations, that is the Union of Municipalities, Rural Municipalities and others where the resolution first appeared on their annual submissions to government. So it's a relatively new situation. I don't have the information at hand but just the event of the non-returnable bottles - and that seems to be the thing that we're zeroing in on that - that's only of two, three years making. They have been here a few years earlier but it's really just in the last few years that we see them in such increasing numbers.

Now, Mr. Speaker, I appreciate and I would really like to suggest to the Honourable Minister of Municipal Affairs who has expressed his concern about the effect that we might have on the industry. I think when action such as this is taken we should be very concerned about that and I see no need for this legislation having to be enforced immediately. In fact I think there should be a reasonable transition period given to the industry to change over, to adjust to the new legislation. So that while he suggests to us that we should refer this back to a committee, or refer this back to the next session and consider it then, I'm fearful, Mr. Speaker, in view of this government's lack of concern about proper notice to industry, because I really find it a little difficult to accept their concern about any industry at this time, in view of what is going on with respect to the industries that right now are very concerned about their situation and about the time they are being given to consider very drastic transitions. You know, I would think it would be much more advisable to accept this legislation, pass it now, put on an amendment to it to come into effect twelve months from now, eighteen months from now, two years from now, to whatever the departmental people - I don't know whether that would be agreeable to the Honourable Member for Brandon who is the mover of the bill, but I'm suggesting that certainly to let it phase in. -- (Interjection) -- Yes certainly, Mr. Speaker.

MR. SCHREYER: Mr. Speaker, on this very point about the amount of lead time that this government has been giving industry in certain cases in order to enable industry to accommodate itself to changes in the law, what is the honourable member's complaint in respect to this particular bill, because it is obvious that it is being referred so there can be further study and more lead time to industry?

MR. ENNS: Mr. Speaker, the First Minister always gives me an opportunity to expand in remarks that I've probably passed over rather lightly. I believe, Mr. Speaker, that the automobile insurance believed the Premier when the Premier indicated to them shortly upon assuming office that he and members of his committee and government would sit down and discuss at length the changes or the modifications that the government was seeking with respect to automobile insurance. Now they suggest to me that they did. However, the representation that we're hearing at committee stage would suggest that the industry as a whole is shocked by the exclusion -- (Interjection) -- is shocked by the exclusion of their counsel in this matter -- and yes, also shocked, also shocked by a year's lead time for one man to readjust, even an individual person from, you know, from what he's purchased say, an agency of \$70,000, you know, to zero; so he's got a year's time to readjust to that situation.

Well, Mr. Speaker, it's exactly that kind of concern that I'm expressing about the bottling companies. If this is going to be referred to - and I suggest that the government will accept it, because you know, Mr. Speaker, we're now dealing - you know, times are moving on 1970 - really the fact of the matter is, and I didn't want to become nasty this morning, but

(MR. ENNS cont'd.). . . . the reason why they're not accepting the honourable member's bill from Brandon, is because it has great relevancy to our society now, it's an important measure right now, because we are concerned, we are concerned about the pollution problems, and they don't want Mr. Speaker, to acknowledge the fact that a sound constructive suggestion could be forthcoming by any member from this side of the House; they want to hold that privilege open to themselves to introduce a similar measure at their own time and calling. Now I'm suggesting Mr. Speaker, that's fine and dandy, it doesn't really bother me, but what I'm much more worried about is I would sooner see this bill pass now with a caveat put against it in terms of its implementation so that that poor bottler who's got 500,000 returnable bottles on hand has an opportunity to work that through a system and sufficient lead time to dispose of them, because Mr. Speaker, I'm afraid otherwise if they think that this is the kind of committees or the kind of studies which have, at least in other areas have so excluded, have so excluded and have so disregarded serious consultations with industry -- and really quite frankly Mr. Speaker, I can't quite believe that the Minister of Municipal Affairs is serious when he suggests to me that he is going to give this subject matter a great deal of study and a great deal of research and a great. . . Mr. Speaker, either we're going to put up with the disposable bottles or we're not.

Now I know it's going to be hard and difficult in some instances for the industry to adjust. I suggest to you the difficulty that it would be was strictly in the matter of timing, in the matter of lead time offered to them. I think the industry is now already being put on notice. They've been put on notice by past discussions on this matter; they've been put on notice by the action taken in B. C.; they would be further put on notice by the action that we could take now here in this province on this issue and we would very quickly find ourselves taking a meaningful step in clearing up a problem of pollution that has become one of growing concern to us.

Mr. Speaker, I do not, in view of the experience that we've had with Bill 56, trust the government and I do not trust particularly the Minister of Municipal Affairs that he is in any way serious when he says that he's going to sit down with the bottlers and with the other industry representatives concerned and discuss this matter and work out a feasible transitional plan; because, Mr. Speaker, he is demonstrating every day before us, every day of this session to us just how seriously he sat down with the auto insurance industry and discussed the problems of transition from what the existing type of industry was to the kind of industry that they want to develop in that particular case, and certainly showing little regard, little regard to the kind of lead time that is required by an industry to adjust.

So, Mr. Speaker, I would feel much safer -- and while I haven't got the official approval from my colleague the Member from Brandon -- I would feel much safer in passing this legislation now, putting in a firm amendment, let the Minister of Municipal Affairs amend it to making it, you know, non-operative for a year and a half or eighteen months or two years, whatever his experts or whatever his people in his department along with the Minister of Industry and Commerce may suggest to him as being a reasonable lead time; we'll accept that at the committee stage, we'll take the amendment as such, but we've passed the legislation, we've taken a meaningful step with respect to this pollution problem and we have also made it very clear to the industry that this is our intention to do this.

You see, Mr. Speaker, this is the other point. The suggestion that the Minister of Municipal Affairs leaves right now is that there is some doubt, there is some doubt as to whether or not you intend to accept even the principle of what's contained in here and some doubt as to whether you're going to do it. Well that, Mr. Speaker, is most difficult for the industry to live with than anything else. It's a question of doubt. Does that bottler today or tomorrow or next month, order another half a million disposable bottles or does he not? How does he know when that study group is going to sit down and start studying the situation? How is he aware, how can he figure into his production plans when the next session will be or when the end of this session will be.

So, Mr. Speaker, having talked about it and having discussed it in the House, having had a bill before us in the House and having had a member of the government, presumably speaking for the government, suggesting that they have no difficulty in principle with the bill -- and I really would think that none of us have a great deal of difficulty with the principle of the bill -- then, Mr. Speaker, I would seriously suggest that the government take this opportunity to show that they are determined to do something about the problems of pollution that this particular problem represents in Manitoba, and also, Mr. Speaker, to take away any uncertainty in this matter by giving ample, clear lead now, because I suggest any day, any time that we move this

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(MR. ENNS cont'd.). . . . backwards is time taken away from that lead time. The pressures of this problem are such that we will want to do it sooner or later, the sooner the better; but if we want to be properly concerned about how the industry can react to it then also we obviously have to give them the lead time. So on the one hand you have growing public pressure from a concerned public that says, let's clean up this mess, let's get rid of this, we were concerned, our public conscience is aroused with respect to pollution; yet on the other hand we should have some concern about how the industry can adjust to it.

So Mr. Speaker, I wish to protest most vigorously the attempt to shelf this bill at this time. I say that this is again, and I must say it Mr. Speaker, a very callous and blatant political move on the part of my friends opposite who really do not want the situation to arise that a constructive, a reasonable, a well thought out little measure like this can come and emanate from this side of the House. This is something that they want to have in their little hands to put on prospective advertising literature for the next campaign or for future campaigns to point out to their great success. Now Mr. Speaker, I suppose if they insist, they have the numbers, they can do so, but I register my protest at the same time.

