



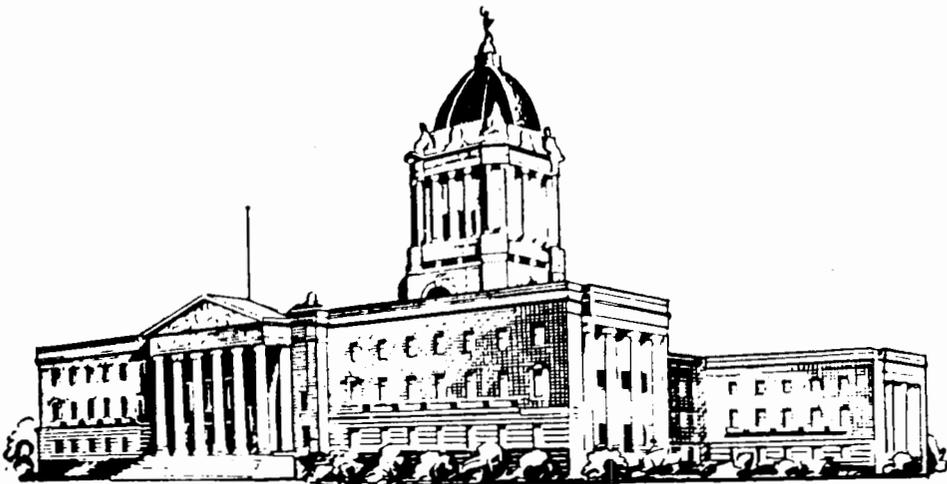
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Legislative Assembly of Manitoba

DEBATES
and
PROCEEDINGS

Speaker

The Honourable Peter Fox



Vol. XXIII No. 136 2:30 p.m., Thursday, June 3rd, 1976.

Third Session, 30th Legislature.

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Electoral Division	Name	Political Affiliation	Address	Postal Code
ARTHUR	J. Douglas Watt	P.C.	Reston, Man.	ROM 1X0
ASSINIBOIA	Steve Patrick	Lib.	10 Red Robin Place, Wpg.	R3J 3L8
BIRTLE-RUSSELL	Harry E. Graham	P.C.	Binscarth, Man.	ROJ 0G0
BRANDON EAST	Hon. Leonard S. Evans	NDP	Legislative Bldg., Winnipeg	R3C 0V8
BRANDON WEST	Edward McGill	P.C.	2228 Princess Ave., Brandon	R7B 0H9
BURROWS	Hon. Ben Hanuschak	NDP	Legislative Bldg., Winnipeg	R3C 0V8
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FORT ROUGE	Lloyd Axworthy	Lib.	140 Roslyn Road, Winnipeg	R3L 0G8
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LOGAN	William Jenkins	NDP	1294 Erin St., Winnipeg	R3E 2S6
MINNEDOSA	David Blake	P.C.	Minnedosa, Man.	ROJ 1E0
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POINT DOUGLAS	Donald Malinowski	NDP	23 Coralberry Ave., Winnipeg	R2V 2P2
PORTAGE LA PRAIRIE	Gordon E. Johnston	Lib.	Box 112, Portage la Prairie, Manitoba	R1N 3B2
RADISSON	Harry Shafransky	NDP	4 Maplehurst Rd., Winnipeg	R2J 1W8
RHINELAND	Arnold Brown	P.C.	Winkler, Man.	ROG 2X0
RIEL	Donald W. Craik	P.C.	3 River Lane, Winnipeg	R2M 3Y8
RIVER HEIGHTS	Sidney Spivak, O.C.	P.C.	2518 - 160 Hargrave St., Wpg.	R3C 3H3
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SOURIS KILLARNEY	Earl McKellar	P.C.	Nesbitt, Man.	ROK 1P0
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TRANSCONA	Hon. Russell Paulley	NDP	Legislative Bldg., Winnipeg	R3C 0V8
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WOLSELEY	R.G. (Bob) Wilson	P.C.	2 Middlegate, Winnipeg	R3C 2C4

THE LEGISLATIVE ASSEMBLY OF MANITOBA

2:30 p.m., Thursday, June 3, 1976

Opening Prayer by Mr. Speaker.

INTRODUCTION OF GUESTS

MR. SPEAKER: Before we proceed I should like to direct the attention of the honourable members to the gallery where we have 42 students Grade 6 standing of the Van Bellegham School. These students are under the direction of Mrs. Wicks and Miss Wall. This school is located in the constituency of the Honourable Member for Riel.

We have 15 students of Grade 11 standing of the West Kildonan Collegiate under the direction of Mr. J. Klassen. This school is in the constituency of the Honourable Member for Seven Oaks, the Minister of Urban Affairs.

And we have a number of students of Grade 8 standing from Mayville, North Dakota under the direction of Mr. Evanson and Mr. Kerlin.

And 18 students Grades 10, 11 and 12 standing of the Garden City Collegiate under the direction of Mr. Bailey in the constituency of the Honourable Member for Seven Oaks, the Minister of Urban Affairs.

On behalf of the honourable members I welcome you here this afternoon.

Presenting Petitions; Reading and Receiving Petitions; Presenting Reports by Standing and Special Committees; Ministerial Statements and Tabling of Reports; The Honourable Minister of Mines.

MINISTERIAL STATEMENT - COMMITTEE SCHEDULE

HON. SIDNEY GREEN, Q.C. (Minister of Mines, Resources and Environmental Management) (Inkster): Mr. Speaker, I would like to schedule Industrial Relations Committee for Saturday at 10:00 o'clock and I would think that that is all that we would schedule for Saturday. I would now want to confirm Private Members' Committee and Municipal Affairs Committee for tomorrow at 8:00 in the evening. I would think probably with the amount of work that would be done in the two committees that it would be better if they met in the same room, heard whatever briefs there were and then perhaps divide it into two rooms and we would, I hope, not be asked to have the transcription equipment rented strictly for Private Bills' Committee, say, which could go into another room. If that's satisfactory then tomorrow at 8:00 for those two committees.

MR. SPEAKER: Any other Ministerial Statements or Tabling of Reports? Notices of Motion; Introduction of Bills; Questions. The Honourable Leader of the Opposition.

ORAL QUESTIONS

MR. DONALD W. CRAIK (Leader of the Official Opposition) (Riel): Mr. Speaker, I directed some questions to the Minister of Tourism this morning regarding the use of the Parks Branch equipment. To eliminate any doubt on himself as a result of the questioning I want to ask the Minister directly whether recently any Parks Branch equipment was used on his own premises?

MR. SPEAKER: The Honourable Minister of Tourism.

HON. RENE TOUPIN (Minister of Tourism, Recreation and Cultural Affairs) (Springfield): Mr. Speaker, this morning I answered that requests were made from members from both sides of the House pertaining to equipment from Parks and materials being supplied by Parks for the spraying of canker worms on private property. Mr. Speaker, I would like to set the record straight pertaining to my own affair, and I so indicated to the Premier this morning, that in regards to myself I had asked Poulin Exterminators to come to my home to spray canker worms. As he was unable to come until later this week, I phoned my Assistant Deputy Minister Walter Danyluk and asked him if we were leasing equipment to spray in parks and I was informed that we were, so I asked him if he could arrange to have that leased equipment stop at my place when they

ORAL QUESTIONS

(MR. TOUPIN cont'd) sprayed the Birds Hill Park or the Highland Park on Henderson Highway, and he told me that he would check and see if that was possible because I had literally millions of worms on my property. And the equipment I was informed stopped at my place the following day, I was not home at 3:45 in the afternoon; I asked the Deputy Minister of Parks at the time to have me billed directly at home for the cost of same, I still haven't received the bill, I'm expecting the bill from those that did the work directly at my home and as soon as I do receive the bill I will pay same.

