

THE LEGISLATIVE ASSEMBLY OF MANITOBA
10 a.m., Thursday, June 10, 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 18 students, Grade 6 standing, of the West Lynn Heights School. These students are under the direction of Mrs. Baker. This school is from the constituency of the Honourable Member for Churchill. On behalf of all the honourable members I welcome you here this morning.

Presenting Petitions; Reading and Receiving Petitions; Presenting Reports by Standing and Special Committees; Ministerial Statements and Tabling of Reports; Notices of Motion; Introduction of Bills; Questions. The Honourable Leader of the Opposition.

ORAL QUESTIONS

MR. DONALD W. CRAIK (Leader of the Official Opposition)(Riel): Mr. Speaker, I had a question to direct to the Attorney-General, perhaps the First Minister can indicate whether the government has given some formal notice to the City of Winnipeg indicating that they would oppose any move to allow legalized gambling in the Convention Centre. I wonder if the First Minister can indicate whether this is in a formal communication or a matter of opinion by the Attorney-General.

MR. SPEAKER: The Honourable First Minister.

HON. EDWARD SCHREYER (Premier) (Rossmere): Mr. Speaker, that is a question which I would take as notice but inasmuch as my colleague the Attorney-General is now here, I think it would be appropriate for him to answer directly.

MR. SPEAKER: The Honourable Leader of the Opposition.

MR. CRAIK: Mr. Speaker, maybe I can repeat the question. The question to the Attorney-General was whether some formal communication has been made through the City of Winnipeg indicating the government's unwillingness or opposition to the introduction of legalized gambling to the Winnipeg Convention Centre.

MR. SPEAKER: The Honourable Attorney-General.

HON. HOWARD PAWLEY (Attorney-General) (Selkirk): Mr. Speaker, I will have to obtain the letter of response on my part some two, three months ago to His Worship, so if I could take the question as notice until I check on the wording of the response.

I want to, however, on a matter of personal privilege just indicate that the report last evening on the late evening news, CBC TV, was quite incorrect. It reported me as having indicated that I would not oppose the city's introduction into gambling, and of course the very reverse was the indication that I had given to the interviewer from CBC.

MR. SPEAKER: The Honourable Leader of the Opposition.

MR. CRAIK: Mr. Speaker, since the fourth estate can't answer on their own behalf I would point out that it was corrected towards the end of the broadcast.

HANSARD ISSUE #140 REPRINTED

MR. SPEAKER: Before we proceed, this is information I'd like to indicate to the honourable members, that Hansard issue No. 140 has been reprinted because two pages were missing from the original which was distributed on Monday. This will be distributed to members this morning. Would they take note and replace their copy.

Any other questions? The Honourable Member for Portage la Prairie.

ORAL QUESTIONS (Cont'd)

MR. GORDON E. JOHNSTON (Portage la Prairie): Mr. Speaker, I direct my question to the Honourable the Minister of Agriculture. In view of the serious financial

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(MR. G. JOHNSTON cont'd)difficulties that Jack Simplot of Idaho, the so-called potato king of the United States, is encountering at the present time because of this short trading on the futures market, has his department checked to see if there will be any problem with contracts that Manitoba farmers have with Simplot (Manitoba)?

MR. SPEAKER: The Honourable Minister of Agriculture.

HON. SAMUEL USKIW (Minister of Agriculture) (Lac du Bonnet): Mr. Speaker, I have not been aware of the financial difficulties that Mr. Simplot finds himself in. Another surprise, because I recall a speech of his at one time in which he said he always liked to play with other people's money.

ORDERS OF THE DAY - GOVERNMENT BILLS - SECOND READING
BILL 80 - AN ACT TO AMEND THE MUNICIPAL ACT (3)

MR. SPEAKER: Orders of the Day. The Honourable Minister of Agriculture.

MR. USKIW: Would you call Bill No. 80, Mr. Speaker, and all the Municipal Affairs' bills thereafter.

MR. SPEAKER: Bill No. 80, proposed by the Honourable Municipal Affairs Minister. The Honourable Member for Birtle-Russell.

MR. HARRY E. GRAHAM (Birtle-Russell): Mr. Speaker, I adjourned this bill for the Member for Arthur.

MR. SPEAKER: The Honourable Member for Arthur.

MR. J. DOUGLAS WATT (Arthur): Mr. Speaker, in examining this bill, unfortunately we have nothing to quarrel really with the Minister of Municipal Affairs who is not here in his seat today, and in principle we have looked at it in our caucus and we have agreed in principle with the bill. The bill actually, in effect, takes changes in boundaries and redistribution of boundaries out of the Legislative Assembly and not necessarily, as I read the bill, puts it into the hands of the Municipal Board, but does involve the Municipal Board - where the municipal may intervene or come into the picture as a third party, I believe I'm correct in this, and that arrangements may be made then between municipalities where boundaries are being changed or where there are parts of municipalities being changed into other municipalities, whether urban or rural. If I'm correct on this, I believe this is right.

There are a few things. . . we agree in principle with this. Rather than bring these disputes that have come from time to time into the Legislative Assembly, it keeps them out of the House. But I believe that as I read the bill, that in the case where the Municipal Board and the municipal councils involved do not come to agreement that the Minister may intervene, and this is one thing that we would like to raise at the committee stage for further clarification from the Minister. There is some question, Mr. Speaker, in regard to the right of a councillor to do work for another councillor, or to negotiate with another councillor in terms of . . . well I give you an example where a reeve of a municipality happens to be the only blacksmith in the whole area involving several municipalities, where he may have the right to do work for another municipality, or one councillor may do work for another, up to a point of \$100. We wonder how the Minister has arrived at the figure of \$100. There are a few things through the bill that we would like some further explanation on. But in principle and rather than hold up the House, which I believe the First Minister intends to prorogue this afternoon and call an election, as I gather from the news release last night, that it would not be our intention to hold the House up, because we're really looking forward to an election at this time. I don't intend to speak further on this bill, in principle, it is acceptable by this side of the House. There are a few things we would like to question the Minister on when it comes to the committee stage, but by and large we agree with this Bill 80.

QUESTION put, MOTION carried.

MR. SPEAKER: The Honourable Minister of Agriculture.

MR. USKIW: Bill 91 and then 94, Mr. Speaker.

BILL 91 - AN ACT TO AMEND THE QUEEN'S BENCH ACT AND
THE PETTY TRESPASSES ACT

MR. SPEAKER: The proposed motion of the Honourable Attorney-General. The Honourable Member for Birtle-Russell, Bill 91.

MR. GRAHAM: Mr. Speaker, Bill 91, you can't call it an omnibus bill but it is a bill that covers more than one Act, and it is somewhat reminiscent, Sir, of a bill that was brought in in 1972 by the then Attorney-General, the Honourable Mr. Mackling at that time. That was the amendments to the Queen's Bench Act that was brought about at that time I believe by an action that the Minister of Mines had fought right to the Supreme Court and had lost, and we had the amendments to the Queen's Bench Act coming forward at that time. This one here is somewhat similar in that the case, I believe, involving Dominion Stores was also taken to the Supreme Court and was lost, so we find that we are getting another amendment to the Queen's Bench Act. The other one was 60.3, this one is 60.24, so as long as too many cases don't go to the Supreme Court there's still quite a few point numbers on 60 left in the Queen's Bench Act.

I think we have to commend the Attorney-General on this one though, because he has at least made an attempt to confine it to legal strikes when he says that anyone participating in a strike that is not prohibited by law; and I commend him for bringing that particular section in, that we are dealing only with affairs that are perfectly legal and everybody in this province wants to be legal and so on, I like that aspect of the bill.

But there's some other things that do concern me about this, Mr. Speaker. When we're dealing with changes of this nature, what we are concerned about here is the process of distributing material, whether it be by oral means or printed or any other means we are making every effort in this respect to protect the rights of the workman who is on strike, and that's good. But I think we also have a responsibility to ensure that the individuals in society have their rights protected, and in that respect that's why I say I'm glad to see it concerns only a strike that is not prohibited by law.

So, Mr. Speaker, I know that this does cover a very wide area, it's including any walk, driveway, road, square or parking area that belongs to individuals or groups of individuals, and if those areas were owned only by the person or the firm that is involved in the strike, then I would have no problem at all with this. But where you find common ground, for instance in the Richardson Building, a very limited space there, and we know that Air Canada does have some offices in that building, and strikers are perfectly legal under this, would be authorized to effectively tie up the whole area if they were in a strike against that. But how about all the other companies that use that same premise who have nothing to do with Richardsons, nothing to do with that strike whatsoever and they're all using a common building, is it the concern of government to allow a union dispute between - and I just used Air Canada and the Richardson Building as an example - between two parties to effectively curtail the activities of literally hundreds of other parties who have no connection whatsoever with that business? They cannot be even remotely associated with it as far as a secondary boycott is concerned, the only thing they have in common is a common location, and I wonder if the Minister has really considered that aspect when he made these proposals.

This came about because of a case that went to the courts involving Dominion Stores, but I believe in that particular case, and I'm not too sure, that the parking lot and the pavements, the driveway and that only involved Dominion Store, but if you're in a shopping mall where there are 50 different businesses and a strike is against one of them, are you going to tie up all 50? Is that what you really want to do? So I just wonder if you have really considered that aspect of it when you drafted this type of legislation.