MR. SPEAKER: The Honourable First Minister.

MR. MOLGAT: Mr. Speaker, I rise on a point of order. Is the motion that is before us now in order? Unless the wording has been changed I suspect that it is not.

MR. GREEN: Mr. Speaker, I did ask whether members accepted the change in wording that was proposed by the First Minister. That wording is now before us.

MR. MOLGAT: What is the wording now of the motion before us?

MR. SPEAKER: "That Bill No. 102, The Beverage Container Refund Act be not now read a second time but be referred to The Standing Committee on Municipal Affairs for consideration during recess or after prorogation and report to the House at the next session of the Legislature."

I take it that it is the intention of the Honourable Minister to move this as an amendment, because there's nothing here to indicate as such.

MR. MOLGAT: Mr. Speaker, on the same point of order, I don't think, according to Beauchesne that we can refer the bill as such. Beauchesne's quite clear "the subject matter" which then should be in the motion.

MR. G. JOHNSTON: Mr. Speaker, I would like to ask the honourable member a question if he would entertain it.

MR. SPEAKER: The Honourable House Leader of the Liberal Party.

MR. G. JOHNSTON: Mr. Speaker, is it not a fact during the last four or five years that my honourable friend was a member of the government that they voted down every resolution that the Opposition proposed?

A MEMBER: No, Mr. Speaker, I don't think that is right.

MR. SPEAKER: The Honourable Member for Churchill.

MR. GORDON W. BEARD (Churchill): I think that the Honourable Member for Lakeside was more like a teapot this morning, and while I agree with the principle of this bill I almost feel like a Judy LaMarsh because I can remember back when the member and I were colleagues in the same party - the, no, the Member for Lakeside - the Member for St. James and I were quite concerned about it and we made very concerted efforts to have something done, and it was turned down every time we brought it up because of the fact that they felt that possibly there would be a glass factory come to the province and that they had to look into many of the aspects of the problem that really it would bring to the manufacture of drinks, and we tried to point out at that time many of the things that I heard this morning. That for one thing that it is costly to the manufacture of beverages to use non-returnable bottles. With returnable bottles we get from seven to nine times use out of them. With non-returnable bottles of course we can only use them once. They were getting them back at two to three cents apiece. These bottles I believe at that time of our research I think were costing around seven cents.

There was a very important factor in that the garbage disposal that was being used in the City of Winnipeg itself was being hurt and held back by having to put through so much glass, and we pointed out to them that this was in fact pollution, although the word wasn't as popular as it is today. But pollution was taking place then. I'm sure our Minister of Transportation will agree with me that we suffered first in the north and we suffered more in the north through the use of non-returnable bottles in that they were being broken by children rather than being picked up by children at two to three cents apiece - or two cents apiece I guess it was, and that with the growth of the use of non-returnable bottles - and they used the fact that it was less freight

(MR. BEARD cont'd.). . . . and that they weren't having to be returned was one of the reasons and the merchants didn't have to take them back. But it was at the cost of the community and it was at the cost of the rise in taxes, because each time that those non-returnable bottles were used and broken then it cost the town or the municipality more and more money to pick them up; whereas with returnable bottles they had children going out picking them up and making money on the side by picking up these bottles and returning them to the merchants. So actually it has hurt this province, has hurt this country, and also I think it adds to inflation because it again shows our disrespect for the resource, our natural resource itself. And this is a non-renewable resource really. It's one that we allow to be used in a type of produce that is completed and finished - once it's used once there's no further use for it, and particularly in the glass one it's terrible. There's not really too much research being given to the tin drink one where it could go to some type of plastic which would itself dissolve at a later date.

I think that the Container Act itself - and I certainly compliment the Member for Brandon for bringing it in. I think it's a good one. I had seen that the B. C. government had brought it into effect and I believe that this is what this government should do. I think that they have had time to look into it. I think they have had time to check with the manufacturers of the drink itself and they certainly could have had meetings with the people, but it has been their decision not to; unfortunately, it comes through the Minister of Municipal Affairs and I suppose he's been too busy with Bill 56 to bother about it, but it could have been brought in. It could have been brought in five or six years ago and I would hope that there will be no excuse to leave it on the table another year but I would have felt much better if this government had decided to accept a private member's bill for a change, from Opposition, and give due to where it did come from and allow the Member for Brandon to initiate the legislation which certainly would be of benefit to Manitobans as a whole.

It wouldn't be an expense to the Province of Manitoba - and let us not worry about the bottles coming in from the other provinces; that is just an excuse. That is not a reason why the bill should not be brought forward at this time and I am not very happy about the fact that the government has taken this course and said, well we will wait another year, because certainly it could have been done with as little work as possible. In fact many of the other bills will take a lot more legislation and a lot more authority than this one would have to bring it into force. I don't think that the phasing-out period would be that great. In fact I think the non-returnables in many cases could have been returned. I think it would have saved the manufacturers a great deal of money in that they have in many many cases, thousands and thousands of bottles or hundreds of thousands of bottles stored that are returnable bottles that could be used but they are being forced more and more into this other type of container and it'll be just like the snowmobile - if we don't move on it now, then sooner or later it'll be too late and it'll be too big for us to legislate against. I would hope that if they're not going to change their minds at this session then I certainly hope that the government will bring in proper legislation when we meet again, I suppose now in a couple of months. Thank you.

MR. SPEAKER: The Honourable Member for Sturgeon Creek.

MR. FRANK JOHNSTON (Sturgeon Creek): Mr. Speaker, I am going to be very brief on this. There's been some talk about the - should have been done five years ago and what have you but we're talking pollution as of right now and the problem is with us right now and it should have something done about it. Now the non-returnable bottle situation is just getting to a point where municipalities, cities and what have you are having a terrible time. In your garbage disposal areas and places of this nature they are just causing a problem to the cities that's second to none. This is not unlike the Minister of Agriculture not doing anything about agriculture and now we've got the Minister of Municipal Affairs not wanting to do anything for the cities and municipalities as far as disposing of non-returnable bottles.

Mr. Speaker, I can stand here for a long time and speak about the problem how kids smash them against the pavement; every time you pave a back lane it just gets christened by kids picking up bottles and smashing them all over the place, against garages. This is glass for little children to scrape their feet on in the summer and what have you. The tin can is being thrown all over the roads. You know, I think we ought to keep the ditches much cleaner - and the Minister of Transportation should be concerned about the glass in ditches etc., along the highways along this province. I said I could speak for a long time but I'm not going to but I know the Attorney-General could stand up and tell you problems of disposable bottles and what he has said about them on many occasions, his experience with one breaking in his hands, as a matter of fact, was something that should be told.

(MR. F. JOHNSTON cont'd.)

But really, this bill now says, let's do something about it. And if the government wants to stand and say to me that you didn't do anything five years ago or two years ago, fine, I'll take it on my shoulders and I'll go merry along my way. But really, let's do something. Here's a bill that will start to clean up pollution, help the cities and municipalities, with a problem that they've got in this area and as the Honourable Member from Churchill said, it can get worse. If we don't do something about the non-disposable containers at the present time, you're going to get into plastics, Sir; you will have them in the ground and they will be there forever. If you burn them, the toxic fume coming off the plastic will pollute everybody in the area to the point they won't be able to see and if you read any of the history or the present research that's going on about containers in general and what they're coming up with, we better start thinking of some way right now to stop this pollution of our cities and protect the people of the province, Sir. That's what this bill is starting out to do and I don't think we should shelve it at the present time.