In regards to the other member of the House, it was the Honourable Member for River Heights, he asked me the same question, I referred him to my Assistant Deputy Minister and he received services, I'm not quite sure what services, and I assumed that he paid same or will pay same.

MR. CRAIK: But to reaffirm the statement this morning, Mr. Speaker, there was no Parks Branch equipment used?

MR. TOUPIN: Mr. Speaker, again, I indicated this morning and I have to stand by the answer that I gave to the honourable member this morning. I wasn't in a position to say otherwise then or am I now because the indication that I got from my Assistant Deputy Minister then was that I wanted equipment that was being leased by Parks to do my place and that I be charged the same as I would have been by Poulin Exterminators. Once I receive the bill I'll pay it, no matter where it comes from.

MR. SPEAKER: The Honourable Member for Fort Garry.

MR. L.R. (Bud) SHERMAN (Fort Garry): Thank you, Mr. Speaker, my question is to the Honourable the Minister responsible for Communications. In view of the statement made yesterday in Toronto by the Federal Minister of Communications, the Honourable Jeanne Sauve, will the Minister or his department be moving now with dispatch to open up the opportunity for pay TV to be developed and implemented in the Province of Manitoba.

MR. SPEAKER: The Honourable Minister of Consumer Affairs.

HON. IAN TURNBULL (Minister of Consumer, Corporate and Internal Services) (Osborne): Mr. Speaker, it is the policy of the department and of MTS to provide service of all kinds, be it cable television or pay television, to the people of Manitoba. The delivery of the signal however will be by that method that conforms most closely to provincial policy.

MR. SHERMAN: A supplementary, Mr. Speaker. Does that method which conforms most closely to provincial policy permit the private cable TV operators to enter the field?

MR. TURNBULL: Mr. Speaker, whether a private operator can enter the field or not will depend I presume on the policy of the Federal Government and of the Provincial Government. The question as to what hardware they will be using was what I was referring to. The hardware that will be used will be that of the Manitoba Telephone System.

MR. SHERMAN: A final supplementary, Mr. Speaker. Will the ultimate jurisdiction as to whether private cable TV companies can enter the field rest with whatever decisions the CRTC makes in this area or will it rest with another authority?

MR. TURNBULL: Mr. Speaker, that question I believe to be one for the constitutional interpretation experts and therefore I could not give an answer as to whether it would be or would not be at this time.

MR. SPEAKER: The Honourable Member for Virden.

MR. MORRIS MCGREGOR (Virden): Mr. Speaker, I direct this question to the Minister in charge of lotteries, having put the question early in the week and not really giving the Acting Minister a chance, I would now put it directly to the Minister: What precautions does the Minister contemplate to ensure that the sale of Western Express Lottery tickets is sold prior to future draws? A recent example is the \$50,000 winner. And a supplementary, does the Minister not agree this action, even if legal, could hurt future lottery sales?

MR. SPEAKER: Order please. Order please. The second question is out of order. The first question, the Honourable Minister of Health.

ORAL QUESTIONS

HON. LAURENT L. DESJARDINS (Minister of Health and Social Development) (St. Boniface): Mr. Speaker, the sales of the Express, those envelopes that have not been opened, we'll certainly keep on as is the case now. This is not the trouble, the trouble is that the marking was on the outside of the envelopes because the series came individually, they didn't know how many they were going to sell. Now these tickets will be scrambled in the envelopes and there won't be this indication of what series they belong to.

MR. SPEAKER: The Honourable Member for Roblin.

MR. J. WALLY McKENZIE (Roblin): Mr. Speaker, I have a question to the Honourable Minister of Tourism and Recreation and Cultural Affairs. I wonder if the Minister could advise me the low ball beer ads that are appearing now in the daily papers, does the Liquor Commission need an authorization from the Minister to insert these ads in the daily paper.

MR. SPEAKER: The Honourable Minister of Tourism.

MR. TOUPIN: Mr. Speaker, while I'm on my feet could I have leave of the House to make a statement? If not, I'll make it this evening. It's in regard to forest fire potential in provincial parks.

MR. SPEAKER: Does the Honourable Minister have leave? (Agreed) The Honourable Minister.

MINISTERIAL STATEMENT

MR. TOUPIN: Mr. Speaker, I don't have copies, I've only been given one copy here, but I'll be making copies available for other members of the House.

The weather forecasts for the next five days do not indicate any improvement in forest fire hazard conditions for the Whiteshell and Nopiming Provincial Park areas. Continued hot, dry, low humidity conditions, brisk southerly winds during the day, dry lightning thunderstorms in early evening can be anticipated for the next three days with only modest improvement indicated for early next week. While the thunderstorms may provide isolated showers, the risks of fire caused by lightning strikes will be high.

The sustained dry weather over the early spring has created tinder dry forest conditions. Spring growth has been seriously affected with the result that the assist usual with spring "green up" has been lost this year. The fire situation is stable at the moment with no fires burning at the present time in our provincial parks. However, the dry conditions require some restriction to travel. Cottage areas, lodges, campgrounds and picnic areas will remain open to the public as well as main roads serving these sites.

1. Roads, trails and portages into the back country will be posted with Travel Restricted Notices.
2. Except in fireplaces provided, open fires will not be permitted anywhere in the parks.
3. If you are boating or canoeing, except for an emergency, you may not land on undeveloped shoreline or on any islands.
4. No fly-in fishing will be permitted to the back country lakes.
5. Camping and picnicking will be permitted only in designated camp areas.
6. Nopiming Provincial Park will remain closed to all public traffic.

We are asking the cooperation of the public during this critical period.

MR. SPEAKER: The Honourable Member for Roblin.

MR. McKENZIE: Mr. Speaker, I thank the Minister very much for his statement and for alerting us to the problems that we face in this extremely dry period at this time. I hope that everything works out well and that his staff are able to keep all the fires under control and to control the traffic that is especially patronizing our parks due to the warm period we're enjoying.

ORAL QUESTIONS cont'd

MR. McKENZIE: I have a supplementary question to the Honourable Minister regarding the question I raised earlier. I wonder if he can advise the House if the various breweries whose products are advertised in these ads are contributing to part of the payment of the advertising.

MR. SPEAKER: The Honourable Minister of Tourism.

ORAL QUESTIONS

MR. TOUPIN: I don't know, Mr. Speaker. I'll take the question as notice and get back to the honourable member.

MR. SPEAKER: The Honourable Member for Wolseley.

MR. ROBERT G. WILSON (Wolseley): Again to the Minister of Health, Mr. Speaker. Can the Minister explain what advantage the distributors have if the two top large prizes in Series Two are unclaimed.

MR. SPEAKER: The Honourable Minister of Health.

MR. DESJARDINS: Would he repeat that question please?