I had spoken to the Attorney-General earlier about this bill, I hadn't fully expressed my concerns, but I ask him again now to consider the suggestions I made to him privately. If you are going to seriously affect the economy of this province by providing for an activity which you didn't really contemplate the entire results, would it not be better to consider a revision and a rewording in this particular bill?

I can't say that I have any serious quarrel with the intent, because I think I know the intent that the Minister has here. I believe his intent is to try and prevent any little

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(MR. GRAHAM cont'd) thing like a technicality, because it's a public thoroughfare, it is not the premises of the business. He wants to clarify those things by action, so that a legal strike can take place, so that the workers can picket legally and distribute their information orally, verbally, and in here it says "by any other means" - I don't know if I would want to have it even that broad. I think if you're distributing information orally or written, what other way do you want to do it? Do you want to attach it to an arrow and shoot it at a guy? I don't think that other part has to be in there.

But my number one concern, Mr. Speaker, has to be the fact that there is a real live danger if this bill goes through in its present form that many innocent businesses and many innocent workers who are working in an atmosphere of harmony will be affected adversely because of the fact that in so many cases, particularly in the urban areas, we have multiplicity of businesses being carried on in a common premise using a common parking ground, a common roadway, sidewalks, you name it. So that there is a real live danger that innocent people will be seriously hurt by the passage of this bill at this particular time.

So those are the comments that I would like to make. I don't know if there is anybody else that would like to speak on it, but I invite the Minister of Labour to give me the benefit of his reasoning in wanting to make this all-encompassing. I hope that he has given full consideration to what he is attempting to do when he brings this type of legislation forward.

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

MR. GEORGE MINAKER (St. James): Mr. Speaker, I would like to make just a few comments with regards to what the Honourable Member for Birtle-Russell was commenting on. I hope, Mr. Speaker, that the Honourable Attorney-General will make sure that it's very clear that there's no ambiguity in the law when it relates to the participation of striking or picketing on public thoroughfares. And why I raise this question to the Honourable Attorney-General is that we are dealing with a law where the enforcement agencies, the police will be called out to call for the enforcement of the law, and I think it's very important that there not be any ambiguity where the rights of the strikers lie with regard to picketing on a public thoroughfare.

And why I raise the particular matter, Mr. Speaker, is that the way the wording of the Act is put forward - and I know we're not supposed to talk about detailed sections, so I won't - but I can draw out an example where it is my understanding that what is being put forward is that any premise or any business or undertaking that would normally be related to this particular business can be picketed. And I can set an example which I am very concerned about, Mr. Speaker, what if CUPE was to strike the City of Winnipeg, and the Public Works Department of the City of Winnipeg maintains the roads, it maintains the sewers, it maintains the public thoroughfare, then one has to analyze what does the word "undertaking" mean. The very fact that the employees of the city in their role in operation are servicing the roads, are maintaining these particular facilities, will that then give them the right that they go on strike against the City of Winnipeg; or for that matter any municipality that has a union or association, that they should strike? Does that give them the right to picket Portage and Main? I think this is very important, Mr. Speaker, that the Attorney-General makes it very clear in the law, that if you're dealing with public employees such as CUPE, with the City of Winnipeg, that because of the very fact that the City of Winnipeg undertakes to maintain the public thoroughfares, and the sewers and the streets, does not necessarily give that association or union the right to picket on any thoroughfare in Winnipeg. Because it is my understanding, I'm not a lawyer, but in reading the proposed amendments before us, that if one interprets "undertaking" to be looking after and operating and maintaining, then I would think it would give the union complete authority to picket anywhere in Winnipeg, on Portage and Main if they chose, and could say well, that's part of our undertaking in the City of Winnipeg, is to maintain that, that's part of our responsibility.

So I think it's very important, Mr. Speaker, that this amendment and this law is very clear in defining the limitations of where this particular means of showing and representing the strike is defined, because our law enforcement agencies will be confronted

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(MR. MINAKER cont'd) I am sure from time to time with complaints from businesses like the Honourable Member for Birtle-Russell has indicated, where you might have 50 businesses, and one is on strike - that it's very clear just where the law begins and where it ends. At the present time it is my belief there is ambiguity here, and particularly I would think in the case of where a municipality or city had a strike on its hands with its own employees, that if "undertaking" is interpreted in a way that I have put it forth, that I would think it would be legal for the strikers to strike and picket at Portage and Main in the City of Winnipeg. So I hope the Attorney-General makes sure that this is very clear with regards to municipal strikes that might come forward.

MR. SPEAKER: The Honourable Minister of Labour.

HON. RUSSELL PAULLEY (Minister of Labour) (Transcona): Mr. Speaker, there seems to be quite a misconception of the present legislation dealing with the dissemination of informational information and what is commonly called strikes. This bill does not, as I read it, refer specifically to strikes as such. The Honourable Member for St. James has been talking about the possibility of what would likely happen if in event of a strike by CUPE or anyone else in the City of Winnipeg that signs suddenly popped up all over the city and on the streets of the City of Winnipeg as a result of an industrial conflict between the city and its union representatives, and referred to, if I understood him correctly, this being harmful because it is not confined to the individual venture concerned.

At the present time under the laws of Manitoba, and I believe under the laws of Canada in every province, there's no prohibition, Mr. Speaker, for you, Sir, or any member of this Assembly, or the public getting hold of a stick of wood, a piece of paper or cardboard, and walking up and down any street in the community and say, "I don't like Pepsi Cola", as long as it is done in a lawful manner without interference to the general public. Now that is why we have in the last two or three years clarified the position in respect of picketing and placed the authority under the Court of Queen's Bench Act. There was suggestions that because normally, and I say "normally" advisedly, what we call picketing refers to an industrial dispute, that mention of that should be contained within the Labour Relations Act. But, Mr. Speaker, if you go from one end of the cover to the other, I do not believe that you will find any reference to picketing. Oh yes, plenty of references to strikes, but you won't find reference to picketing, because picketing is permitted under common law. The only reason for reference to it - and the Attorney-General can correct me if I am wrong - in legislation, is not because of the word "picketing", but picketing or any other action that is an affront to an individual and in violation to the common law; that is the connection with the word picketing and the Queen's Bench Act and, as I say though, invariably refers to labour-industrial disputes.

My honourable friend from Birtle used the terminology "legal strikes". Actually there's no such thing in law as an illegal strike. Under the Labour Relations Act there are certain conditions under which a trade union or a group of workers can withdraw their services to their employers. It's got to be a habit, and I suggest, Mr. Speaker, basically only a habit, that in order to more impress the public of their position, signs or placards are used which contain the words "legal strike" so that in the minds of the public there isn't the confusion that exists when a group of workers all of a sudden decide to walk away from the place where they are working. So it's sort of a gimmick, let me put it that way.

Now then, why are we in this House being asked to make an amendment to the Petty Trespasses Act in respect of the carrying of placards, or what is commonly called picketing? As I say, there's nothing in the world under any law of Manitoba to prevent the Honourable Member for Birtle from walking around just outside the periphery of this building with a sign saying "Down with the NDP", down with this and down with the other, providing he does it peacefully and is not being abusive or abrasive to anyone who is likewise walking down that street. But what happened in the Dominion Store case at Polo Park was because of the fact that there was a strike going on between a union and a company, and some of the members - we presume that they were members - of the union carried their signs inside of the public thoroughfare in order to demonstrate the fact that they were on strike against this particular firm. The local police felt that it was an

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(MR. PAULLEY cont'd) obligation of theirs to arrest the individuals who were walking on the inside of the line and not staying on the line, and they were arrested. The case was taken to the court in our province and it was deemed that because it was being done in an orderly fashion that there was no real basic violation of the principle of peaceful dissemination of information. But the company took a different attitude and appealed to the Supreme Court of Canada against the decision of our court. The case was heard by the Supreme Court and Mr. Brian Dickson, a former Justice of our court here in Manitoba, in his decision for the court said basically, "No violence is taking place, but because the Petty Trespasses Act of Manitoba has a peculiarity within that Act, unlike one prevailing in other Acts, I find on behalf of the Supreme Court that their decision was wrong." The net result of course, is the fact that we now have this amending legislation before us. At no time that I am aware of was there violence because of any encounter between a purchaser at the store or a union member, or somebody who was not a union member carrying a card: "Dominion Stores" - or whatever it was - "is unfair to the labour movement." At no time to my knowledge were there any charges what you might term charges of violence.

Mr. Speaker, because of the deep concern over this matter consultations took place between the Honourable the Attorney-General and myself and a few others to see how we could overcome this unintentional - that we felt - technical or legal violation of the Act. Mr. Justice Brian Dickson said, "We can't do anything about it because of the Petty Trespasses Act. If that Act is changed, then certainly our decision could not have been the decision that we made." In other words, I suggest that he was really telling us to change that Act.

Now if honourable members, Mr. Speaker, will take a very close look at the Act being proposed at the present time . . .

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

MR. GRAHAM: Will the Minister submit to a question at this time? Could the Minister provide me with a copy of the summation of Justice Dickson on this particular case?