MR. SPEAKER: The Honourable Member for Rhineland.

MR. FROESE: Mr. Speaker, I want to congratulate the Member for Brandon West is it, for bringing this bill forward. I think it's a very good bill; it's very timely to bring legislation to control the beverage container refunding. I didn't expect the objection to come forward in the first place from the government. I thought this was understood that this would certainly meet their approval and be passed and I certainly cannot see the reasoning behind delaying the matter either. What will actually be achieved by delaying this bill? Certainly we could have it passed and go to committee and hear representation from the firms or the people will be concerned as far as the refunding is concerned and we could make amendments, if necessary. I don't think anything of value will be achieved by delaying the bill.

Then, too, I think we have the experience over the years that whenever and wherever refunding did take place that it sure was a great help indeed. I know of a local store back home that at certain periods of time they would do just what this bill says. They would pay a certain amount for any and all bottles that would be returned and in no time we had no litter around as far as these bottles was concerned. On the other hand as soon as it was discontinued, they would clutter up and we know the experience if we do not clean up, because we find that so many bottles are thrown on the sides of roads and highways; later on you might have heavy rains or water coming, and during the wintertime these bottles freeze and explode and then you get trouble, you puncture your tires and quite often you have a flat tire and what's the reason? Broken glass. If we allow the matter to continue, certainly the matter by itself will not be corrected. Then, too, our young people would be only too happy - and I find this time and again - that they collect these bottles and do this without being told just for the simple fact that they can get some money in this way they will do the job without being told. Glass is different than metal; it will not rust, it will not rot, it'll stay there and for time and time and so that by having roads maintained, the glass comes up again and it's subject to do the same harm.

I think the best thing of all is that it makes our young people pollution-conscious and I think this is what we need. We need to make our people and especially the young people, conscious of pollution and I think there's no better way of doing it and doing it in this way because it's the very younger people, the school children, that will make the collection, they will make delivery and collect the small amounts of money which is a little pocket money to them. It'll tidy our roadsides, which I feel we need and are badly in need of. Certainly I think it works very well indeed when because we find sometimes there's objection to law that if the law says so and so that there's a certain resentment against it. This way there is an inducement and it removes that resentment and the objection to an order.

On the other hand it sure eases law enforcement. We know today that there are signs on the highways that this is not supposed to be done. Our law enforcement officers are supposed to look after this. Certainly this would take care of a lot of it and would ease their job and save money in that respect. It would also prevent accidents. We know of many minor accidents that take place because of people going barefoot cutting their feet or even in sandals and so on and this would be eliminated to a large degree. So when we see that other provinces are taking action in this regard, as has been mentioned here, in B.C., why can't we and especially in this year in 1970 when we have so much in the way of celebrations, we expect more visitors than ever and surely if you expect more people, you can expect more of this to happen.

So I would ask, certainly ask that the government give consideration to this and support the bill. I don't see why we cannot pass the bill now. They could proclaim certain sections -

(MR. FROESE cont'd.). . . . if it's not possible to do so now, they could proclaim later - and then still have it in readiness and have it in force and put it in force, as the case may be. So Mr. Speaker, I certainly am supporting the bill. I want to thank the Member for Brandon who brought it forward. It's certainly timely.

MR. SPEAKER: The Honourable Attorney-General.

MR. MACKLING: Mr. Speaker, my remarks will be very few and brief. The Honourable Member for Sturgeon Creek quite properly has indicated that I have, over the course of some years that I'd been on a municipal council, voiced concern in respect to this area of litter control and the problem of the non-returnable container. But the fact of the matter is this government, as the Minister had indicated, had early began a consideration of the problem and in the total volume of legislation which we are bringing forward we felt that adequate study had not been made in the area of litter control and that what better subject matter could be referred to a committee, a standing Committee of the House, that representations would be heard during the recess between one session and the next to hear representations from the industry and so on. There was no apparent crisis in the area. It's a longstanding vexatious problem to which we are determined to lend our concern and bring forward legislation but it's not something that cried out for rectification immediately. It's something that must be dealt with and dealt with soon but it seems to me that honourable members on the other side just don't want to be reasonable.

The Honourable Member from Rhineland is typical. He says -- (Interjection) -- the Honourable Member from Rhineland says he didn't expect objections. The objections are not against the principle of the bill at all. The objections are not with the subject matter at all. There's no objection. The concern of government is that the industry that would be affected, the substantial change that would be wrought would only be fashioned after due consultation and allowing for realistic dialogue with the industries affected. If we had pressed forward this legislation, then I'm sure the automatic response of the Honourable Member from Rhineland would have been, Oh you're pushing business around again. Look what you're doing - frustrating business in Manitoba and this is the kind of automatic reaction we seem to get from some honourable members in the Opposition and I confess that this is getting to be more and more of my assessment of the Honourable Member from Rhineland because he seems to take a completely black and white picture of everything that the government stands for. If the government is for something then he's "agin" it and if there's some way to needle or try to embarrass, he's there. But the fact of the matter is that the government wants adequate dialogue with industry, wants to have a thoroughgoing discussion, wants to give all members of this House who are concerned in this matter an opportunity to participate and when we suggest this we are damned. It seems to me that the Honourable Member from Rhineland is happy to see us damned if we do or damned if we don't and that's what he relishes.

MR. FROESE: On a point of order, I think that the Attorney-General should check the record and he will find that that is not so.

MR. MACKLING: Mr. Speaker, I've been watching the performance of honourable members on the other side during the course of my brief time in this House and if my assessment of the honourable members' voting and argument reactions are incorrect, then I have a lot to learn yet. But from my assessment so far that clearly seems to be his manner of operation, and I think that in this instance the government is welcoming the participation of the Honourable Member from Brandon West and others who have a longstanding concern in this field and I certainly want to play a role in the participation in this field because I could talk at length about the necessity for reform in this area and reform relatively quickly, but the fact of the matter is that we have people who have very substantial interests that would be affected and we want to give them an adequate time for dialogue and not say that we pushed something through at the last minute and rammed it down their throats.

MR. SPEAKER: The Honourable Member for Emerson.

MR. GABRIEL GIRARD (Emerson): Mr. Speaker, just a few comments in respect of this bill. I, too, would like to compliment the Honourable Member from Brandon West and I'm not surprised that he would come up with this kind of legislation because he is definitely one of our forward-thinking members of this House. I think that, Mr. Speaker, the objections raised from the other side in delaying this Act are maybe a frustration of private enterprise. It might well be that they don't like to see these youngsters who are eager to start up in their own business of picking up bottles. I would like to suggest, however, that the Act could be a very constructive forward step in our antipollution battle.

(MR. GIRARD cont'd.)

I think that we are missing the boat, however, in this area because we often talk about pollution and pollution problems, but we are not successful really in doing too much about it, and the reason seems to me that we are not convincing Manitobans that pollution is really a serious problem, and I don't think that the Government has done it by delaying this particular Bill.

I would seriously like to suggest to you, Mr. Speaker, that coupled with this kind of Bill we could have changes in our educational system, changes in the courses that are offered in schools now - and I am thinking more specifically of the course that is offered now in our elementary schools in health and hygiene. Those courses are really very watered down courses that could be made constructive and productive courses if the information with regard to pollution was brought to the students at that stage. I think that we are trying to legislate a clean environment, but we are not convincing our people of the importance of this clean environment, and we are not convincing them either that each individual in Manitoba is responsible in part to maintain a clean environment. I would just suggest to you, Mr. Speaker, that this Act should go through and co-operation between the two departments, that of the Municipal Affairs and the Department of Education, could well bring about very effective antipollution education in Manitoba.