MR. WILSON: Well if the series is marked on the outside of the envelope, what advantage do the distributors have over the public if the two prizes in Series Two have been unclaimed to date. I understand the \$50,000 prize has been claimed but the other Series Two prizes may or may not have been.

MR. DESJARDINS: I never talked about the distributor, I said that there is an unfair advantage if there is a marking on the outside envelope, because the public will find out in what series the prize was drawn. Then if there are, let's say, 3000 tickets left, the 1000 of each series, he'd only bother with those where the prize is, so that's an unfair advantage.

MR. WILSON: A supplementary then. Can the Minister explain why the reluctance of Mr. Grossman and the others to appear on television regarding this if they aren't distributed.

MR. SPEAKER: Order please. That question is out of order. Orders of the Day. The Honourable Leader of the Opposition.

MR. CRAIK: Mr. Speaker, the earlier questions answered by the Minister of Tourism, he gave me some times. I wonder if he could indicate, did the work he referred to occur on his premises on May 27?

MR. SPEAKER: The Honourable Minister of Tourism.

MR. TOUPIN: Mr. Speaker, I can't recall the exact date, unfortunately I don't have that good of a memory pertaining to dates. Usually figures I do. It was last week some time, I can't recall the exact date. I recall the hour that I was informed that the equipment was on my property, I can't recall the exact date, I'll check it and let the honourable member know.

MR. SPEAKER: The Honourable House Leader.

MR. GREEN: Mr. Speaker, I would like to proceed with Bill 57.

BILL NO. 57 - AN ACT TO AMEND THE LABOUR RELATIONS ACT

MR. SPEAKER: Proposed Bill 57. The Honourable Minister of Labour.

HON. RUSSELL PAULLEY (Minister of Labour) (Transcona): Mr. Speaker, in closing debate on this very important piece of legislation, I have been asked to be brief, and being the very accommodating type of an individual that I am, Mr. Speaker, I want to say that I will be brief. I want to thank those members of the Assembly that took part in the discussions pertaining to this bill. And of course, as I indicated for second reading of the bill, it was just the ongoing process of this government in making sure that the workers and the employers in Manitoba were in a ball game in which the rules were fair for each side, providing they were placed fairly.

I was particularly interested in the remarks of my honourable friend, the Member for Fort Garry, and I want to thank him for his courteousness to me in that he did not tear me limb from limb but was rather compassionate towards me, and I thank him very much for it. And when I say that my honourable friend was rather compassionate towards me, I don't want he or anyone else to come to any misunderstanding that the wings of the dove had really penetrated our skulls and united us and made us two amorous creatures embracing each other, because I am sure, Mr. Speaker, that you and the members of the Assembly would really be aware of the fact that Doomsday must be here, that if such happened between the Minister of Labour and the Member for Fort Garry. But I do want to thank him. I don't know if it'll ever happen between the Minister of Labour and the Member for Morris - ah, but I guess history has recorded, Mr. Speaker, miracles have happened, and while I doubt whether such a miracle as I referred to between

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(MR. PAULLEY cont'd) my honourable friend for Morris and myself will occur, nonetheless I am sure that we can hope and work toward the achievement of such a miracle.

I took a look at Hansard and had a report as to what my honourable friend the Member for Fort Garry had to say in respect of the bill, I could not help but come to the fact that here again my honourable friend the Member for Fort Garry used his normal procedure in dealing with progressive bills and saying that we should defer for a year or so, that we should defer the subject matter to an intersessional committee to consider the contents of the same. And yet at the same time as my honourable friend was saying that, he was admitting the fact that committees of this House had met on three or four occasions with the general public soliciting opinions as to the labour laws in the Province of Manitoba. But I do want to say to my friend before I pass by his remarks, I do appreciate the fact that in that aspect he was really true to form.

And then there was another character who spoke during the debate - Mr. Speaker, please accept my sincerity in reference to people called characters, being members of this House I mean no ill-will towards them, but over a few years or so I have come to know their methodology of approach in debate. So I leave my honourable friend, the Member for Fort Garry, and I would like to make a remark or two about my Cabinet colleague, the Honourable Minister of Mines and Natural Resources. I have just finished saying, Mr. Speaker, that the Honourable Member for Fort Garry was in form and in character when he was suggesting that we should delay for another year or two to intersessional considerations, propositions of such importance. And then following his remarks to this important debate, he was followed by my colleague, the Minister of Mines who also conformed to character, his character of course being he would agree with the Member for Fort Garry, to delay for consideration, only he would go a little bit further, that we should never have any consideration for laws pertaining to matters dealing with labour, if he had his way, he would throw them all out of the window and get rid of them so we wouldn't have to refer them to intersessional consideration. So it is interesting is it not, Mr. Speaker, that we listen to the debates in the House, we find people in character even though being in character, their characters are somewhat different.

Then we had our friend, the Member for Assiniboia, the representative of the Liberal Party, who quite frequently reminds the Assembly of his past involvement, past suggestions as to what should happen in labour legislation, the failures of things ahead and the triumph of things that have gone by because of his participation. And here again, I found from my honourable friend, the Member for Assiniboia, many questions, usually prefaced by a few words. I am not quite sure what this means and I'm wondering if the Honourable, the Minister would explain it. Mr. Speaker, I would suggest that I recognize that phraseology of my honourable friend, "I do not understand", and I've been listening to that now for a considerable number of years in the House and one of these days I'm sure that I will be able to be in a position, providing I'm of course in the House, of listening to the Honourable Member for Assiniboia saying, "I understand what you mean by that," and let it go at that. And I mean this in no way derogatory of the honourable member. And then of course, the Honourable the Member for Fort Rouge, has started out in his way, dealing with the philosophical and liberal attitudes towards matters pertaining to labour, so I thought I would couple the two Liberals together before I made a remark about my fellow railroader, the Honourable Member for Logan, who exhibited a true knowledge of the problems of labour.

And in his brief oration to the Assembly this morning, the Honourable Member for Logan gave us of his participation, did say that while most of his years of association in the industrial and labour field was in the federal field, he only wished and hoped that the Feds would have the same advantage to a degree as we have in this Assembly, of considering matters of so much concern. I trust and hope that one of these days, regardless of what happens to be the political stripe of the authority at Ottawa, that they will take a real serious look at provincial legislation in respect to labour-management relations, and I think today I need not attempt to endeavour to establish any illustrations or indicate just what I mean of the lack of knowledgability of truthfully and truly having a knowledge of labour-management relationships that exist at the present time. After having come through the various internal strifes that they've had federally with their employees, I think

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(MR. PAULLEY cont'd) they can learn a lesson, as indicated by the Member for Logan, this morning, they can learn a lesson from we here in Manitoba.

There were a number of questions that were asked of a specific nature, questions that I'm sure have been asked on a number of occasions and answers given. The Honourable the House Leader, Mr. Speaker, has indicated that the Committee on Industrial Relations will be meeting Saturday morning at 10 o'clock. I invite all of the participants in the debate on this bill to attend, at which time their questions will be considered and debated, and I also extend an invitation to all of the members of the Assembly who did not take part in the debates on this particular bill, to likewise attend, Mr. Speaker, so that they can also gain in the knowledgability of what labour-management relations really mean in this Province of Manitoba.

QUESTION put, MOTION carried.

MR. SPEAKER: The Honourable House Leader.