MR. SPEAKER: The Honourable Minister of Labour.

MR. PAULLEY: Yes, Mr. Speaker, I have it in my office. I'll try and find it and give it to my honourable friend.

But what I was going to say, Mr. Speaker, is that if one takes a very close look at Bill 91 under discussion, the situation mentioned by, I believe the Member for Birtle in reference to Air Canada and the Richardson Building --(Interjection)-- Yes. I just want to use your indication, I want to rebut that by suggesting a close look at Bill 91. Because, Mr. Speaker, as I read Bill 91, the continuous reference is to "outside the building." Our intention - and when I say "ours" I'm including myself as a Minister of Labour along with my colleagues, our intention is only to overcome the situation that did prevail and lead to the legal decision of the Supreme Court of Canada. I want to assure my honourable friend that it is not our intention through this legislation to give permission to any group, be they union or otherwise, to go into Eatons because they sell a myriad of products, many of who may be in a strike situation at the plant, with placards saying they're all unfair to labour.

In conclusion, Mr. Speaker, I again say that there's nothing in the world to prevent the 56 members of this Assembly, each of us taking a placard, walking down the local streets, providing it is done in an ordinary fashion, saying we're agin this, we're agin that. As long as the common law is not violated, that's the reason for reference to picketing being in the Court of Queen's Bench, and this, because it deals with walking on property, is an endeavour to give to even a person who walks on the shopping centre at Polo Park with a placard saying "I love Planters Peanuts".

A MEMBER: We want Russ Paulley.

MR. PAULLEY: . . . or "We want Russ Paulley". And I would imagine there would be a number that would do that anyway. But apart from all of that, there is no difference, and that is the purpose of this since, as I understand it, the Supreme Court decision has been a curtailment to some degree at least of the picketing activity. And so

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(MR. PAULLEY cont'd) I say, Mr. Speaker, to you and to the members of the House, this is the objective of 91. We can see, and I can appreciate how honourable members may read into Bill 91 a different connotation, but it goes back, as the Honourable Member for Birtle is aware, to the incident that occurred, and because of the wording of the Petty Trespasses Act as referred to in the decision of the Supreme Court legislation, it was felt that we should change in Manitoba.

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

MR. PAWLEY: Mr. Speaker, I think that it's important that I say a few words in closing debate.

I want to first indicate to honourable members that there is an intention to make specific amendments in Committee, those amendments to the bill dealing with the clauses (a) and (b) under Section 5 of the bill. And I believe I'd indicated that in introducing the bill, that I'm concerned about the fact that we are singling out one particular endeavour, when I think that the question is much larger, it's a question of simply communicating information of true facts to the public at large. It's not a question involving picketing alone, but a question of communicating true facts to members of the public at large, and I think that the amendments to this bill should in fact be consistent with the clauses that were inserted some years ago in the Queen's Bench Act by my predecessor, the Attorney-General of the day in 1972, when in fact provisions were inserted to permit the communication of true facts in a lawful way to the public at large. Mr. Speaker, I think that this is an important principle, and I don't want to extend into debate this morning on this issue, but certainly in looking about us through the world today, there have been so many interventions insofar as the right individuals to communicate their views to the public, and there ought to be no prevention of communication of views and opinions to the public at large as long as that communication is done in such a way that it does not break any municipal, provincial or federal laws, that . . . freedom should be provided for that purpose, and that, Mr. Speaker, is the philosophy intent of this legislation.

Specifically dealing with the comments by the Honourable Member for Birtle-Russell dealing with the question of whether or not the Richardson Building, for instance, other companies could find as a result of the picketing interference with their rights with reference to the picketing taking place inside, I must say that this is an area that we were very very concerned about. --(Interjection)-- I am sorry. If that isn't the case, then I misunderstood the Honourable Member for Birtle-Russell. Because the wording of the bill throughout makes it very clear that the picketing must occur in a public thoroughfare, in an area that has access to the public outside of the site itself and in a public thoroughfare, in a walk or a driveway or a roadway in which the public is invited to come to and walk over, and we have attempted by that means to ensure therefore that there be not any possibility of improper interference with various rights.

I think the other comments that have been made can be best dealt with at the committee level in connection with Bill 91.

QUESTION put, MOTION carried.

BILL 94 - AN ACT TO AMEND THE QUEEN'S BENCH ACT (2)

MR. SPEAKER: Bill 94. The Honourable Member for Assiniboia.

MR. STEVE PATRICK (Assiniboia): Thank you, Mr. Speaker, I will be brief, I wish to make a few comments on Bill 94, an Act to amend The Queen's Bench Act. Mr. Speaker, this area we have talked about and debated in this House on quite a few occasions with the present Attorney-General with respect to the family court system. And the way I understand it at the present time, in the present situation, you have to have four actions concerning a family, perhaps maybe more actions. You have to have one action for the custody of children in one court; you have to again have another action say for divorce proceedings in another court; you have to have again another action as far as the sale of real estate is concerned; then again you have to have another action as far as furniture of that family is concerned. So this is quite an involved procedure, in my

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(MR. PATRICK cont'd) opinion it's very costly, and the result is that it takes very long to resolve the family problem in this situation.

What was happening, I think that the docket was loaded in our family courts under the Wives and Children's Maintenance Act, and the Family Court I know was supposed to deal swiftly to resolve the matter very quickly, but it didn't. The result was that I don't think relief was found for the family, for the wives in many cases, and I felt and many people felt, and all the reports that have been done in this province indicated that many families had to live under very strained circumstances; the wives had to live with husbands, quite often getting abused, because the system was slow. Now if one had money, he could have gone to The Queen's Bench Court and perhaps get quicker justice, but if you didn't have money, you didn't have the justice. In my opinion I think that the Family Court is supposed to deal with family cases cheaply, quickly, and the result was it was not quick, it was not reasonable at all, in fact it was very costly. As I indicated, you have to go through four actions, one for the custody and one for divorce proceedings, another for the disposition of real estate, and then the disposition of furniture which had to be different from that of real estate.

So I believe that the Minister is doing some experimentation, and I think it's perhaps in the right direction, but I know that the Minister will have some difficulty because it is changing the procedures, it will be perhaps to some extent have to be on an experimental basis, that's what it will be. So I think it will take a lot of work perhaps, because it is an experimental program, that the kind of effort it will require will be quite considerable to make the system work.

I know that this was recommended, Mr. Speaker, by the Law Reform Committee here provincially and also recommended by the Federal Law Reform Committee. I believe there are only two places in Canada that we have this on an experimental basis, in Manitoba, and I believe one is going on in the Province of British Columbia with somewhat of a different procedure but something of the same nature.

I indicated, Mr. Speaker, to the Attorney-General when his Estimates were before the House on a couple of occasions about the delays in the Family Court, and I believe the Minister indicated to me that it takes anywhere from six to eight weeks - I found out later that six to eight weeks was the minimum; that was minimum, that wasn't maximum, and I just wonder what the maximum used to be. I believe that in some cases it must be considerable, so that in itself, I think we had to experiment with something and try for some changes and some procedures, and it may not be perfect. I would like the Minister to indicate, when he gives us the minimum time required, what is the average perhaps time and how long did it take in our courts, because this has been a real problem.

I know in B.C. they have what they call a children's advocate that can deal with the matter of custody for children and they can come in at any time. I'm not so sure that we can agree to that type of a procedure in this province, that an advocate come in at any time, I believe this is something different.

Again, the other point is that I don't think that there was satisfaction amongst many people of the kind of counselling services we have at the present time in our family courts, so I believe that this will be speedier, Mr. Speaker, I believe it's in the right direction. But again, it will be different procedures, so I feel to make it successful that it will take a lot of effort, it will take a considerable amount of imagination by the people who will be responsible for this court, and of course I am talking about administrators and the supervisors who will be responsible. Because, Mr. Speaker, it will be something new, and to make it succeed it will take an awful lot of time of many people, and again the people that will be totally responsible, to see if this court is successful or not, will be again the supervisors, and it will be important the type of job that they will do. I know that there will be perhaps some concerns in some part by some people of this new procedure. They'll say, well it may speed up the procedures but all you're doing is starting a new court system in the province. This may be the argument some people will use, but again my concern is that I think it's in the right direction. The whole thing to make this procedure I think successful will depend on the kind of effort and the kind of imagination that will be used by the people that will be in charge of this court,

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(MR. PATRICK cont'd) and I'm talking about the administrators and the supervisors.

So there will be great advantages and, Mr. Speaker, the great advantage in the system is justice, and justice has to be done quickly when we're talking about family courts. I think that not only justice has to be done quickly in this instance but I think that a considerable amount of money will be saved to people that perhaps haven't got the money. I'm sure that anyone in this House will say that the present system did drag out the procedures because of going through different courts. I know that, again, somebody has raised the question to me about the bill, and they said, well what about the efficiency? In fact, in my opinion I think it will be more efficient than the other system.

The other point that was raised was that you're adding another court, so I'm just giving some ammunition to the Minister now that he will have to deal with, but these are probably some objections that he may have had raised to him with some of the people that may come into contact with it and have to use this system, that's the kind of argument he may get.