MR. SPEAKER: The Honourable Member for Wolseley.

MR. LEONARD H. CLAYDON (Wolseley): Mr. Speaker, I want to say a few words on these non-returnable containers in relation to what it costs the City of Winnipeg to collect and process through the incineration plant - and I have just been speaking to our Engineering Department to try to get the up-to-date figures - because this is a problem that's been with the City of Winnipeg ever since these bottles came on the market. In 1968 when we made the study at that time, if - how drinks were sold in non-returnable bottles it was estimated that there would be approximately 1,300 tons of bottles per year. These are your figures for the City of Winnipeg only and do not include the suburbs. If you include the Metro area you could probably double these figures. Thirteen hundred tons of bottles per year at that time, the collection cost alone was \$15.00 per ton, which came out to \$19,500 and relating those values to today's rates it is estimated that it would be 23 to 24 thousand dollars for the collection alone. Incineration at that time, in 1968, was \$4.65 per ton at the incinerator; it is now \$5.75 per ton taking that total to \$7,475, so if you add the two together you find that the collection and disposal costs just in the City of Winnipeg alone would be \$30,000 per year. Now this means that the City of Winnipeg has been subsidizing the bottle manufacturers and soft-drink producers, and I am quite prepared that this matter should go to committee now, allow the City of Winnipeg to come and make a presentation on it and I am sure that they will because this has been a major problem with Winnipeg and it should go now. It shouldn't be delayed any longer because all you have to do is to look along the streets, and I am not including in this the additional cost to the city for cleaning streets with regard to thrown bottles broken on the streets, and tin containers. Go around any one of these laundromats in the City of Winnipeg today and you'll find a mess of disposable containers all around the building, on the streets, on the sidewalks, and the City has to collect and pick this up.

Now the street cleaning costs have not been included in this collection cost that I have just given you. All you have to do is look along our highways. Go in the spring of the year before the weeds get up to sufficient height to hide them and you will find nothing but bottle after bottle, and you'll find even beer bottles which are returnable, and yet they are thrown out of the windows of the cars, litter all along the highways, litter along our streets, and I think it is time that this matter was studied and studied now. It should not be delayed between sessions, because that just means it is going to go on for another year. I think we should look at the problem and look at it now and the Bill before us is a very valid one, and I certainly intend to support the Bill at the moment.

MR. SPEAKER: The Honourable Minister of Health and Social Development.

HON. RENE E. TOUPIN (Minister of Health and Social Development)(Springfield): Mr. Speaker, I would only like to make a few comments on this Bill, although I would agree with the comments made by some of my colleagues on this side and the other side of the House, that this is a good Bill. I am quite sure that the Honourable Member from Brandon West would agree that although this Bill is well prepared, that he and his colleagues on the other side of the House would surely want the opinions of the City of Winnipeg, of the Clean Environment Commission and other submissions that were made to the Department of Health and Social Development

(MR. TOUPIN cont'd.) regarding this type of pollution. I do believe that if we held this Bill in committee and have a group of members look at it and come back at the next session, as I think was suggested by my honourable colleague, the Minister of Municipal Affairs, that this is wise.

The Honourable Member for Lakeside made mention that this type of legislation had been discussed by the previous administration about five or six years ago, and that the industry should have taken it as notice at that time. Well, I still do believe that the industry went ahead with the same old methods that they had in the past and they didn't really take it as notice five or six years ago. He came in just after that and made mention about the Automobile Insurance Bill 56. I don't know how that crept into it, saying that we were not giving the industry adequate lead time. Well, if I take his argument and put it in my words, I could tell the Honourable Member from Lakeside that the industry, the automobile industry should have taken it as notice twenty-five years ago when they started in Saskatchewan, but I can't really see it this way.

So far as the non-returnable bottles are concerned, I do believe that it is a problem, a problem of pollution that we want to curtail, and I do believe that we want to make use of all the information that we have in Manitoba on the provincial and the local levels. The only way we are going to be able to do this effectively is not try and do it at this session, but have this Bill referred and study it between sessions and do come back at the next session, and if possible - and I do believe it is possible - even the Honourable Member from Brandon West will agree with me that his Bill is not perfect. Even if we pass it now as it is, we would probably come back at the next session and propose amendments.

It is not the intention of Government to take the credit away from the Honourable Member for Brandon West, wanting to hold this Bill for further study. It is only for the reason of wanting to get all the facts and have a Bill presented at the next session that would be the best for the industry and the best for the people of Manitoba.

MR. SPEAKER: Are you ready for the question on the amendment? The Honourable - I believe the honourable member must have spoken. The Honourable Member from Ste. Rose.

MR. MOLGAT: Mr. Speaker, I think it is rather unfortunate that the Bill that we have before us came so very late in the session when we have had a great number of Bills - and this is no criticism of the member who brought it in - I think it is important legislation.

I, for one, believe that it should go to Law Amendments Committee at this time. It may be that once we get it there that the committee might decide that in certain areas it is impossible to take action at once, but we might find out that there are certain areas where we could take action immediately, possibly in the - probably the more vexatious one and that is with regard to the disposable bottles. We might decide that we cannot deal with the plastic containers or the cans at this time because these involve changes in the equipment required by the bottlers, but I think in the case of the bottles basically it is the same equipment. There is no great change involved insofar as the bottlers themselves are concerned. There may be some problems of stocks on hand of bottles and we might have to look at some extension of time, but I think that we could deal with at least portions of the legislation at this time, even if we decide that we couldn't do the whole thing, and I frankly cannot understand why the government is not prepared to let it go to second reading on that basis.

I submit that the problem is urgent. Some of the Ministers are saying, and the Attorney-General said that it wasn't that urgent; it could wait until next year. Mr. Speaker, every day that it goes on the problem is increasing in importance and I don't know that we need to let it go for another year. We could at least have a look at it at this time, and see what action we can at least take now on the subject. If we have to defer some of it, if we cannot act now, fine. We may make that decision, but let's not simply say shelve it for a year and not deal with it. I don't think. . . .

MR. MACKLING: Mr. Speaker, on a point of privilege. The Honourable Member says shelve the - implying I said shelve it for a year. The honourable member knows that the resolution is to refer it to a committee to meet between sessions, which is something altogether different than what he is now saying, and I would like him to keep the record straight.

MR. MOLGAT: Mr. Speaker, the Minister is playing with words because the committee cannot do a thing about it. The committee cannot decide that it will ban disposable bottles, for example. All the committee can do is make a recommendation that will come to the next sitting of this House, and so action on the subject by necessity will be deferred until the next sitting of the Legislature which normally we would expect in the month of February of next year;

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(MR. MOLGAT cont'd.). . . . that is the earliest probably, unless a special session were called. But other than that, following the normal practice, action would not be taken on the subject until the next session of the Legislature and I submit there are certain areas where we could probably take action now and I see no reason for deferring the whole of the Bill and saying let's study the whole of the Bill during the incoming year when we might find some area where we can agree, so I submit that the Bill should go for second reading.

I would like to say a word or two as well on a subject brought up by the Honourable Member for Emerson constituency and that is in the area of education on pollution.

Mr. Speaker, the Province of Manitoba this year has suffered grievously from pollution by mercury. A great deal is being said about industry being the polluter, how someone else should be doing something about pollution, and undoubtedly industry does do a great deal of pollution, but, Mr. Speaker, pollution starts with every individual; every single person in this province is a polluter. We have to educate our people as to their responsibilities as good citizens and this is a requirement of education, and we have to convince every individual that anytime that they litter, any time that they throw out of a car window or a picnic spot any refuse, these matters, they are contributing, themselves, to pollution. It is an individual personal problem. It is not just something that someone else should do something about. Every one of us has a direct responsibility and this does not form part of this Act, I recognize that, but I think it is something the Government must be very conscious of through the various departments involved.