MR. GREEN: Mr. Speaker, is there someone in the House that's intending to speak on Bill 83? --(Interjection)-- I guess then I'd like to call that bill, Mr. Speaker.

BILL NO. 83 - THE WORKPLACE SAFETY AND HEALTH ACT

MR. SPEAKER: Bill No. 83. The Honourable Member for Gladstone, I guess.

MR. SHERMAN: I'm sorry, Mr. Speaker. The fact of the matter is, Mr. Speaker, the Member for Gladstone adjourned it for me. Sorry.

MR. SPEAKER: Very well. It was presented to the Chamber anyway.

MR. SHERMAN: Mr. Speaker, I would like to speak briefly to Bill 83, the Workplace Safety and Health Act. It's not a bill I think that should be addressed briefly because it's extremely important, but I don't intend to take up a great deal of time of the Assembly in saying what I would like to say about it.

I recognize that it has been developed in response to a condition in industry in our province that needs remedy, and this bill is designed to provide some of the remedy. I wouldn't say that all aspects of the bill meet with my wild-eyed enthusiasm. There are some things about it that I think are essentially troublesome and potentially quite dangerous.

I think that the fact that the Chairman of the Labour Board once again is put in a position of supreme authority, as it were, with respect to appeals against rules and appeals against decisions that are handed down in the area of enforcement of workplace safety conditions, points up an argument that I was trying to make yesterday on speaking on Bill 57, and that is once again I think without being repetitious, Sir, I can go back to the appeal that the chairmanship of that board should be made a permanent position. Because again and again in the kinds of labour legislation that we see before us there seems to be a widening of the area of responsibility and indeed a widening of the area of authority of the board and its chairman, and I submit as I submitted on the other piece of legislation, Sir, that these responsibilities cannot be carried out in my view to the most conscientious extent possible by anybody on a part-time basis. I don't care who that chairman is or where he comes from or what his political alignment may have been before he became chairman of the board, I'm talking about time and conscience and energy and the ability to devote himself fully to the kinds of things that now are going to be on his desk of responsibility.

So, I think there's a weakness in the area of the appeal procedure where Bill 83 is concerned, and I think there is a weakness in the fact that once again this kind of authority and responsibility reposes with a part-time provincial servant, rather than a full-time one. I'm not sure that even as a full-time chairman that I would be satisfied that appeals could not go beyond his office, but I certainly would not want to see the purpose and the purport of this bill frustrated or derailed in any way because of some of the weaknesses and some of the anomalies that I feel exist in some parts of the legislation.

One other area that I believe needs shoring up in terms of the objectives of this piece of legislation lies in the area of pollution in places of work, and I'm thinking in particular of those where there's air pollution, smoke and forms of air pollution that can be extremely serious, I'm not sure that I'm satisfied that all that could be done in that

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(MR. SHERMAN cont'd) area is being done. But there's no question that the bill aims at getting at a problem that this Minister has underlined in the House in this session and that the Workers' Compensation Board can acquaint any of us with any time we care to check the records, that condition being one of a serious and a crippling number of industrial accidents costing individuals in this province and the province itself an extremely heavy toll in the way of lost work days, lost wages and lost health. So that any kind of legislation of this type aimed at attacking that problem, at reducing that incidence, improving conditions for workplace safety and health in the province, I want to assure you, Sir, and through you the Honourable the Minister of Labour, any measure of that kind in principle certainly has my sole support, and I'm sure I can speak for all my colleagues.

It's unfortunate that we seem to live now in an age when, in order to effect any of these improvements, we have to entangle ourselves deeper and deeper in regulations and rules and legislation and conditions and bureaucracy and red tape. I think Shakespeare said, "Oh, what a tangled web we weave when first we practice to deceive," but no one is practicing anything here except an effort at improvement, and what happens is, we still continue to weave that tangled web of regulation and control, it makes it difficult for many employers, and indeed many employees, to function in a truly free working environment. I sometimes ask myself, when we talk about free collective bargaining, how free that exercise remains today as a consequence of the kinds of rules and provisions that have had to be enacted.

Here again there is a burden of additional paper work imposed on employer and employee where the objective contained in this bill is concerned. But so be it, I guess we can't get at it any other way. So although I have misgivings about that additional amount of paper work and the additional kind of tedium that's imposed on people in the working sector and employers in the working sector, I accept it as the lesser of two evils. The greater evil would be to fail to move forward and introduce some measures such as those contained here, to achieve a higher degree of safety and health in our places of work.

The safety committees are a valuable and a laudable step in that direction. I would hope that the concept works out very successfully in practice. I know that there has been a pattern for this kind of legislation to which the Minister has looked in formulating this legislation; but I know also that even if there weren't that pattern, it's a subject that's dear to his heart and I'm sure we would have had legislation, at least in this direction, coming forward, whether there were some accompanying steps in other jurisdictions in this country to be sort of used as guidelines at the present time or not.

So I would like to offer my support to the bill because I support it in principle with the reservations that I have suggested, Sir. I hope some of those details and petty difficulties and some of those problems that I think are possibly implicit in the wording of the legislation, can be either worked out at committee stage or can be worked out through the process of enlightened amendment in the future to make the bill more workable and more manageable; and that we achieve through that the highest degree of safety in our places of work with the absolute minimum of bureaucracy and restriction.

MR. SPEAKER: The Honourable Member for Fort Rouge. The Honourable Member for Morris. Just a minute. The Honourable Member for Gladstone, did he wish to speak on this bill? I thought he adjourned it for the Member for Fort Garry, that's what I have before me.

MR. JAMES R. FERGUSON (Gladstone): I intended to get up. That's what I wanted to say.

MR. SPEAKER: Thank you. The Honourable Member for Morris.

MR. WARNER H. JORGENSEN (Morris): Mr. Speaker, I thank the Member for Fort Rouge. I wasn't aware that he was going to adjourn debate. I'd like to just make a few comments in relation to this bill which appears to me to be a companion bill to Bill 85, one seeking to prevent accidents and the second one seeking to show us what to do in the case of an accident. --(Interjection)-- Well, for the enlightenment of the House Leader, Bill 85 deals with pregnant women. But that isn't the purpose of my rising.

(MR. JORGENSON cont'd)

I rise because of something the Minister said in closing debate on the previous bill which I presume will be repeated again in this legislation. He continues to suggest that because members on this side of the House oppose certain pieces of legislation or certain parts of legislation, almost invariably we are told the reason for that is because we have so little understanding of the work of unions. Well that may be true. I was a member of a union for a number of years, and I have some knowledge of how they operate.

I want the Minister to be aware also that although the passing of legislation may be designed, and in many cases it is designed to deal with a particular problem at a particular time, politicians have never been known for great foresight in the promotion and passage of legislation. Almost invariably we are terribly shortsighted and that's evidenced by the situation that we're caught in right now, the effects of inflation. It's the effects of inflation that we're now trying to combat. My great fear is that in attempting to do that, as desirable as it may be to assist those who are caught and to assist those who are unable to help themselves and do require some help, we're never going to solve the problem unless we get at the root cause of that problem which is inflation itself.

The raising, for example, of minimum wages is an effort, laudable, on the part of the Minister to help those who are affected by inflation just as much as anybody else. But it would be in my opinion much better if we were able to remove the reasons for having to increase that wage, much better by far. I hope the Minister will understand that once in a while we on this side of the House recognize some of the inherent dangers that we can foresee perhaps beyond the next election. You know politics sometimes, Sir, has been described as the art of taking money from the rich and votes from the poor on the pretext of protecting one from the other. That's maybe not an inaccurate description of a politician because that's pretty much what is happening.