So, Mr. Speaker, I do not agree that some may say it will be a more complicated system and it's just adding a new court. I'm of the opinion that we have to experiment, I'm of the opinion that we have to change and it's long overdue from the system we had before. I think that this will lead to much speedier justice and I think it's streamlining the Family Court system. And if that's what the bill's intended to do, and I'm not learned to the extent that I have gone through every clause, but just going through the bill briefly and having on occasions in this House taken the position and was critical of our present family court system because of the time it takes and so on, I accept this legislation and I just hope that the Minister will give it that type of time and get the type of administrators and supervisors that will give it the kind of effort to make it successful, because if it is successful then perhaps you can move into other parts of the province. So I hope that it will be successful, Mr. Speaker. I believe that the Federal Government has done considerable amount of research and study in this area as well, and that the recommendation came quite strongly from the Federal Government as well as our local Law Reform Committee to proceed with this type of a court system to give speedier justice to the families.

So I think it's good legislation, but I am concerned that for this court to be successful so that we can proceed through the balance of the province. I think it will need imagination, it will take great effort and proper supervision to make it successful.

MR. SPEAKER: The Honourable Attorney-General.

MR. PAWLEY: Mr. Speaker, I think that the comments uttered warrant a few words on my part. First, I appreciate very much the constructive support given to this experimental project by the Honourable Member for Assiniboia, and I share with him his concerns that the development of this unified court will in fact establish a more expeditious, less wasteful, and a more humane in some respects form of justice within the family court system.

I think that we recognize that there are certain weaknesses within the present family law, particularly as same is administered by a fragmented court system, and as a result of that recognition we wish to establish this type of pilot project. And I do not want to forecast as to the level of success that we will obtain by this experimental project. I hope that it is successful, and I share optimism with the Honourable Member for Assiniboia, but of course the purpose of the experiment is to ascertain whether or not the unified family court will be successful and will administer justice in a more equitable, humane and fair way than the old fragmented family court system.

I want to also express appreciation to the Honourable Member for Birtle-Russell for his words and also pertaining to his suggestion. I do have reservations though in connection with the major recommendation made by the Honourable Member for Birtle-Russell, in that he suggested that the fragmented system be left intact along with the unified Family Court in St. Boniface so that those using the courts could choose whether they proceed through the old or through the new. I'm concerned, Mr. Speaker, that in doing this, that in fact we would be in the St. Boniface County Court District rather than

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(MR. PAWLEY cont'd) unifying our court system and proceeding there in a proper experimental basis to ascertain whether the unified court system does work better; we in fact, Mr. Speaker, would be only experimenting as to whether or not further fragmentation beyond the existing fragmentation would be more effective. So I'm afraid we would undo or undermine the very purpose of this project if we left the existing choices of courts intact in St. Boniface County Court District, as well as instituting this new court. So I must say to the Honourable Member for Birtle-Russell that I would not be prepared to recommend that type of development.

I do say though that his suggestion in connection with an expiry date is one that I think we ought to consider very seriously prior to committee stage. I think that the honourable member is correct that a bill such as this nature probably should have inserted an expiry date and most comment is that the period of this experiment should last two to three years. So that I would like to consider at the committee level the pros and cons of inserting an expiry date. I suppose that if the experiment should proceed beyond the period of expiry, at that time explanation could be given to the Legislature and it could be extended beyond that period so at least it would be written into the legislation the intended expiry date so it just doesn't go on and on and on and government doesn't, even though the experiment proves itself to be successful, proceed to extend it throughout the entire province. So I think that is a very worthwhile suggestion that we will have to consider.

I shared concerns that we develop the proper balance insofar as secondary assistance services within the family court system. We do not want on one hand the assistance provided to be so massive in nature insofar as counsellors, secondary staff, etc., that by the very nature of the piling in of all types of assistance the program becomes so rich - though it might be very successful - it would be so rich that a province such as Manitoba would be unable to afford to extend that system throughout the entire province, it would be beyond our fiscal capacities.

On the other hand we certainly must I think use this opportunity to develop some new innovation. I agree with the Honourable Member for Assiniboia that the question of child advocates has to be examined insofar as this project is concerned. In the courts as we have them so structured at the present time there is always advocates for the mother, for the father but not for the child, bringing to the attention of the court the interests of the child which may not be coincidental with the interests of the parents. I think that is a weakness within the present family court system, that there is not that built-in adequate safeguard to ensure that there will be that type of advocacy that will involve representation on behalf of the child. So that I would hope that in innovation here, that we could ensure that that type of defect in the existing court system could be remedied.

There are so many other areas too that I think we must try to deal with within any new projects such as this. Although improvements have been made insofar as the collecting of default judgments under Family Court judgments by hiring more and more enforcement staff, I think that some of the recent proposals that have been advanced by the Law Reform Commission Dominion-wise had some constructive suggestions as to the establishment of a mechanism that will ensure that more and more responsibility for the collecting of default judgments is in fact exercised by the provincial jurisdictions themselves rather than that responsibility being cast upon the parties. Because, Mr. Speaker, if the judgments that are in default are not collected the state has to pick up generally the costs anyway by additional welfare. I do share the view that the present system, which leaves so much of the onus upon the one seeking the support, is not the most efficient and effective system. Here again is another area where I think we should be effectively looking for innovative steps in order to improve upon that which we presently have.

There are many, many other areas of potential within this project. I only wish that we could have started it earlier so we would have a better idea as to what to expect by way of reform. But at least now we can commence. It will be thoroughly monitored and hopefully in two or three years at the most we'll be able to report back to the Legislature as to its progress.

QUESTION put, MOTION carried.

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 70 students, Grade 5 standing of the Stonewall School under the direction of Mrs. Miller. This school is from the constituency of the Honourable Member for Gimli. On behalf of the honourable members we welcome you.

BILL NO. 84 - AN ACT TO AMEND THE REAL ESTATE BROKERS ACT

MR. SPEAKER: The Honourable Member for Wolseley.

MR. ROBERT G. WILSON (Wolseley): Thank you, Mr. Speaker. Bill 84, an Act to amend The Real Estate Brokers Act. Before moving it on to committee I thought I'd pass on a few comments. I really have had only limited time to research the entire bill and of course the amendments proposed but I have no reason to oppose in principle the suggestions of the Minister if indeed the Winnipeg Real Estate Board says that they can live with this Act and the amendments.

The Securities Commission under the Act will be administering both Bill 84 and Bill 70 and will operate I guess from the Woodsworth Building. This of course is phasing out the politically appointed Public Utilities Board certainly from these responsibilities.

Five hundred and sixty brokers and 1,800 salesmen - I would like to quote and the Minister says: "It seems that there is now 560 brokers and 1,800 salesmen and this has become a serious problem." We would assume by that statement pertaining to the registration that the Minister is realizing the ever expanding size of the city and the province pertaining to real estate and the number of employees involved.

One of the sections that in principle I'm not too sure of and would like some clarification in committee, it seems that not only the bank accounts of the people related to the business of real estate but it seems that the staff appointed by the Minister has the power to examine the personal accounts which might not be related necessarily to real estate. A person could have a Dairy Queen or a laundromat or might be involved with a relative, just in a general investment way, or may have a stock portfolio. I'm wondering if my interpretation means that the Minister's appointee can look into the private lives of everybody in the real estate business.

Under Section (j) of the amendments proposed I think the interpretation is the key. As usual in many of the Acts that are on the books, it seems that the vague terms that are used are such that the average public or possibly even the judge or the person having to make a decision is left in a personal opinion only basis where he can interpret a word to mean anything. What you're doing is not spelling out, in my opinion, exactly what you mean by suggestions like, "any intentional misrepresentation by word, conduct, manner of a material fact, present or past," seems to indicate that the poor salesman if he were to interpret the term "word", to misinterpret the word, about 20 percent of the salesmen would be possibly subject to charges because the salesmen say many things when they want to sell a unit or a property. They predict the future like there's going to be a school in the area. They predict that there'll be a shopping centre, that recreation will be increased and that their property will go up in value. It seems to me that these are decisions that possibly the politicians make rather than the real estate salesmen who's crystal-balling the future to somebody who is buying his property. That term "intentional" and that term "word" are very vague and it should be attempted to be spelled out.

I'd like in the committee for the Minister to explain the penalties under the section. I think the public needs a window into the real estate industry pertaining to questionable practices and certainly I'd like to know if it's a \$50 fine, a \$10 fine or whether there's any meaning in the term "penalty". I think the industry has come a long way and it is hoped that the legislation and amendments in the future will be spelled out more clearly so that the interpretation is clear to any layman picking up the bill.

With those few remarks, Mr. Speaker, I would like to send this bill on to committee. Thank you.

MR. SPEAKER: The Honourable Member for Assiniboia.

MR. PATRICK: Thank you, Mr. Speaker. I wish to make a few points on

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(MR. PATRICK cont'd) Bill 84, an Act to amend The Real Estate Brokers Act. I believe the bill does make very extensive amendments and I know that the Minister indicated it may be of some complex character. I believe it's not a difficult bill. I know it's quite lengthy but there are quite a few principles involved. There is a thing that I appreciate in the bill, it does have a clarification of many of the definitions that there has been some problems. There's also a clarification as to law under quite a few of the clauses. There's clarifying the advertising procedures and perhaps clarifying again some of the trust fund procedures as well. I believe it's overdue.