I must pay credit here to the Departments of Tourism, of Highways, who have been, in the Province of Manitoba I think, ahead of other provinces in making sure that there are places for people to dispose of litter. The orbit program I think is an imaginative one. It's the type of thing that people can understand and can react to, but we have to do a great deal more in this area.

I was disappointed in the comments made by the Member from Lakeside constituency who took the position that the Government was delaying the matter so that the credit would not go to the Member for Brandon. Well, I for one, want to give the Member from Brandon full credit, but I would like to remind the Member from Lakeside that having sat for some eight years across from him, I found he and his group most reluctant in the accepting of any ideas which came from our side of the House at first proposal. They were normally accepted some two or three years after when the Government wanted to take credit for them. However, this isn't the purpose of the discussion.

My point, Mr. Speaker, at this time is that the Government should not refer the Bill holus bolus to a committee to sit between sessions, that we should send it now for second reading to Law Amendments to see if there are portions on which we can deal. I submit that on the disposable bottles we may find that we can in fact take action much sooner than the Government seems to think. We may find that the bottlers themselves are prepared to proceed at this time and we should not delay action until the next session of the Legislature.

MR. SPEAKER: Are you ready for the question? The Honourable Minister of Transportation.

HON. JOSEPH P. BOROWSKI (Minister of Transportation)(Thompson): Mr. Speaker, I don't want to delay the passage of this measure here but I think since it deals somewhat with my department and affects my department, I should comment on it. I would also like to comment on the miraculous rebirth of a conscience on the other side. It is amazing what a defeat at the polls does. I have never been such a turnabout on policies, standard old Tory policies, such as the trading-in of principles that we have seen in the House here. It seems almost every Resolution or Bill that comes from the other side is something that they were diametrically opposed to when they were in office, and the Member from Wolseley I think exemplifies what I am trying to say. Just about half an hour ago he phoned the City to find out just what the cost is on bottles. He's been a member of the City and he's been a member of the Legislature and it didn't seem to bother him at that time what it cost the city; it didn't seem to bother any of those on the other side what the cost was to the public at large, but suddenly now that they are in Opposition, he is phoning the City Engineer and he wants to know what the cost of this thing here because we want to put our Bill in so that we can get a little political mileage. Isn't that amazing, Mr. Speaker, what defeat does to a Party? And I think that that is something that we on this side should keep in mind, should keep in mind. It certainly is a good thing because maybe we will get sloppy and lazy and unconcerned as they have and maybe ten years from now we'll be acting the way they have, but this is quite a revelation to listen to the

(MR. BOROWSKI cont'd.). . . . members of the Opposition, particularly the former part-time rubber stamp Minister of Highways -- (Interjection) -- who we always thought of. . . .

MR. SPEAKER: The Honourable Member for Wolseley.

MR. CLAYDON: Mr. Speaker, on a point of privilege I think if the Honourable Minister will allow this to go to the committee we will produce sufficient evidence to show that the City has made this request on. . . .

MR. SPEAKER: I do not believe the honourable member has a point of privilege.

MR. BOROWSKI: Thank you, Mr. Speaker. The question we are discussing is as old as, I suppose, the Industrial Revolution. Bottles have been around since the time they invented bottles and they have been a problem to parking lots, to beaches, to highways, to streets, and I suppose to cities who have incinerators. It's an old problem and I am really amazed that it hasn't been dealt with up to now and speaking from the point of view of a Minister of Highways, it is probably causing us as much problem and as much cost by slashed tires on graders, on tractors that cut the grass and the other equipment if we use it. It is costing us a lot of money and you know every department, even the previous government, tried to cut costs and we're trying to cut costs, and one of the areas they could have chosen is to bring in this legislation which would have saved them I would say a considerable amount of money. Why they didn't of course is a mystery to me. They're very concerned now because we're saying let's give industry some lead time. You know it seems no matter what we do we get condemned for it. We know that industry can't adjust overnight; all we're simply saying is as serious as the matter is we think industry should get some lead time, and I'm sure after this discussion industry will know that this legislation is going to come into effect probably by the next session. So they have that lead time and even if we pass the bill what have we accomplished? We all agree we should give them lead time so what's the difference. Let's give the people that are interested, the City of Winnipeg and other interested parties an opportunity to come before the Legislature and make their briefs. Maybe they'll tell us something that we don't know. Let's give them that chance and when the next session comes around we could bring in the legislation with the recommendations of these various groups.

Now pollution isn't just bottles, this has been mentioned here, there's all types of other pollution. Our department again has probably been guilty of a lot of pollution through negligence, probably more than any other department. Every time we set up a road building contractor, he sets up a camp, he changes his oil, throws his filters out and there's men living there so there's garbage piles and every time the contractor moves out after a season there's a garbage dump in there. There's oil in there and there's filters and there's drums, there's cans, there's rags, there's broken lumber, there's all kinds of junk left behind. This is something you don't need legislation for; you could do as we have in this government, issue instructions to all contractors and all district engineers that from this day on when you set up a camp when you leave that camp you bury your garbage pile. There's very little cost to it. Dig a hole, bury your garbage pile, bury your oil filters and all the rest of the junk that you leave. Leave the place half decent so when the public is travelling for years after they don't have to look at all that garbage that's left behind.

Another thing that we have stopped that could have been done before is tell the contractors don't flush your oil tanks. When they put asphalt out on the highways the practice has been they back up to a river or to a creek or a slough and they flush the tank into it. There's no reason for that, that's serious pollution. We had a report just two weeks ago out of Brandon, the Premier was driving by and he seen the oil covering a whole slough. He brought it to my attention and we found out that the contractor had indeed flushed some oil into this creek. Some of it the rain had washed off the highway but some of it was flushed in there and the contractor said well if somebody had told me I wouldn't do it. So you don't need legislation, if you really give a damn about pollution just simply issue instructions to the contractors. They're very cooperative. Not one of them has complained; they say sure we'll do it, we won't flush the tanks, we'll bury our garbage and we'll see to it that nothing is left behind.

As far as bottles along the highways are concerned, until legislation is passed - and we can have complementary legislation dealing with that separately. I think right now there is a law that says that you can't dump garbage along the highway. Unfortunately it's not working out too well; I suppose maybe because we don't have enough enforcement on it. But if we can get the three things tied together with the companion bill and crack down - let's face it you can pass all the laws in the world, unless you have someone to enforce them they're not worth the

(MR. BOROWSKI cont'd.) paper they're written on. -- (Interjection) -- Well that's right. You wouldn't need the enforcement where bottles are concerned, there's no question when this legislation is passed - and when it's passed I hope that we'll put a five cent -- (Interjection) -- I've got one minute. The Minister of Finance tells me that I've got one minute. I hope that the deposit is five cents and when it is five cents there's still a lot of kids that are going to go out and pick up these bottles. Two cents in this day and age means nothing. Ten years ago it may have meant a lot of money to some people but today it's meaningless so I hope that we can put a price of five cents. I think most people will return them. Those that don't will have kids running with bicycles down the ditches, as they still do in the rural areas, picking up bottles to make themselves a few cents and I think this will help our problem.

So, Mr. Speaker, I simply rose to make those comments and to indicate to the Opposition that we're not impressed by their arguments because they had an opportunity. As a matter of fact when the last session closed there was 60 bills died on the Order Paper. I don't believe that disposable bottle legislation was one of the bills that died which would again indicate just how concerned they were about this problem.