I simply say to the Minister that laudable as it may be to on the surface appear to be helping labour, and members on the other side of the House continuously proclaim how much they are in favour of supporting the working man. I don't think that there's any great deal of difference between the attitudes of members on that side and this side - maybe a difference in technique as far as that particular aspect is concerned.

But one can only look, Sir, at Great Britain, at a government that was as pro labour as any government that I have ever witnessed and the mess that has been created there, much of it in well intentioned legislation designed to assist labour and to help labour. I say to the Minister that laudable as his efforts may be in attempting to implement legislation that is designed to assist and help a particular situation, some consideration once in a while should be given to the long term effects. Parallel with those efforts to remove problems that currently exist must be the long term objective of trying to control inflation. Governments have tools at their disposal with which they can do that, tools that are never being used. So I say that what is done today in order to relieve the particular situation that we are confronted with now will be done again tomorrow and the next day in order to overcome problems created by what we are doing today. I'm sure the Minister is aware of that. I simply rise to draw this to his attention and to the attention of this Chamber.

Unless we make an all out effort - and I don't suggest for one single minute that wage and price controls are the answer to that problem - of attempting to stop inflation and regardless of what we may be doing today, to help those who are caught with it, we're creating a situation that is more dangerous for tomorrow, which will require greater controls, greater loss of freedom on the part of the individual in the future. I hope that that situation is taken into consideration when the Minister brings in legislation to this Chamber for consideration by this House. I hope that he'll refrain from suggesting that we are anti this or anti that simply because sometimes some of us can see beyond the immediate results of the things that we're doing today and that we are concerned as well for tomorrow and for what will happen after the effects of legislation that we pass today are being felt in the future.

MR. SPEAKER: The Honourable Member for La Verendrye.

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MR. BANMAN: Thank you, Mr. Speaker. I think most of us on this side agree with the comments of the Member from Fort Garry and will be supporting the bill. I think there is no one here that would argue against any form of worker safety to make sure that people that are employed in the different aspects and the different jobs in Manitoba will be protected against any problems that could be or are hazardous against their health.

I would also like to ask the Minister to confirm that he will be meeting with the labour groups, the business community and several other people that this bill will directly involve before the implementation of the bill and I think if I understood him correctly when he spoke on the bill, he mentioned he would be doing that. There are several things on the bill that sort of raise some questions in my mind and they can possibly be discussed when this bill goes to committee. Again it was introduced only a few days ago and it makes it kind of hard to glean the information out of it that one would possibly want to get.

For example, in the bill it states that the municipal authorities who have passed a by-law which says that a person has to have a building permit before he builds, will have to submit these building permits to the board or council every week. I would suggest to the Minister that that could possibly place a burden or hardship on some of the municipalities in rural Manitoba and maybe that could be - I know there's provisions for exemptions in the bill and possibly by regulation that could be altered that there would be some areas where the municipalities wouldn't have to submit that particular order every week.

Some areas mention that a person who knows or ought to know - now I don't know exactly how you go about proving a person "ought to know". Maybe the Minister can tell me how that works. But it's kind of loose.

Another area which was mentioned by the Member from Fort Garry is the area of appeal. As the member mentioned that is one of the concerns we have over here.

Also the obtaining of records at any time by the authority. I wonder if that would disclose any medical records or something like that, that would invade any privacy that people might have as far as their own personal medical records. Again as I mentioned, I don't think there's an argument on this side to be made against any form of safety that we can provide for the people employed in the different fields of work in the province. With that I pass the bill on to committee.

. . . . continued next page

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MR. SPEAKER: The Honourable Member for Logan.

MR. JENKINS: I wonder if the honourable member would mind if I just said a few words. Thank you, Mr. Speaker. I want to assure the Honourable Member for Minnedosa that I'm not going to try and keep him here any longer than necessary. I just want to say a few words on this bill. I want to congratulate the Minister for the introduction of this bill which is replacing two other pieces of the legislation. I just want to comment on a couple of facets of it that I think are a good thing.

Particularly the effect that it has no effect on compensation and that we still maintain the no fault principle of our workmens compensation. I think that's a very good feature and one that's very laudable within this legislation. I certainly agree that we require a greater emphasis on behalf of all members of the work force and I'm talking not only of the workers but management as well, because it's to the benefit of both sides that we practice good safety and good housekeeping in our methods of work. The person who really suffers in the long run is the person that is injured and sometimes it's fortunate that the worker is only temporarily disabled but in some cases it's a permanent debilitating injury and I must say the rare case, not that prevalent in Manitoba, where it is fatal.

The fact is that we now have this new piece of legislation which sets up the Advisory Council which I think is good. Hopefully from this council I see emanating, and perhaps I'm looking to the future, that they will be devising programs and various other things that we can practise better types of safety on the job than what we've been doing in the past.

I think also the fact that we're going to see, on a voluntary basis, workers committees within places of work. I think this is a good thing. I look forward to these groups working together both management and the workers and I'm sure that any fair employer, when something is pointed out that is a definite detriment to health and safety of his workers and to the well-being of his plant or place of employment that he will take it under serious consideration. If he doesn't then these people will have the opportunity of then drawing it to the attention of the director and something will be done. I think most reasonable employers, if something is not absolutely out of this world that people are asking for in safety - but I think that what is being recommended here will in time take root and perhaps some very good housekeeping and safety factors will evolve from it.

There's one section here, Mr. Speaker, that deals with the general contractor on construction jobs, that he will be responsible for the sub contractor to ensure that good safety practices and good working conditions dealing with health and safety are maintained so that workers working for a sub contractor and what-not will not be running around in circles trying to get things changed. The general contractor, who in turn controls the sub trades, will be the person. If something isn't done in the sub trade well then the general contractor will see it is done. That's a very good feature of the bill.

There really isn't too much more that I would say on the bill, Mr. Speaker, except that I think it's new ground that we're breaking and I look forward to hearing representations of both management and labour when it goes to the Industrial Relations Committee.

I just can't help but make one comment on some of the remarks that the Honourable Member for Morris made. Really I don't know, Sir, where they were entailed with this bill. But he seems to blame all of the ills that have befallen a country that, Mr. Speaker, I have quite a great affection for, our mother country, and he seems to blame it all on the poor old British Labour Party. It would be very interesting to look from the years of 1945 to 1976. I think it was just about a 50-50 split of who was governing the country at that time.

It's very interesting to note that in 1945 when the British Labour Party did achieve a majority in the House of Commons and was elected government that our good friends and neighbours to the south immediately cut off all lend lease aid to them and that was a pretty good friend that set them on the road to what they have gone into now. Don't forget that during this period of some thirty odd years that Britain has divested itself practically of all its former Colonial Empire and these are all factors that are

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(MR. JENKINS cont'd) part and parcel of why Britain is in such a state today. But I have great faith in the common people of Britain; I'm sure that they will survive and live and fight and triumph another day. Thank you, Mr. Speaker.

MR. SPEAKER: The Honourable Member for Roblin.