My biggest concern is we're transferring from the jurisdiction of the Public Utility Board to the jurisdiction of the Manitoba Securities Commission the administration of this Act. I have no argument against that. I just hope that the staff will still be the same staff that will administer this Act because, in my opinion, Mr. Speaker, the Public Utility Board has done a tremendous job in administering this piece of legislation.

I have some knowledge and association with that industry and I would indicate to the members in this House that I believe in last some twenty years, I cannot recollect where any money at all, trust funds, have ever been lost or anyone lost any money as far as trust funds were concerned. And I would say --(Interjection)-- Well, I thank the member for that comment. I think a lot of credit is due to the administrators of this Act which has been the Public Utility Board, the people in there, and as well the Association of Manitoba and the Winnipeg Real Estate Board as well. They have a pretty strict code and I think this is only right because if you don't do that then the public will be concerned and we should be concerned as well.

I know that the Winnipeg Real Estate Board or Association - it may be of some interest to the members here - the first association established in Canada. It was in 1903 so that certainly has some history. I think that the Board over the years has done a tremendous amount of good work within the city. I think it has done a good job as far as supervision to some extent of its own members. At times I've thought it's been too tough on many of its members but maybe that's a good thing because that's why, as I say the Board and Association have a pretty good record in respect to any trust funds that would be concerned.

I know that in the main most of the realtors in our province or city are not promoters or developers as such. I would say 85 percent of them are perhaps service agents or brokers where they would sell property for a fee, for other people.

I know that the other related changes in the legislation that we have, Mr. Speaker, the transfer from the jurisdiction of the Public Utility Board to the Manitoba Securities Commission. Again, I hope that the Minister will clarify. I hope that the same staff will still be responsible.

The other two related changes is the system of registration as outlined and I believe it's a very good feature. You have some 1,800 salespeople and 560 brokers, so there are 2,300 registrations approximately and some are cancelled in a year and some are only part-time. There is always changes, some people coming in and the others are leaving the business. So it must be a great pressure on the staff before at the Public Utility to have all the renewals in at one time. I think this would probably level it off over the whole year.

The other feature which I think is a good feature, that in the last while when there is so many expansions, when most of the trust companies got into the real estate business in direct selling of residential homes and businesses and there has been an influx, a great influx of more people in the business, a few of the larger companies now employ perhaps between 80 and 100 salesmen. Ten years ago this was almost unknown. Anyone with 20 people in Winnipeg was a pretty large broker.

The point I'm trying to raise to the Minister, and it's a good feature that he has in the bill, where now when there's a transfer by a salesman from one company to another his licence does not have to be cancelled and he doesn't have to again start the whole application procedure which takes a while and perhaps start to get a new bond which now takes at least two to three weeks, which is a lengthy procedure. All it is, is much more work for the broker and much more work for the - now it will be the Securities Commission.

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(MR. PATRICK cont'd)

The principle that is involved in this bill is that the salesman will be licensed from the time that he has been given his licence and he can be transferred to any other broker without cancelling his licence. I think that's a very good procedure in the bill, Mr. Speaker.

In the main I have no real arguments with the bill. I think it's in the right direction and I would be prepared to let it go to the Law Amendments Committee and hope to hear some of the points from the Minister in respect to the transfer of responsibility.

MR. DEPUTY SPEAKER: The Honourable Minister of Consumer and Corporate Affairs will be closing debate. The Honourable Minister of Consumer and Corporate Affairs.

HON. IAN TURNBULL (Minister of Consumer, Corporate and Internal Services) (Osborne): Mr. Speaker, the Member for Assiniboia makes some remarks which of course I would like to thank him for, and did ask me to confirm that the people who would be administering this Act under the Securities Commission would be the same people that were administering this Act under the ambit of the Public Utilities Board. That indeed is the case. I did mention, I believe, during some of the remarks on the three bills that are involved in transferring authority for certain legislation from the Utilities Board to the Securities Commission that Mr. Murray Peden who was the Chairman of the Utilities Board is now Chairman of the Securities Commission and that legal counsel for the Utilities Board, Ron Cantlie, is also now with the Securities Commission. I believe most of the senior staff who were dealing with these problems in the past will continue to deal with them under the ambit of the Securities Commission.

The other points that were mentioned by the Member for Wolseley and the Member for Assiniboia that deal with the legal interpretations of the bill I will leave for the Law Amendments Committee where I expect to have staff that can deal with the questions that they have.

QUESTION put, MOTION carried.

BILL NO. 20 - AN ACT TO AMEND THE TRADE PRACTICES INQUIRY ACT

MR. SPEAKER: The Honourable Member for Morris.

MR. WARNER H. JORGENSEN (Morris): Mr. Speaker, this is perhaps one of the most unusual pieces of legislation that has been brought before this Chamber during the course of this session and it's not surprising that it would come from the Minister of Consumer and Corporate Affairs I suppose. The bill in itself - and this is the thing that I find very unusual about it - the bill purports to amend The Trade Practices Inquiry Act. The Trade Practices Inquiry Act is a bill that sets up an inquiry into any given situation that might arise with respect to irregularities in trade practices. The bill calls for an inquiry, a Commission of Inquiry and that Commission of Inquiry is then required to report to the Minister. That's as far as it goes. That's all the bill was.

What the Minister is attempting to do is to create the impression that all he is doing is amending an existing Act that has been on the statutes for a number of years while in fact, he's bringing in a price control bill. Well why does he do that? I suppose that the reason for it is one that is traditional with members of the other side. He's attempting to create the impression that he's doing something about inflation. They have successfully created in the minds of a good many consumers in this country and people across this province that the real culprit for inflation are the companies, the monopolies. In order to further that particular point of view he introduces this legislation and then is going to be able to go out to the country and say: "See, we're going to curb these people." But it's not quite as simple as the Minister thinks it is and there's a great deal of evidence to support the opposite of the impression that they're attempting to create.

A very interesting paragraph in the book, a recent publication by Robert Moss, it's called the "Collapse of Democracy". I think - and I've never even heard of Robert Moss so I don't know who he is but he writes some very interesting stuff and here is one paragraph from that particular publication. He was attempting to point out how we have

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(MR. JORGENSON cont'd) got ourselves into this difficulty and it's thus not new because I have from time to time in this Chamber attempted to point out that we were heading in a direction that I don't think anybody really wants to go. But we head there because we haven't got the courage to do otherwise.

"The whole problem is explored in a stimulating recent work by Professor W. H. Hutt" - and I'm now quoting from Mr. Moss' book - "who concludes that the most urgent problem of our age for those who give most urgency to the preservation of democratic institutions is that of restraining the vote-buying process. Hutt is profoundly depressed by the way that modern electioneering so often degenerates into a fatuous kind of auctioneering. The politicians bid each other up with similar promises of greater material rewards and better social services, full employment and stable prices. Radical proposals for reducing inflation" - that's what the Minister is doing in this instance - "for re-distributing income away from consumption and towards saving and investment and for blunting the edge of the strike threat weapon got left outside in the cloakroom. Even as the urgency of the economic crisis mounts and such measures begin to appear as essential to the survival of parliamentary institutions popular columnists and party" - and the word is spelled apparatchiks. Even if I pronounced it the Hansard reporter would not be able to spell it so I thought I would put it on the record for them - "are on hand to reassure those grooming themselves for re-election that such ideas are too hot to handle."

"Political realists agree in their clubrooms that success will depend on the flattery and ever more costly bribery of welfare man, homo gratificator, that supreme achievement of natural selection in the socialist holiday camp, the ultimate consumer who has been spoon-fed night and day with a pleasing idea that it is the responsibility of the state to provide for his every want and some of his fantasies as well, without regard for merit or exertion."

Sir, that is a pretty fair comment on what we are witnessing today in politics and particularly what we are witnessing from the antics of honourable gentlemen opposite and particularly in the form of this bill. Sir, what the Minister assumes in the introduction of this legislation is that he's going to be able to sell the idea that it is profit and greed that is creating inflation and for that reason he's going to take the steps that are necessary in order to curb that.

Well, Sir, there is a great deal of evidence to prove that that is not the case. Much of that evidence is contained in the recent booklet that is put out by the Fraser Institute, the same people who did the study on rent controls, and they have one called: "The Illusion of Wage and Price Controls". --(Interjection)-- Well there's one thing about these newer publications that the Minister should be aware of. They are based on experiences; they're based on recorded evidence that has been accumulated over the years in those countries that have practiced these things. As a matter of fact, over the years right from the early days of the Roman Empire this sort of thing has been practised and every time it has been practised it's been disastrous. But that does not deter my honourable friends opposite.

It isn't a question of whether or not they cure inflation. They don't want to cure inflation. What they want is power. Anything that they can do, any way they can get there, they will get there even if it's through the kind of subterfuge that we find in this particular bill, even if it's a manifestly deceitful idea of attempting to convince the people of this country that inflation is caused by profiteering, that inflation is caused by people raising prices.