MR. SPEAKER: The Honourable Member for Riel.

MR. DONALD W. CRAIK (Riel): Mr. Speaker, in speaking to Bill 102 let me first say that there is the odd time when the Minister of Transportation gets to his feet that he does make very concise, brief and sensible statements. But it seems that every time the opposition in the House comes up with something suggestive and positive and progressive that he falls into his regular paranoia and starts making stupid and ridiculous statements - and that's exactly what he's done today. I've never heard so much claptrap come from the Minister in such a short time since I've been sitting in the House as I've heard today.

Mr. Speaker, I would suggest to the Honourable Minister that if he's going to waste his time on this sort of stuff, junk, that he's bringing forth that it constitutes a worse case of pollution than the one we're speaking about in this particular bill. Furthermore, I might suggest to him since he's getting very subjective that perhaps he should get in his car and inspect some of the roads in southern Manitoba and see the sort of shape that they are in. He might even find a few broken bottles along the way. He'll find some roads that are in pretty bad shape I can tell you that.

Now, Mr. Speaker, the bill before us, if I can go back to the subject matter of it, is one that there's every reason for immediate action to be taken on. It's been mentioned here that it could have been done five or six years ago. But I think that we have to recognize the fact that the real problem has come about and been intensified by the growth in use of non-returnable bottles and the particular section of the bill that we're concerned about as has been pointed out by several speakers in this House, are the glass bottles and there's no reason on earth why action cannot be taken on these. There are several good strong arguments for it. One of them is that when the non-returnable was introduced it was introduced presumably as a cost saving measure for the consumer, but there are many examples that can be brought forward where the actual price of purchase of a commodity turns out to be more in a non-returnable bottle than it is for the commodity with a returnable bottle which includes the price of the returnable bottle. Either way you look at it -- if you return the bottle or don't return a returnable item you still end up paying more than you do the other way around, so it turns out that there has been no cost saving in many cases for the consumer. So we've ended up with simply a greater degree of affluence, people taking advantage of the fact that they don't feel compelled to return it and it gets thrown away and the pollution problem becomes greater.

So, Mr. Speaker, we're faced with a serious problem and the government wants to refer it, and they put up the case, again exemplified by the Minister of Transportation here in this usual attitude that seems to lie dormant in a very shallow depth below the surface of the government suggesting that we turned down their resolutions when they were on this side of the House and still not a year ago or a little better than a year ago the then Member of Inkster brought in a resolution that was a fairly major one that would allow representation of native people on local school boards, it was adopted by the government, it was a major move, the government was considering it at the same time but the member did have his resolution in before it was brought forth by the government, it was agreed to, it was carried and it went through. And they bring forth the argument over here that we never gave consideration to their resolutions on this side of the House and still within the last year we've had a very major change that was adopted, it came forth as a resolution of the then Member of Inkster and the

(MR. CRAIK cont'd.). . . . now Minister of Natural Resources. So it's ridiculous for this group to stand up and refute our resolutions on the basis that we did not give them proper consideration when the former government was in power and they were sitting on this side of the House. And that's a lot of junk. That's more pollution for you.

Now the other point is, is it more urgent now than it ever was before? Mr. Speaker, as a matter of interest, lest we get bogged down with technicalities of the move for making non-returnable bottles, particularly the glass type, this issue, let me read a letter from a 10-year old who's in Grade 4 who says -- and I have a number of these: "I have been thinking about pollution and I think something must be done. I'm concerned and I want something to be done right away; if nothing can be done the whole place is going to stink and furthermore we die. We want our country to be nice, not everybody littering. Something must be done." Now, Mr. Speaker, this is not the best English and probably as good as you expect from Grade 4 but this gives you an idea of the concern of the public with respect to the problem of pollution, and you know that in your own communities there is massive programs being mounted by the young people in an effort to see that some action is taken. So that when a positive move such as is being presented by the Member for Brandon West is brought forward we get these varied arguments, none of which hold water, that say no we can't move now, we must refer it to committee, we must consider all aspects of it, but there's no reason at all that we cannot take this into Law Amendments. If it is impossible, if the committee feels it impossible to move on a portion of it that's fine, but there are other portions of it such as the glass non-returnable bottle that there's very little question could be moved on immediately before we have more broken bottles on our beaches and on our roads and on the streets and on the boulevards and in the ditches than we have at the present time because the problem does get worse and worse and it gets far worse during the summer period. So that that portion at least applying to the glass non-returnable bottles could be instituted in much shorter order than is going to be possible through the amendment which puts it forward at least one year before any action can be taken.

So with those remarks, Mr. Speaker, I would finally like to table this letter with signature for the records.

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

MR. HARRY E. GRAHAM (Birtle-Russell): Mr. Speaker, on the question of pollution I am one who has a highway running right through my farm and as a farmer I know that the bottle situation is far more serious than what many of us would like to think or even having had those thoughts we would like to ignore. Today with the rising costs of farm machinery and the cost of tires - on my own particular tractor a new tire can cost five and six hundred dollars and if one of these tires is cut by a bottle, which it can very easily be unless you keep a sharp outlook, it does become quite a problem.

In earlier years, Mr. Speaker, I had been a coach of a 12 and under hockey team and we had on numerous occasions sponsored bottle drives at two cents a bottle, or two and a half cents I believe for beer bottles, and through this we have been able to maintain a hockey team, pay for uniforms and some of our expenses in travelling. With the advent of the non-returnable bottle it became very difficult to entice children to go out and collect bottles because half the time the bottles they did bring in they got nothing for and the incentive seemed to disappear. But, Mr. Speaker, the bottles didn't disappear, they continued to accumulate in the ditches, on the roadways and in the farmers' fields.

If by any Act in this Legislature that we can once more provide an incentive to keep our environment or to improve our environment I for one don't think that we should be delaying in any way because the problem is constantly increasing. I would like to see the Minister of Municipal Affairs reconsider his amendment and like the Member for Ste. Rose suggested, even if we can only implement certain portions of the intention of this bill at this time, that any delay will only aggravate the present situation.

MR. SPEAKER: The Honourable Member for Rock Lake.

MR. HENRY J. EINARSON (Rock Lake): Mr. Speaker, I'm not going to take much time in this debate, merely to say one of the thoughts which enter my mind as it hasn't been mentioned here this morning. From the government's position they've been very critical of the position we've taken on this matter, criticizing us as government because we didn't take the initiative and probably gone as far as we might have insofar as the problem of disposable

(MR. EINARSON cont'd.) : bottles are concerned. Just last night we were discussing agriculture and the Minister himself and the Attorney-General were saying why didn't we offer some suggestions to solve the agricultural problem and probably they would have been welcomed by the government. Now they're saying this morning, they're completely contradicting their complete thoughts on these matters and they're now saying when we do have a suggestion of offer to them -- I want to commend my colleague, the Member for Brandon West for bringing in this resolution and while we did have some problems a few years ago, and I don't mind admitting I was part of that, I think that there has been sufficient time and I think that the time is now ripe for bringing in those who are interested in this particular problem as it concerns them directly and indirectly, that I think we should deal with this immediately and not wait for another session.

MR. SPEAKER: The Honourable Member for Brandon West.