MR. MCKENZIE: Mr. Speaker, I have a few comments to raise on this bill. We discussed some of the aspects of the legislation in the Minister's Estimates and he assured us that the matter was being dealt with and discussed at some length and we do have the legislation now.

First of all I think that the legislation is something that we've been looking for, discussing and talking about and we certainly support the concept and the principle of the safety and the health of workers and the people across our province. I would hope that the Minister though, in dealing with this legislation, would go rather slow in the implementation of same. I'm speaking from the small businessman type of community that I'm quite familiar with and have years of experience in, who certainly would support this concept. But the many many problems that they are facing today, the small businessmen of our province, through taxation and the shift to the large urban centres, he's got a lot of problems today that he didn't have ten, twelve, fifteen years ago. The government stay option policy which they've bragged to us from time to time in debate, I daresay is not working and the Minister is quite, I'm sure, familiar with that. It hasn't worked at least in the way that they thought it was going to work because the small communities, the small businessmen are still having a most difficult time. But nevertheless I'm sure that he supports this type of legislation.

The other one of course that I was interested in was the grain industry. People that have worked in the grain industry over the years have had meetings with me regarding the dust factor. I wonder where we're going to draw the line on that. While the industry itself and those that are employed in the industry certainly . . . but yet a farmer who goes out on a tractor or a combine it doesn't seem to matter to him how much dust he's exposed to. He knows it's part of his livelihood, he's got to get the crop off and there certainly will be people employed by him. That I hope will be spelled out.

The other one that I'm wondering about in the legislation which again is included in the workplace safety and health is the violence that takes place in our communities especially at nights. In a small country store and in the city I'm sure most grocers or those that are working in these small places at night now have a kind of a shakey type of feeling when they know after 12:00 o'clock they may be by themselves and likely before the night is over somebody is going to come in there and, if not threaten them with violence, at least try and scare the daylights out of them. Maybe that's a cycle of life that we're going to go through and we can't improve it. I suspect that we can. It also is part of the safety of the workplace, violence. Maybe in the committee we can deal with that or have some representation on that.

The other aspect of the legislation - and I'm sure the Minister will when he closes the debate - is the appeal section of the bill. In my opinion it has not got all the safeguards in there that I think should be. We are quite familiar with some of the ways in which the Minister has thought about the appeal section and other Acts in his department but I would think that we would need another safety valve other than the fact that the Labour Board will deal with the subject matter. But after that I think that they still should be allowed to appeal to the Minister or the courts. Maybe there should be another vehicle in there that we can deal with and no doubt that will come up. --(Interjection)-- He's a couple of days late.

But I hope that we move the bill along and listen to the representations that we will welcome in committee with the bill. I hope that the province will be much better off for the fact that we're dealing with this legislation now and try and make it good law.

MR. SPEAKER: The Honourable Member for Fort Rouge.

MR. LLOYD AXWORTHY (Fort Rouge): Mr. Speaker, seconded by the Member for Assiniboia, I'd like to adjourn the debate.

MOTION presented and carried.

MR. SPEAKER: The Honourable House Leader.

MR. GREEN: Yes, Mr. Speaker. Would you please deal with the second readings as they appear on the Order Paper.

MR. SPEAKER: Thank you. Bill 67. The Honourable Member for Birtle-Russell.

MR. SHERMAN: Mr. Speaker, the Honourable Member for Birtle-Russell I believe does want to speak on a bill. I'm not sure that it's this one but he does want to speak on one. Can I get him?

MR. SPEAKER: Very well, I'll wait a minute.

MR. BANMAN: I wonder if we could proceed and maybe call this one later, Mr. Speaker.

BILL NO. 70 - AN ACT TO AMEND THE MORTGAGE BROKERS
AND MORTGAGE DEALERS ACT

MR. SPEAKER: Very well. Bill 70. The Honourable Member for Pembina.

MR. GEORGE HENDERSON (Pembina): Mr. Speaker, I have been looking through Bill 70, The Mortgage Brokers and Mortgage Dealers Act and I've gone through the explanation of the Minister. I believe it's only right that any false statements should be an offence and that they should be able to be brought to task for it. I believe anybody that's in business, it's fair to do business properly but they should be honest about it. When false statements are found to be there I think they should be considered as an offence.

I think also that when you're doing business with the public's money and you have money in trust funds and that, that they should be open to inspection by people. So this is probably a good thing. Of course I myself have always been in favour of credit unions being considered on the same rating as banks and to be able to be included in the definition and treated the same way. I also believe that that's right so as far as I'm concerned I see no problems at all with this bill and I'd like to see it go to committee if others don't want to speak on it.

QUESTION put, MOTION carried.

MR. SPEAKER: Bill 72. The Member for Birtle-Russell. Is the Member for Birtle-Russell ready to proceed on Bill 67, an Act to amend The Municipal Assessment Act?

MR. HARRY E. GRAHAM (Birtle-Russell): Mr. Speaker, I was prepared to go on 72 and if necessary I could go on 67 too.

MR. SPEAKER: I'll give the honourable member the option of which one he wants to do first if he'll do both. The Honourable Member for Birtle-Russell on which bill?

MR. GRAHAM: 72, Mr. Speaker.

MR. SPEAKER: Very well.

BILL NO. 72 - AN ACT TO AMEND THE CHANGE OF NAME ACT

MR. GRAHAM: Well, Mr. Speaker, if we think it's going to be the lucky winner we can change the name. This is The Change of Name Act, Mr. Speaker. When it was introduced the Attorney-General pointed out in his remarks on Page 4450 of Hansard that there had been two or three cases in the province that have been brought to his attention where there has been some difficulty in people asking for a change of name. He has suggested that we bring in amendments to clarify that and to make it easier. I'd like to quote from his remarks. He says: "We have considered this for some length, Mr. Speaker, and we see no reason why, as long as the spouse is notified, because there could be sound reason why the spouse may wish to object to the change of name, maybe sound reason, but as long as he is notified we see no reason that consent must be obtained from the spouse."

So that change has taken place in this piece of legislation before us. But, Sir, what happens if the spouse objects? I believe, Sir, that in the past that objection was handled in a court and here we find again there is the appeal to the county court. But I refer, Sir, to a particular segment here dealing with the disposition in county courts. I would like to quote here. It says: "Where an application is made under subsection 2 the court may dismiss the application; or if it is satisfied that the change of surname would

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(MR. GRAHAM cont'd) have a serious adverse effect." That's as far as I will go, Mr. Speaker. "Where it would have a serious adverse effect on the spouse." Where there's any argument - and I suggest that the two or three cases that had been brought to the Attorney-General's attention would be ones where there would be argument and they would go to court. But here the Attorney-General has pretty well tied the hands of the court and told the court that they can only grant it if it does not have a serious adverse effect.

So, Mr. Speaker, I think that what the Attorney-General has done really, he has listened very sympathetically to those few people that have been concerned about change of name. In all probability he has given them every indication that he would bring forward changes in legislation and he has done that. But I suggest to you, Sir, that the changes in legislation won't do anything to facilitate a person who wants to change their name if there is any objection from the spouse. In fact I think it would make it harder for a person to get a change of name now if there is an objection from the other member of the marriage. So I think that what we have then, Mr. Speaker, is really a change in legislation which will not change anything significantly that is presently occurring.