I go through parts of this book simply to illustrate the fallacy of that particular theory. Professor Carr goes through six commonly assumed causes of inflation and then he analyzes each one and comes up with his conclusions and I'm inclined to agree with many of the conclusions that he arrives at. I don't only read the books that suit my particular philosophy, I try to read them all, but I like to quote from the ones that agree with my philosophy. But he says: "The cost or price push theories of inflation" - and it goes on to point out that that particular theory of inflation is not one that can stand up under examination, that wages are not the culprit. He says profits are not the culprit and many of the arguments that have been presented in order to substantiate the cost or

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(MR. JORGENSEN cont'd) the price push theories of inflation cannot be substantiated.

Then he deals with the what he calls the sociological theories of inflation and he has this to say: "In Prime Minister Trudeau's address to the nation explaining the imposition of wage and price controls he stated that the basic cause of inflation in Canada is the attempt by too many people and too many groups to increase their money incomes at rates faster than the increase in the nation's wealth. The problem with sociological theories of inflation is that they seem only to explain only those periods in history characterized by rising inflation. No one invokes these sorts of theories to explain slow-downs in the economy or even periods of relative stability. Perhaps the reason these theories are not used to explain deflation, falling prices or prices growing more slowly, is that the explanation is fundamentally implausible.

Then he deals with another commonly held theory by some economists which is called the Phillips Curve Theory of Inflation. In the 1950s and the 1960s inflation existed in a number of countries with substantial unemployment. Economists then turned to the task of explaining the co-existence of inflation and unemployment. The relationship between inflation and employment became known as the Phillips Curve. But then he uses charts and diagrams to illustrate that that argument cannot be sustained as well.

He goes on in his final conclusions to say that Canadian experience clearly rejects the notion that there exists any simple Phillips Curve and any stable trade-off between inflation and employment. It would appear that the Phillips Curves is not a fruitful place to look for the cause of inflation.

Then he deals with another theory that we hear from time to time and that is the theory of expectation, the theory that because people expect that there's going to be inflation that they create it by that expectation. He rejects that particular theory as well by saying that the answer is that people expect inflation when there is inflation. Expectations of inflation are an effect of the inflationary phenomena, not the cause. When inflation ends, inflationary expectations disappear. There is the fourth theory of inflation that he debunks.

He goes on to the fifth and deals with the profiteering theory of inflation and debunks that theory by suggesting, in a practical vein, is a period of price stability to be explained by a fall in the greed of the middlemen? That's something my honourable gentlemen opposite will have to explain. It appears that one cannot look to greedy middlemen for the cause of inflation.

Then he goes on to deal with what he believes is the real cause of inflation. My honourable friends opposite will be happy to learn that it cannot be traced to everything that they have done but it does relate to government activity. In this particular instance, since the Provincial Government has no responsibility for monetary policy and the printing of money, they can be absolved to that extent. But to the extent that government spending creates the reasons for the expansion of the money supply they are culpable and to that extent they can share that blame.

"The monetary theory of inflation," Professor Carr goes on to say, "argues that when the money supply is increased at a rate faster than the rate of growth of real outlet in the economy then inflation will occur. The inflation rate may be approximated in the first instance by the rate of growth of the money supply minus the rate of growth of output." Professor Carr goes on at some great length in this particular chapter to document with charts, with figures, with experiences to prove that there is a very direct relationship between the incidence of inflation and the rate of inflation and the increasing of the money supply. It is the only real correlating factor that one can find in finding a cause of inflation. He suggests that with moderate monetary growth there was no inflation in Canada. With expansionary monetary growth there was relatively mild inflation. When the monetary growth rate fell, the inflation rate fell. When monetary growth rate reached into the sky, Canada experienced double-digit inflation.

It would seem to me, Sir, that evidence that was produced - and I don't intend to put all that evidence on the record, I suggest to my honourable friends that they can obtain copies of this book and I'm reading from a book called: "The Illusion of Wage and

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(MR. JORGENSEN cont'd) Price Controls" and it's put out by the Fraser Institute, the same people that put out the --(Interjection)-- I can't hear the honourable . . .

MR. SPEAKER: The Honourable Minister of Consumer Affairs.

MR. TURNBULL: Mr. Speaker, I have some questions from the member and if he's willing to take it, I just want to know whether the book he's quoting from is an anthology, that is a collection of readings, or whether it is a treatise written by one author.

MR. SPEAKER: The Honourable Member for Morris.

MR. JORGENSEN: It is a book that is compiled by a group of professors at the Fraser University. Each one of them deals with a particular aspect of the whole question of wage and price controls. Professor Carr happens to be the one that this particular chapter is attributed to.

He goes on to point out that a postscript should be added to the Canadian story of monetary policy. He said: "It has significance answering the question why a reduction in monetary growth was not used to fight inflation in 1975 but instead comprehensive wage and price controls were imposed on the economy." He's brutally frank in his analysis of that situation and I think it's an accurate one.

In 1972 the Trudeau Government fought an election and almost lost. The Liberals lost their parliamentary majority and received the smallest of pluralities. It seems that this Liberal near defeat was interpreted by the Trudeau Government as a repudiation of its tight money policy in 1969 which resulted in high unemployment in 1970. It seems that the government has learned its lesson. From its actions, it would appear that the Trudeau Government has forsworn the only effective tool in fighting inflation. That is reducing monetary growth. It would appear that the Trudeau Government views that the political costs of reducing monetary growth are too high to warrant such action.

Then he deals with the situation as it applies - not only in Canada but across the world - and sums it up in these words: "The monetary theory of inflation is not only capable of explaining inflation in Canada but it also explains the world-wide inflation of the late 1960s and the early 1970s." It would appear, Sir, from the conclusions that are drawn by Professor Carr, if we are to effectively combat inflation then he does not reject the theories of wage and price controls. But he suggests that these measures are useless unless they're accompanied by a monetary policy that is consistent with an attempt to reduce inflationary pressures. So unless the wage and price controls that are inherent in this particular piece of legislation are accompanied by a monetary policy, over which the Minister has no control, then they will be somewhat less than effective. In actual fact they'll be useless. They'll probably do more harm than good.

But the Minister will successfully attempt - and probably will to a large number of people who he knows are not familiar with the arguments that have been presented here and are now being presented by a good many economists who have had an opportunity of examining recent experiences in wage and price controls. They know that it's very easy to set up a scapegoat and what is more convenient and who is more convenient than the person who does the selling to the consumer. He's the last one that handles it and the most convenient target for my honourable friends opposite. The tragedy of that kind of deceit, Sir, is that it destroys the very people who can help this country the most and can help that very group of people that honourable gentlemen opposite are professing to want to do so much for.

Then Professor Parkin in the same book deals with the British experience and that is a horror story of the first magnitude. He compares the Canadian situation with what went on in Britain. He goes on to say, "This experience is pertinent for Canada today for two key reasons. First, it is extensive, well documented and has been closely studied. Second, Canada in 1976 has, despite many obvious differences, a great deal in common with the United Kingdom. Like Britain it has a political process which, despite party labels, tends to produce governments either inclined or committed to intervene in people's affairs and to expand the government sector. It has labour unions which are apparently short sighted and which consequently do not act in their own long term self-interest."

A MEMBER: We are now, we are now.

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MR. JORGENSON: Well they say they are now. It remains to be seen just how much they're acting in their own long term self-interest. I grant that they're acting in their short term self-interest. But whether that's going to . . . to the benefit of this country and the retention of the freedoms of this country remains yet to be seen.

First of all he says, "It has labour unions which are apparently short sighted and which consequently do not act in their own long term self-interest. It has a large volume of and dependence on international trade and investment. Thus Canada has a great deal of value to learn from the mistakes of Britain's past 25 years of slide into economic and social chaos. If the lesson is ignored Canada is well set on that same path. If it has learned there's ample time to reverse the present trends and to move this country into a path of unparalleled enlightenment and prosperity. The choice is simple but the lesson apparently is a hard one to learn."

A MEMBER: I wonder if you'd give me the title of . . .

MR. JORGENSON: Well I've done that three times but I'd be happy to do it again because I want to enlighten my honourable friends opposite. I feel that they require it and the reading of this book may teach them a few lessons that are necessary in the short time that they have yet to govern this country. It's called the "Illusion of Wage and Price Controls" and it comes from the Fraser Institute, the same people, I presume, that wrote the other one.

I want also to draw to my honourable friend's attention another recent publication by Robert Moss. It's called the "Collapse of Democracy". If he wants to get a blueprint of the direction that we're heading I suggest that he read that book as well. In reading that book my honourable friends opposite have to make a judgment as to whether or not they want to move in that direction, whether or not they want to follow that path, or whether they want to retain democracy in this country. I recommend it for their enlightenment.

So, Mr. Speaker, the bill that we now have before us is nothing more than an illusion, an illusion that something is being done. It's not attacking a problem because, as was pointed out by Professor Carr, I think it's fairly well-known that unless those measures are accompanied by a monetary policy that is consistent with an effort to combat inflation they are somewhat less than useful. My honourable friends opposite do not have the control over monetary policy. That is a federal matter. So any policy that is initiated or carried on in this province in that regard has to be accompanied by policies that are equally as effective on the federal level.