MR. EDWARD MCGILL (Brandon West): Thank you, Mr. Speaker. In rising to speak against the amendment I would first like to thank the many members who have commented favourably on this legislation and to express my surprise at being treated this morning to a rather unusual spectacle, that of the government across who professes to be the representatives of the "now" generation taking a position on a "now" problem, that is the one of pollution and litter, that it should be dealt with not now, later, if ever. And what they're really saying, Mr. Speaker, is that we'd like to just put this whole matter aside; we'd like to study the whole problem in depth. Well, Mr. Speaker, it's a rather lofty position, I would suggest, to take about a lot of garbage and if they are proposing to study it in depth then the depth to which they will enter the problem will be considerably greater if they don't deal with it now because it is a problem. It is a problem that needs action now. I don't see any reason and I can't understand how anybody on that side can say that it should best be dealt with by referring it to a committee which, as the Honourable Member for Ste. Rose has pointed out, has no legislative authority but can merely recommend to the next session of the Legislature.

I was also rather amazed at the point brought up by the Minister of Transportation when he said that he couldn't understand why the Member for Wolseley was so busy getting figures on how much it costs the City of Winnipeg to deal with non-returnable bottles. I should have thought, Mr. Speaker, that rather than sit there in silent contemplation, wondering how we could ever, as the Minister of Transportation responsible for highways, possibly support the position of the government on this bill that he might have been out finding out how much it cost his department to remove the litter from the highways of Manitoba.

Of all the many suggestions made, Mr. Speaker, in connection with this legislation the one of course that impresses me most is that of the Honourable Member from Emerson and also from Ste. Rose who have said that one of the key solutions will be in the field of education and I couldn't agree more heartily. I think that together with a form of legislation controlling the kind of containers that are used, we must immediately enter into a kind of education in the schools if necessary on the subject of pollution generally and of the subject of litter particularly, as it applies to all of the citizens of Manitoba. This is most important and in the ultimate solution will have a very great bearing on our success.

Mr. Speaker, I'd like to just read briefly from June 29th issue of Time Magazine on an article under Canada's Section entitles "Environment while there still is time" and without going through the whole of the article I was very interested in the comments on a test that was made in Nova Scotia - and this is an experiment carried out by Nova Scotia high school students. "Working under the province's Highways Department, the youngsters took an inventory of the roadside litter along selected mile-long stretches of road. In a single mile they picked up 4,908 items including more than 1000 candy wrappers, 350 cigarette packages, 673 beer, pop and liquor bottles, 388 cans, 20 odd tires, 26 shoes, 17 fruit and vegetable discards, 30 pieces of clothing and 9 dead animals including a horse. Mr. Speaker, this is Nova Scotia's record and I would suggest to you that we in Manitoba need to take a back seat to no province in respect to the amount of litter on our highways. I would suggest that if we went out on any stretches of our highways in Manitoba that we would come up with a figure that would be quite comparable. We have certainly have as many liquor and tin cans and beer bottles. We may be somewhat short on dead horses but on other kinds of animals I'm sure that we would measure up very well to the fine record of Nova Scotia in connection with this activity.

Mr. Speaker, I think it would be a mistake to do anything at this stage to defer the passage of legislation which would help in any way to minimize the amount of litter on our parks, streets, highways and beaches. I think the time to take action is now. I have great confidence

(MR. MCGILL cont'd.) in the industry of our province to help in meeting this problem and the approaches which I've received during the time that this has been on the Order Paper - and it's been there for more than a month, perhaps two months - I have not had comments from the industry indicating that this is an unfavourable step. The people are prepared as I've heard from them, to help to meet the problem and I have every confidence that if industry is given this direction that they will accelerate the pace with which they are presently working to find new approaches to the problem of containers, particularly in the soft drink field.

So I have no doubt that when this legislation becomes operative and I hope it will be now and not later, that we will find in Law Amendments that there will be presentations made and that the people will come there in a mood to assist in meeting a very serious problem in our province. I think we can expect that the lead time as given originally in the Act if necessary could be extended but you'll note that it was intended that the Act come into force the first day of January 1971. At that time we were thinking of eight months of lead time. There's no problem there if more time is needed and it may well be that we can extend the date of coming into force of the legislation. But I would suggest, Mr. Speaker, that the government is going to be in a very peculiar position if it takes, as it apparently intends to do, one of the opposition to the passage of a bill which is going to do something right now to meet what is becoming an increasingly serious problem in our province.

MR. SPEAKER: Are you ready for the question on the amendment?

MR. TOUPIN: Would you submit to a question? Mr. Speaker, the honourable member made mention about the possibility of extending the date of proclamation on the bill. To what extent do you figure we could extend the date of proclamation?

MR. MCGILL: Mr. Speaker, in answer to the Minister's question, I think that would depend largely on the representations that were made at Law Amendments, if indeed we are successful in getting this bill to Law Amendments. I think we would need to listen to the industry in that respect and to decide on their comments how we might best assist in getting this bill operative.

MR. TOUPIN: A supplementary question, Mr. Speaker. Would the Honourable Member for Brandon West agree, based on the information that my department received that the industry needs say another six months - would he agree that the date of proclamation be postponed another six months?

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

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

MR. SPEAKER: Call in the members.

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

YEAS: Messrs. Allard, Barrow, Borowski, Burtniak, Cherniack, Desjardins, Doern, Evans, Fox, Gonick, Gottfried, Green, Jenkins, Johannson, McBryde, Mackling, Malinowski, Paultey, Pawley, Petursson, Schreyer, Shafransky, Toupin, Turnbull, Uskiw and Uruski.

NAYS: Messrs. Beard, Bilton, Claydon, Craik, Einarson, Enns, Ferguson, Froese, Girard, Graham, Hardy, Henderson, Johnston (Portage la Prairie) Johnston (Sturgeon Creek), Jorgenson, McGill, McGregor, McKellar, McKenzie, Patrick, Watt, Weir and Mrs. Trueman.

MR. CLERK Yeas, 26; Nays, 23.

MR. SPEAKER: I declare the amendment carried. Question on the motion as amended.

MR. MOLGAT: Mr. Speaker, I was paired with the Honourable Minister of Youth and Education and had I voted I would have voted against the amendment.

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

MR. SPEAKER: The Honourable House Leader.

MR. GREEN: Mr. Speaker, would you call Bill No. 145, please.

MR. SPEAKER: Second reading Bill No. 145. The Honourable Member for Rupertsland.

MR. JEAN ALLARD (Rupertsland) presented Bill No. 145 An Act respecting the Town of Beausejour for second reading.

MR. SPEAKER presented the motion.

MR. SPEAKER: The Honourable Member for Rupertsland.

MR. ALLARD: Mr. Speaker, this bill allows the Town of Rupertsland - of Beausejour - I've got Rupertsland on my mind that's why, the Town of Beausejour and surrounding municipalities to enter into an agreement transferring a lot from the municipality to a town and

(MR. ALLARD cont'd.) allowing the town to put in sewer and water on that lot. Both municipality and town are in agreement and approve of this.

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

MR. GREEN: 144 please, Mr. Speaker.

MR. SPEAKER: Bill No. 144. The Honourable Member for The Pas.

MR. RON McBRYDE (The Pas) presented Bill No. 144, An Act to validate by-law No. 1695 of the Town of The Pas for second reading.

MR. SPEAKER presented the motion.

MR. SPEAKER: The Honourable Member for The Pas.

MR. McBRYDE: Mr. Speaker, this bill will enable the Town of The Pas to meet its - meet its arrangements with the DREE agreement. The Pas is obligated to borrow from the Federal Government under this agreement \$89,000 in connection with the improvement of fire-fighting facilities. In accordance with the provisions of the Municipal Act, the borrowing of this amount of money would require the approval of the ratepayers and of the Municipal Board. In view of the Federal Government input and the relatively small contribution to the infrastructure improvement which would be made by the Town of The Pas as represented by the \$89,000 loan. It did not make sense to submit to the ratepayers' vote the question to whether the town should borrow the \$89,000. So Mr. Speaker, basically this bill will enable the Town of The Pas to meet its commitments in terms of the loan and therefore make them eligible for the amount in excess of \$4 million under the DREE agreement.