That raises a second question, Mr. Speaker. Are we going to just bring forward legislation for the purpose of having it on the statute books or are we going to bring forward legislation that is going to do what the intent of the legislation is supposed to do. I would hope that when this bill goes to committee that the Attorney-General will remove some of the strings that he has attached to the decisions of the court in this respect and allow the court a freer rein in their deliberations in whether or not to grant a change of name. Those are about the only comments I have to make at this time, Mr. Speaker. When it goes to committee I hope that we can see some changes occurring at that time.

QUESTION put, MOTION carried.

BILL NO. 67 - AN ACT TO AMEND THE MUNICIPAL ASSESSMENT ACT

MR. SPEAKER: Is the Honourable Member for Birtle-Russell prepared to speak on Bill 67?

MR. GRAHAM: Mr. Speaker, I'm going to make two or three comments on Bill 67, I don't intend to cover all aspects of the bill. I'm sure there are other members in the House that have their concerns.

It's interesting, Sir, when the Attorney-General introduced the bill he was kind enough to provide us with his notes on this bill. But, Sir, I suggest that maybe those notes didn't cover all aspects of some of the changes. I'm sorry the Attorney-General is not in the House or the Minister of Municipal Affairs because I would hope that he would be able to tell me if I am wrong in the interpretation that I give to some of the sections that he has changed in The Municipal Assessment Act.

First of all I think is the change that he has put on the definition of "personal property". He has removed from the definition of personal property certain buildings that were not on a foundation. He suggests those should all be classified as "real property" today. In essence I would have to agree with him. But I suggest to you, Sir, that there are cases, and they exist in the Province of Manitoba, where people have personal property, shacks, little houses, that they move from time to time - they are portable - and they establish them on the side of a very small lake where they don't own the property but they're very comfortable there for the summer months. In the past having those types of buildings classed as personal property the municipality was able to assess against the personal property. Having taken that out of the definition of "personal property" I suggest that unless the person owns the land that he puts that building on, I don't know what difficulties the municipality will have in assessing those buildings.

I think that's maybe a technical point that might have been overlooked. It also might possibly be that the department has looked at it and said: "Well, for all we could collect in taxes, the cost of assessing would far exceed what we could recover in taxation." Maybe that is the reason why it is being done. I'm not too sure why the Minister of Municipal Affairs would want to do this.

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(MR. GRAHAM cont'd)

The other portion that I would like to deal with, and perhaps if the pageboy could bring me a copy of The Municipal Act I could point out what I feel has happened. I sincerely hope that there has been a mistake made in the changes that the Minister is proposing here. In one section here in his bill he has suggested that Section 3 of the Act is repealed and replaced by another section. Now what has been repealed has been a section which deals basically with personal property tax and exceptions.

I would like to quote, Mr. Speaker, from Section 3 of The Municipal Assessment Act, on Page 8 of Chapter M226 and 3(1) says: "All personal property is liable to taxation by a municipality subject to the following exemptions." This is a section that the Minister is repealing. The exemptions listed are: (a) All produce from land occupied as a farm or a garden, all farm stock, farm implements and machinery ordinarily used by a farmer in his occupation when used by him for the purposes of farming. They are now exempt. This is to remove them from exemption. "All grain, cereals, flour, live or dead stock and cordwood in store or warehouse in the municipality and owned or held by or in the possession of a person not being the producer thereof." I didn't complete that one. (d) Household effects and furniture, books and wearing apparel in use by a person or by his family; (e) public libraries; (f) ships and steamboats; (g) all minerals including oil, gas, salt, etc.; (h) the pipeline of a pipeline company; (i) railway roadway and superstructure." Now these are the exemptions that the Minister has removed.

I think it is very significant that these exemptions from personal property tax are being removed. In return he is replacing it with an amendment, assessment and taxation of personal property, which states: "Except as provided in this Act and except as specifically provided in a by-law of a municipality providing for a business assessment, no personal property is liable to assessment for taxation by a municipality."--(Interjection)-- No, he hasn't. --(Interjection)-- He has said no personal property except where a by-law has been passed. The municipality can then put in the tax. They can then tax what had been exempt before.

Mr. Chairman, the Minister of Mines says, "Do you think they will do that?" I say to the Minister of Mines that in any rural municipality which is 90 percent farming, there isn't a worry in the world. They wouldn't dare put it in. But I'm going to say to the Minister of Mines that in the City of Winnipeg which does have some farmland in the surrounding areas and which has in the past been given special provisions, by extending --(Interjection)-- All right, then, the City of Brandon. --(Interjection)-- The Town of Neepawa. I don't care. I'm talking about any municipal corporation which has the majority of its assessment which does not in any way be affected by a tax on farm implements. It could cause serious trouble. I can see in certain instances where maybe a town council or a city council or whatever it is - and I just want to come back to the City of Brandon again for the benefit of the Minister of Mines and Natural Resources - the City of Brandon is covered by The Municipal Assessment Act.

I can see this instrument being used as a means of a municipal corporation acquiring land through taxation. I sincerely hope that the Minister has not overlooked this. According to my interpretation - and I sincerely hope I'm wrong, I hope that the intent which I believe he has put in this Act is not correct - he has removed from exemption various items of personal property and has put them into a class where they will all be exempt except where a municipality passes a by-law. If that is the intent then my fears are justified, then my fears, Sir, are justified for business assessment purposes only.

But it does provide the municipality - and I'm not imputing motives when I use a name of any one municipal corporation, I'm just using an example. Say for the City of Brandon which has agricultural land outside its developed area and they require that agricultural land for development purposes, by using this type of taxation they can force that farmer into a position where he is no longer economically viable to maintain his farming operation. They can tax his grain; they can tax his machinery; they can even tax his household goods under a business assessment if they have that by-law. Now if the Minister says I am wrong let him show me in committee where I am wrong. That

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(MR. GRAHAM cont'd) is the interpretation I have got from other sources, well respected legal advice that I have received in the city.

I'm fairly certain that that was not the intention that the Minister had when he brought these amendments in but I'm pointing out to him what could possibly happen. I suggest that if that loophole is there the Minister had better change it when we get to committee because I don't think he intended that to occur. But I suggest that if it's left this way it is entirely possible for a large municipal corporation which is predominantly urban, which has under its jurisdiction some agricultural land, by the implementation of a by-law can effectively freeze that farmer out and they can gain control of that land in that manner. I don't think that's right. I don't think that was the intent that the Minister ever had when he introduced this legislation. I would ask the Minister to consider this very carefully and when we get to committee if this could be possible then I suggest that he make some amendments when we get to committee.

Another point that I want to talk about, Mr. Speaker, deals with the Court of Revision. Under the municipal assessment practices in the Province of Manitoba there are many land owners or property owners who are unsatisfied with a new assessment and they may have very many and varied reasons. The Minister has changed the section in The Assessment Act dealing with revision and has given the Court of Revision the opportunity to handle an individual case. I suggest to you, Sir, that in the past, under the present Act, that the Court of Revision also can look at the total assessment of the municipal corporation and ask for a new assessment. Where the Court of Revision is unsatisfied with the total assessment of the municipality they could ask for a new assessment. That authority is taken away from them now under the changes that the Minister has proposed.

The Court of Revision can no longer ask for a complete re-assessment of the municipal body. So he has stripped the Court of Revision of some of its powers. I don't know if that was inadvertent or whether it was intentional. But I ask him when we get to committee, on that particular aspect, if he would take a look at that and see if that was his real intention, if he really intended to remove some of the powers of the Court of Revision.