The First Minister is on his way to Ottawa next week to discuss some of these things. Perhaps before he goes he would avail himself of the opportunity of reading this book and then approaching Ottawa with a view to try and get policies that are consistent in an effort to combat inflation in this country. I suggest to the Minister that what he's doing right now is deceitful because it is not, and he knows, is not going to do any good.

MR. SPEAKER: The Honourable First Minister on a question.

MR. SCHREYER: Yes, Mr. Speaker, if I may. I'd like to ask the Honourable Member for Morris, perhaps it's because we sat and worked here too late last evening but I can't understand his opposition to this point. May I ask this question: would it not make sense that if there is existing statutory authority to investigate a given trade practice, does it not make sense that during the period of investigation there be some corresponding authority to maintain a status quo? Otherwise the study is academic to begin with.

MR. JORGENSON: The First Minister raises an interesting question but he wasn't here during the entire portion of my remarks. During the course of those remarks I pointed out that wage and price controls by themselves will do little or nothing, in fact it will do more harm than good. It was on that basis that I argued that the present bill before us was illusory and was deceitful, that it wasn't really going to do anything. It was simply creating the impression that something was being done. As was pointed out so well the other day by a lady caller who called in to Peter Warren Show and they were talking about gun control. The lady caller didn't care whether the gun control legislation was doing any good or not, all she was concerned about was that the government was doing something. That seems to be the measure of a government. As long as they're moving around in great circles and ever narrowing circles, then it seems that the public is satisfied. Whether or not they're achieving anything doesn't seem to matter.

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MR. CHAIRMAN: The Honourable Member for Rhineland.

MR. ARNOLD BROWN (Rhineland): Thank you, Mr. Speaker. I would like to make a few comments on Bill 20. In this bill the Minister will try to regulate the prices of various articles, of product, business, industry, pursuit, occupation, calling, profession or activity. Now this covers almost everything but I would like to direct my remarks mainly towards the agricultural products.

Increases in prices are caused by supply and demand. If a product is scarce prices rise; if a commodity in question is scarce it is in large demand throughout all the provinces of Canada and indeed the United States. Scarcity of agricultural products is usually caused by adverse weather conditions. By putting price controls on agricultural commodities in Manitoba the Minister can rest assured that rather than protecting the consumer as he has stated, he will ensure empty shelves in the stores because the commodities will move wherever the price is at the highest. There is nothing that the Minister of Consumer Affairs can do about that. Sugar, potatoes, cucumbers, peppers, hogs, beef and indeed all agricultural commodities will be sold where they fetch the highest price and that is the way that it should be. If there is a scarcity of products because of weather conditions prices rise somewhat and this, of course, gives some protection to the people who grow these products.

For the Minister to think that he will control the prices in Manitoba of agricultural products, Mr. Speaker, is just sheer irresponsible dreaming. The end result would be that the wholesalers in Winnipeg would be purchasing Manitoba products outside of this province and this would probably be in Toronto because Toronto is always willing to buy whatever products we have if there is a scarcity. This would add greatly to the cost to the consumer who we supposedly are trying to protect through this bill.

This bill, Mr. Speaker, is ill-conceived and it is promoted by someone who must be completely uninformed as to the trading relations between the provinces of Canada. If we allow this bill to proceed we would be doing a great disservice to the people of Manitoba, both producers and consumers alike. If price control is to be achieved this will have to be done by the Federal Government, Mr. Speaker, who will then also have to accept some responsibility when prices drop below the cost of production. In my opinion, Mr. Speaker, this bill should be withdrawn because this is going to create a lot of problems for all Manitobans.

MR. SPEAKER: The Honourable Member for Assiniboia.

MR. PATRICK: Thank you, Mr. Speaker. I do wish to raise a few points on this bill. I will however support it to go into Law Amendments Committee and would hope that quite a few people from industry would appear to have some indication who it will affect. When I first looked at the bill I didn't see much in it. After listening to the Member for Morris perhaps maybe there is much more in the bill than I thought there would be.

My concern is, Mr. Speaker, protection for the consumer. If that's what the bill provides then I have no qualms of supporting the bill. If the bill is an anti-inflation protection then I couldn't support the bill, Mr. Speaker, because I have some reservations about that program myself. I don't know what the Minister's motives are. I would hope that he would indicate to the House what they are and perhaps in closing the debate in Law Amendments Committee we can find out exactly what is the reason and then perhaps we can make a better judgment in the House how to proceed in respect to supporting this bill or not. As I look on some of the items - and it's indicated that when there's a single distributor of a certain limited number of articles and the price is out of range the Minister can have an inquiry and perhaps reduce the price. Well I would feel that this is some form of protection for the consumer.

I am concerned, Mr. Speaker. Who speaks for the consumer in this province? I believe that the Minister, with all due respect to ~~him~~, I don't think he has given the kind of leadership in much of the legislation that we've passed in this House. Much of the legislation that we've passed in this House, government legislation, how will it affect the consumer? I know that it could be argued, well do we need consumer legislation? Mr. Speaker, Senator Warren Magnusson in the United States in the Congress perhaps is responsible for some of the finest legislation, consumer legislation, on this continent. One

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(MR. PATRICK cont'd) of the books, if the members want to read, the "Marketplace" is one of the finest. Anyone can find out the exploitation that has taken place in this country when there was no consumer legislation. So I believe in consumer legislation.

Now in Canada the consumer legislation is much behind, much behind what it is in the United States. The only person that you have in Canada sort of mildly speaking for consumer protection was Heward Grafftey I believe it was in respect to automobiles. But I believe that people like Ralph Nader has done a certain job that the legislators have to cope with and do something about. Again I would recommend if some people want to avail themselves to what happens in a marketplace is to read Senator Warren Magnusson's book which is one of the finest and he's one of the ones responsible for much of the legislation in the United States.

Now I know the free marketplace, all it is is buyer beware. But, Mr. Speaker, we have instances, we have cases where this legislation may apply. We had where anti-freeze was selling in Manitoba for \$12.00 a gallon; across the line it was selling for \$4.00 a gallon, just across the border. So there may be areas where this type of legislation would be worthwhile.

We asked the Minister on many occasions, "What are you doing about the increase in sugar prices?" He said, "Well I've got no power, I can't do anything, I've got no legislation." In many areas we've asked him questions and he says, "Well it's out of my jurisdiction."

The Food Prices Review Board, Mr. Speaker, just finished a study that cost a considerable amount of money. What do they indicate? No competition in the marketplace. Why? Because we have eliminated the small supermarket. There's no competition. You've got probably two large supermarkets controlling the industry and the study was quite conclusive and to the point. It recommended some action had to be taken. In fact I believe the Province of Alberta has taken some action in this area, has taken some action of what's happening. So, in my opinion, I am concerned, Mr. Speaker, who speaks for the consumers in this province? And in my opinion I think the Minister has been quite silent on many occasions.

I believe that we have to also accept that government legislation affects consumers in this province. Has the Minister looked at any time and questioned how it will affect the consumer? Perhaps let the public know.

I believe that we have made perhaps a step in the right direction as far as our consumer legislation is concerned in such things as fair advertising and false advertising, referral selling. I know in many of these issues legislation like that - discount prices and fire sales and so on and I think that legislation that has been put on the books has been good legislation as far as the consumer legislation in this province. I don't know to what extent it's being utilized.

We are finding today that people are fined for false advertising so there's misuse at the present time. I think experience will prove, Mr. Speaker, that ethical business will be behind consumer legislation because no one suffers more, no one suffers more than perhaps a good business entrepreneur from someone that's operating dishonestly in the marketplace. No one suffers more than the proper businessman. So I believe that the business community accept good legislation.

Now I also feel that when law is behind the needs, lags behind the needs of the society perhaps this is the reason why these things take place. In my opinion I feel that we need consumer legislation but if this is not protection for the consumer, but to fight inflation then, Mr. Speaker, I would have some serious concern and serious doubts. I have had over the last couple of days at least four or five people who have called and asked for the bill and I've delivered the bill to them and I hope these people will appear before Law Amendments so we can find out how it will affect them. Perhaps the Minister can point out to us just what was the purpose and how he expects this legislation to operate.

The other report that's just been tabled the other day, a commission investigating land prices across Canada. It has been proven and pointed out in the City of Calgary there's one company controls 95 percent of all the land, residential land and the lots are selling at prohibitive prices. The highest cost of housing today is in the City of Calgary.

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(MR. PATRICK cont'd) Why? Because one company plus three subsidiaries of that same company control all the land. So four companies own all the residential land. That type of legislation perhaps would have some effect on a thing like that. Again, I mentioned the Food Prices Review Board, what its founding was.

We have many indications right from our own experiences here in this province. when we had the anti-freeze selling across the line at \$4 and it was selling for \$12 here.

So I am for proper consumer legislation, in fact the Consumers Association across Canada are asking for many things in respect to consumer protection, many things. I just read an article here from the Globe and Mail financial section where consumer associations are asking for protection and legislation. But again, if this is a bill to fight inflation, I would be concerned, so I would hope the Minister can inform us.

MR. SPEAKER: The Honourable Member for Sturgeon Creek.