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

MR. ENNS: Before the question is put I will support the bill and don't make any lengthy or serious objection at this time to the bill, but bills of this nature are always of some concern to this Legislature, and some concern should be expressed when an action is taken that bypasses the local ratepayers or does not give the citizens or the local ratepayers of the community that is involved an opportunity to express their judgment or their opinion about whether or not public funds or monies which they are going to be taxed for should be spent in a certain way or not. As I said Mr. Speaker, it's not my intention to oppose but I do think that we should not treat lightly these kinds of bills, even under the best of circumstances; it can very easily become habit forming. There are always communities that have a special need or a special problem that will approach their members or their MLA's in an effort to circumvent their municipal council or elected officials at the local level, and I rise only on this particular point that we should be well satisfied and I would hope that the members of the government would take rather the same attitude that members of the other previous administration took in that we ourselves scrutinize fairly severely these kinds of bills before we sanctioned them or gave them the support of the government, recognizing that a private member always has a right to bring in his own bills; but I think there's also an obligation on the part of the government to censor such bills and to peruse them most carefully to see that this has to be done in this manner. I register only the fact that we're doing it in this manner which should not become a habit in the House. Thank you, Mr. Speaker.

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

MR. ENNS: Certainly, Mr. Speaker.

MR. CHERNIACK: Would the honourable member make sure that he reads Bill 135.

MR. ENNS: Thank you.

MR. SPEAKER: The Honourable Attorney-General.

MR. MACKLING: One further question. I wonder if the honourable member agrees with the amendment to the Municipal Act which will make it unnecessary for the municipalities to have money by-laws such as you referred to?

MR. ENNS: No, Mr. Speaker, I certainly won't agree to that.

MR. SPEAKER: The Honourable Member for Rhineland.

MR. FROESE: Mr. Speaker, a few words. I notice that the bill also contains provision whereby they will be acquiring land. Is this land part of the Town of The Pas at the present time or is this land that will be acquired that is presently not within the town limits? Is there any indication, or has the member sponsoring the bill any indication from the public at large that they favour this bill? Has there been some consensus of opinion taken in any way that would indicate support for the bill?

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

MR. SPEAKER: The Honourable House Leader.

MR. GREEN: Bill No. 136, Mr. Speaker.

MR. SPEAKER: Bill No. 136. The Honourable Member for Winnipeg Centre.

MR. FOX in the absence of the Member for Winnipeg Centre presented Bill 136, an Act to amend The Winnipeg Charter, 1956, (3) for second reading.

MR. SPEAKER presented the motion.

MR. SPEAKER: The Honourable Member for Kildonan.

MR. FOX: Mr. Speaker, I'm informed that this is enabling legislation to allow the City of Winnipeg to extend its borrowing to the Winnipeg Enterprises from a half a million to one million dollars. As we are all aware there are some renovations taking place and there's quite a bit of necessary work to be done in respect to Triple A as well and this is one of the reasons why this is requested at this time. In committee we will have a full report and a discussion on it. Members of the City Council's counselling staff will be there.

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

MR. GREEN: Bill No. 87.

MR. SPEAKER: Adjourned debate on the proposed motion of the Honourable Member for Kildonan. Bill No. 87. The Honourable Member for Churchill.

MR. BEARD: Thank you, Mr. Speaker. I have rather a difficult time now that we have Bill 109 in front of us, trying to iron out what the two areas of the dental services in our community are trying to do, but certainly it doesn't appear that they are not working together. I admit that they haven't in the past and it doesn't certainly appear that they're going to in the future. Some of the remarks that I have read in the paper certainly discourages me from ever hoping that these two groups will ever get together, and in this respect I am very unhappy that we should be faced with this type of situation. I believe that we have to give careful consideration to it. If they'd been able to iron out the problems between the two groups then I would have been more ready to accept the Manitoba Dental Service Corporation Act, because it certainly is a step in the right direction. It is something that we have been looking forward to for many years and we have been thinking about I believe, as individuals and those that belong to parties, but with the cost of bringing in Medicare then of course it would be very difficult for any government to consider bringing in a Dental Service Act at this time, one sponsored by government.

It is from this point of view that I would hope that the people in government and the people in the Department of Health are checking and checking well the costs that the dentists have placed on their services as an insurance program, because if I am right, I would expect that they're looking forward to the day when this will be incorporated in our medical services program for the people of Manitoba. If this is the case, then the Province of Manitoba will be responsible for taking over, and even before that I would say that the Minister of Health and Social Development will be very involved because of the large group that he will have to be responsible for in respect to the insurance thereof and I speak of the welfare, the people that would be on welfare. I would imagine that the people who are getting Old Age Assistance would have to be considered under this type of a program, either at the beginning or at a later period. I think that at one time, if I'm not mistaken, when we started with the medical, I believe with indigents, the government were given 50 percent reduction I believe in the fees, as I recall; but the fee schedule itself is one thing that bothers me.

Secondly, I think that the Board of Directors as I see it are made up of dentists with the opportunity of adding - I think it's eight more - in a later clause, and it is that clause that would interest me also. I would hope that perhaps in that one that they could make the rest of that board laymen and specify that the chairman be a layman, so that there would be a balance, because I look at it from some of the studies that have been made by the Professional Associations Committee and I certainly would suggest that careful consideration be given to this, both this bill and possibly the Dental Mechanics Bill and have it turned over to the Professional Associations Committee and see what can be done about getting these two groups together and bringing in a bill which would be acceptable to both groups. I feel that the reason that there is still that break is because the two groups are not sitting down and talking together about their specific problems and the only way to do it is to get some group or negotiator in between to help them get on to the right track, and I believe that this would be the real opportunity to see to it that Bill 87 and Bill 109 become one instead of two, going their separate ways.

I was rather distressed the other night when I saw that the president of the Dental Association said: "We would be pleased to give the Boyd Building over to the government with the assurance that the dental mechanics that were trained would not be allowed to make dentures on their own." And if this is the case - I'll be just a minute, Mr. Speaker; I'll close if you don't

(MR. BEARD cont'd.) mind. If this is the case, I think it's almost, pretty harsh to call it blackmail I suppose, but that's a pretty big club to wield to offer government a building and everything that's in it just to make sure that Bill 109 does not, in effect, become law and that any graduate thereafter would not become law. I think it's very loosely put together. I think there are things such as the dental assistants and the dental lab technicians, of course, and any of the others that are involved in the healing art in respect to dental services. I believe all of those beefs should be grouped together and I think that it would be well if a group such as Professional Associations or some other committee could sit down with them and more fully discuss the problems that are arising in the dental profession. Also I would hope that if in Bill 87 that in bringing this forward, they are going to look after the northern parts, isolated parts of Manitoba which certainly they have not indicated through their profession that they're prepared to do at this time.

MR. SPEAKER: The Honourable Member for Kildonan.

MR. FOX: Mr. Speaker, I will be closing debate when I adjourn this motion. I move, seconded by the member for Elmwood that debate be adjourned.

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

MR. SPEAKER: The Honourable House Leader.

MR. GREEN: Mr. Speaker, I move, seconded by the Honourable Minister of Cultural Affairs, that the House do now adjourn.

MR. SPEAKER presented the motion and after a voice vote declared the motion carried, and the House adjourned until 2:30 Tuesday afternoon.