Mr. Speaker, I've only dealt with two aspects of the bill. There are sections in there that I know concern particular members on this side of the House dealing specifically with nursery stock and the like. I will content myself with just making mention of those two particular points and leave it up to some other members of the Chamber to deal with other aspects of the bill.

MR. SPEAKER: The Honourable Member for Pembina.

MR. HENDERSON: Mr. Speaker, I didn't see the big army that the Member from Birtle-Russell saw. I saw the bill as being quite different. However he may have points that I don't realize.

I do see the good parts of the bill and that is the people that are raising nursery stock, and there are several of them in this province. They're really doing a very big service to the community because the kind of work that takes a lot of manual labour to it and it employs quite a bit of help and they're selling out plants and trees and shrubs to different people and they're helping the people to beautify their homes, make them better places to be. I think they're doing a good job and if we didn't have this bill going through as it is now these people would be taxed on all their buildings that are used in connection with raising nursery stock which would be an added expense to them and make it harder for them to make a living. As we often say, they'd have to pass it through or else they'd have a hard time to make their business pay. We know that there are some of them right now that have a hard enough time making the business pay because they've so much labour involved in it.

So I myself am personally very happy to see this bill before the House. I hope that it's supported by you people. In fact, as the Minister said, these nurseries were never taxed before for I think it was a period of 27 years. But somebody somewhere challenged the way it was written up and so now to clarify it it has to be done by amending the bill. The part that I'm concerned about this bill is just making it clear that we

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(MR. HENDERSON cont'd) can carry on the way we did in the past 27 years and not be taxing these people that are raising nursery stock. I think that part of it is very good.

Now I know that the Minister said something about classifying different types of buildings in municipalities like churches and we'll say non-profit organizations and that, and put them all in the same class so they'd be treated equally. I think that part of it is very good too because there is no reason why one church or one lodge should get a different tax break to another. So I think this is only fair.

My only criticism of the bill is, where I see here about valuation every five years. I think that part is very good and it reads very good but I just hope that they do it. Because if it's like your municipal assessing that you're supposed to be doing every I think it's five years and it gets as late as every 12 and 13 and I think up to 16 or 17 years, is just no good. I hope that it isn't down in here and that it won't be heeded. As far as that goes, everything else in the bill I'm in full agreement with and I'm in agreement with that part and just hope that it will be done.

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

HON. HOWARD PAWLEY (Attorney-General) (Selkirk): Mr. Speaker, I don't intend to speak at any length in closing debate because I think most of the points raised can better be dealt with at the Committee level, except to say to the Honourable Member for Birtle-Russell I think that his fears are unwarranted and unfounded. I am somewhat curious therefore, Mr. Speaker, as to the names and addresses of legal counsel that the Honourable Member for Birtle-Russell referred to as having given him the legal advice that he had received in connection with the provisions of this bill. Possibly I ought to be aware of the names and addresses of the lawyers that did provide that type of advice to the Honourable Member for Birtle-Russell because I would be somewhat concerned if the Honourable Member for Birtle-Russell depended too much upon that type of legal advice in the future.

In respect to The Municipal Assessment Act, the words are "except as provided in this Act and except as specifically provided in a by-law of the municipality providing for a business assessment no personal property is liable to assessment for taxation by a municipality." So the only exception to that would be that reference in a by-law of a municipality providing for a business tax. Now "business tax" within the definition section of The Municipal Act refers to a business tax as defined under Part 5, including in Part 5 dealing with business tax refers to actual businesses not inclusive of the items which earlier were excluded from personal property taxation, items (a) through to (i). I don't want to trespass on matters that ought to be dealt with in Committee. But they do not include those items but deal with business assessment as under Part 5 of The Municipal Assessment Act. So, Mr. Speaker, there is no substantive change proposed here insofar as The Municipal Assessment Act is concerned. I do hope that the Honourable Member for Birtle-Russell therefore does not lose too much sleep this evening because with the concerns expressed on his part I could see where he might indeed develop a severe headache and a bad state of sleeplessness which might prevent him from having a restful evening after what probably will be a heavy night here dealing with legislation. So I'm somewhat concerned that the Honourable Member for Birtle-Russell might be in such a state of nervous exhaustion from his deep felt concern on this section that it might interfere.

The other items, Mr. Speaker, I think we can better deal with at Committee. I appreciate the remarks of the Honourable Member for Pembina and I'm glad that the amendments have dealt with some of his concerns.

QUESTION put, MOTION carried.

MR. SPEAKER: Bill No. 76. The Honourable Member for Gladstone.

MR. JAMES R. FERGUSON (Gladstone): Yes, Mr. Speaker. I adjourned this bill for the Honourable Member for Rhineland.

COMMITTEE SUBSTITUTION

MR. FERGUSON: While I'm on my feet, Mr. Speaker, if I may by leave of the House, I have a substitution for Municipal Affairs. The Honourable Member for Pembina for the Member for Charleswood.

MR. SPEAKER: Is that notice agreed to? (Agreed)
The Honourable Member for Rhineland.

BILL NO. 76 - AN ACT TO AMEND THE HEALTH SERVICES ACT

MR. ARNOLD BROWN (Rhineland): Thank you, Mr. Speaker. Bill 76 repeals a lot of legislation that was necessary before the government accepted most of the cost of hospital construction. Money by-laws in municipalities for hospital construction now are no longer necessary and the bill eliminates some of the statutes which now are redundant. So we have no objection to refer this bill to Committee.

QUESTION put, MOTION carried.

MR. SPEAKER: Bill No. 79. The Honourable Member for Fort Garry is not present.

Bill No. 87. The Honourable Leader of the Opposition wish to take that now?
(Stand)

Well the only other one is Bill No. 90, also in the Honourable . . .

MR. GREEN: Mr. Speaker, I would want to move, seconded by the Honourable the Attorney-General . . .

MR. SPEAKER: Does the Honourable Member for River Heights have a procedural point?

QUESTION OF PRIVILEGE

MR. SIDNEY SPIVAK, Q.C. (River Heights): Yes. I wonder if I could rise at this time on a question of privilege. I was absent during the question period when the Honourable Minister of Tourism, Recreation and Cultural Affairs made reference to services that were rendered by the Parks Branch with respect to cankerworms. I have had an opportunity now to review what was said and I think it's imperative for me to stand up and indicate directly that the statement of the Minister is correct. I requested some service from the Parks Department as I believe every lessee of the park can, and to the extent that the service was offered - what was offered was eight ounces of malathion which was sprayed on the property leased by myself through people employed by me. I enquired as to what procedures were to be followed with respect to the park in terms of the use of the equipment but at no time did I request that there be use of Parks equipment for the spraying of my premise.

MR. SPEAKER: The Honourable House Leader.

MR. GREEN: Mr. Speaker, I would intend that we go into Law Amendments Committee. I was going to say that I should ask for the division bells to be rung but it really doesn't appear necessary. There's a great number of members in the House and perhaps other members of the Committee could be informed by their respective caucuses that we are going into Law Amendments Committee.

I would move, seconded by the Attorney-General, that the House be now adjourned.
MOTION presented and carried.

MR. SPEAKER: The House is adjourned and stands adjourned until 8 p.m. this evening.