MR. FRANK J. JOHNSTON (Sturgeon Creek): Mr. Speaker, I've learned after seven years - when this session is over it will have been seven years here - that I'm not as easily conned as I used to be. The Minister that's presented this bill, I remember speaking about him last year in this session, and I said very frankly that I thought that when the Minister first came in as a member that he was fairly arrogant, that he had some ideas that he was going to try to push them onto other people. But I said last year, because he'd become a Minister that I felt that he had taken over the job regarding Consumer and Corporate Affairs from the point of view that he's there as the watchdog for people, he's not there to try and make controls, but to do a job. And I sincerely meant that, but I'm beginning to feel that I was led down the garden path. All of a sudden we have a Bill 20 come before us that obviously must have been printed near the first of the session. It's a page long, or two pages long, and here it is, at the end of the session we get it in. And we didn't get in a piece of consumers' legislation, Mr. Speaker, we have a price control board legislation, taken the old Trades Act, you've changed the preamble to make it devastating and you've added sections to it that just says we now have a price control board in the Province of Manitoba, on the basis of trying to beat inflation. And I say to the Minister, they keep using the excuse, that this has got to be done because of inflation. This side of the House agreed that rent controls were something that must be looked at to get over an inflationary period. We have not guarantees, but indications that the bill would probably self-destruct shortly after the AIB was finished, but now all of a sudden, all of a sudden out of nowhere at the end of the session marked No. 20, comes the old Trades and Price Act, which becomes a Price Control Board which is being set up in this province.

Now that as I say, Mr. Speaker, now to the Minister is big brother stuff, and unbecoming him, not unbecoming this government. If I were to go back, I've taken it out of my desk now, but I should go and get my library and read you Douglas in Saskatchewan, because that is exactly what has happened there. There is no question that this particular government here has been waiting to find some excuse to get hold of prices in this province and start controlling business from that point of view. And that's what the bill does. Now it's a senseless thing, as my colleague for Morris says, it will not stop inflation. What do you do about products that are of a type not manufactured in Canada that come in duty free? Now what would happen if they happen to raise their prices? You can't really control this from Manitoba. All you can do is hurt the Manitoba businessman and in turn hurt the people. And there's nothing self-destructing about this bill. We have the minimum wage going up 13 percent. We have the hydro, we have all of these things we've talked about this session as far as government increases are concerned, and goodness knows, everybody has brought that to the attention of the government this year, and yet they turn around and bring through a price control bill with 10 percent in it.

Now I firmly believe that the government, I feel sorry for them, I feel sorry for anybody that has a hate on, and they just hate anything to do with business corporation and they're determined to get at them. And I really feel sorry for people that hate that way, but that's really what this bill proves. You've proved that you want your thumb on top of them at all times, and you're going to do it. Otherwise why the bill.

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(MR. F. JOHNSTON cont'd) The bill has the right to investigate and set up enquiry, and as the First Minister says, shouldn't there be something to stop it while we have the enquiry. Well, send them a letter, tell them you're going to enquire, you want them to appear, do all of those things, and if they don't come into this building and do it, then the Minister can come into this House and ask for this bill when he's got proof of that type of thing. But you see this government doesn't trust, and they hate industry and business. And they refuse --(Interjection)-- The Member for Radisson has no right to talk about business at all, I wouldn't let him take care of the movements of an outhouse, there's no question about that. You know, he's a friend of mine, but not where business is concerned. But, the thing that I tell you now, is that you have brought in a bill just on pure mistrust and hate on business in this province; you've waited six years, and now you've used the excuse of wage and price control and inflation to put in a price and control board in this province.

MR. SPEAKER: The Honourable Minister of Consumer, Corporate and Internal Services will be closing debate. The Honourable Minister.

MR. TURNBULL: Mr. Speaker, it was really with some interest that I looked forward to the debate on this bill. It is as I said a rather brief bill, but not all that easy to draft in a form that can enable the government to do what it wishes in dealing with emergency situations really. This bill has to be honed in such a way that it made it a rapier rather than a club. It is a bill that will enable the government to deal, as I said when introducing it, with those flagrant abuses in the marketplace, those abuses by way of price rises that clearly are completely detached from what would normally be considered as justifiable cost increases, that kind of thing. And if that kind of situation develops, then I think it's incumbent upon this government, or any government, to be able to deal with the emergency situation in a clean way and without using a club to keep down all of the kinds of businesses that exist.

Mr. Speaker, I have to of course, express some doubt as to the sincerity of the members opposite when they criticize the government for introducing this kind of legislation. I have in front of me legislation introduced by a government that I'm sure they all admire over there, the present government of British Columbia, the government of small businessmen, used car salesmen. And I read from Section 6, from an Act called the Anti-inflation Measures Act which says that, without limiting the generality of subsection (1), the Lieutenant-Governor-in-Council may make regulations defining for the purpose of the regulations price, commodities, services, and any other word or expression used in the regulations, establishing the maximum price that may be charged for the supply of a commodity or service.

Mr. Speaker, this kind of legislation is not unusual in economies in countries where the economy is undergoing a rapid price escalation. It's not unusual in an economy where there is need for some kind of leadership or some kind of control, for some kind of restraint on the rapid increase in prices.

So I don't regard many of the remarks made opposite, as being made with all sincerity, but I regard them rather as being political statements made for whatever political reasons they may have.

Mr. Speaker, I introduced this bill because I do believe that there are people in our province who have suffered from unwarranted price increases. And they are easy to identify. They are the old; they are the young people who are just beginning to set out and making their way in the world, getting new jobs; they are people who are not in a position to protect themselves against rapid increases in price. And this particular bill will enable the government to deal with those rapid increases in price. And any increase in price, Sir, that occurs and at a very slow rate, and is still lower than it is anywhere else in the country, does not in my mind, warrant the kind of investigation that this Act would empower the government to undertake.

A MEMBER: Who decides that?

MR. TURNBULL: Mr. Speaker, when I listened to the Member for Morris I had to pay some attention because he was reading some rather interesting material dealing with inflation. And I was most amused to hear him say, he did not quote in this House, all those things that he read, but merely those items, those books, those

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(MR. TURNBULL cont'd) articles, that agreed with his particular political philosophy. And I think that was very straightforward and honest of him. I don't know what can be proven by quoting isolated selections from various collections in readings, but it's not something that I'm able to do today, even though I wanted to. I had hoped when he started quoting that I could get that writer that I'm rather impressed with, John Kenneth Galbraith. But it's an indication perhaps of the different regard with which the authors the Member for Morris reads, and the authors that I read, that access to the books that he's got apparently is easy because nobody reads them. There easily available. Access to John Kenneth Galbraith's books apparently are very difficult because they're all out of the library, and when I sent . . .

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

MR. JORGENSEN: I think that I should interject at this point on a point of privilege. The Minister can do what I did. I sent a cheque and a request for copies of these books, and the Minister can do that too. I knew that they were out of the library, Sir, because I tried as well to get them there. And if the Minister wants, he knows I can get them.

MR. TURNBULL: Mr. Speaker, the false indignation of the Member for Morris is always of constant amazement to me, but he has a point of course, I could send a cheque and buy the books of John Kenneth Galbraith, but the fact is I could not send a cheque and get the book delivered in time to find the quotations I wanted and to quote them to him within the hour that I had in responding to him. So I had to have recourse to the library, and as I say, it's rather difficult to get the books of Galbraith because they seem to be in such great demand, that people read them all the time. A particular phenomena I advised him that I have noted in other libraries in Manitoba as well.

Mr. Speaker, the Member for Morris, apart from his indignation, rather false as it is, does tend though to raise the debate to a level that I can appreciate. And I want him to know that I did appreciate his contribution today. But I think really that in making his argument he went by, he by-passed the real difference of opinion, the real difference in ideology, if you will, between members opposite and members on this side.

I think that in trying to deal with inflation, what this government is attempting to do, and what the Federal Government, the Federal Liberal Government, is attempting to do is to try to create in the marketplace some equality, some opportunity for those who have little, to at least to get a fair break. And I think members opposite really don't accept that kind of attitude, that kind of approach to the marketplace. They believe in the idea that political freedom is all the equality that an individual really deserves. That political freedom, that political equality is essential, that economic equality is something that no government should attempt to create, because in attempting to create it, they may create more problems than already exist. I think that generally was the thrust of his remarks that he was quoting from the books, that if the government intervenes in the economic system of the country it may create more problems than already exist there, and therefore the government should do nothing. Well that is not an idea that I can accept. To think that an individual has a freedom and equality because they can go to the ballot box every four years and put a couple of ballots in the box strikes me very little equality at all. And equality must come as well in the marketplace as it does in the political system. And I think this difference between stopping at creation of political equality and moving somewhat further to create some equality in the marketplace, in the economy of the country, is really the fundamental difference between members opposite and members on this side and perhaps even the legal authority as well of Canada.

I, long ago, have given up trying to learn theories, as the Member from Morris is now attempting to do late in his life, learn theories that would enable me to trace the origin of inflation, or the origins of economic problems. I have found that that approach just simply is not practical. It is not something that leads to solutions that enable me as a Minister, or me as a member of Cabinet, making any contribution I can to deal with the problems, particularly in the economic system that face this province and the country.

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(MR. TURNBULL cont'd)

I don't need a book on what the problems of the economy are any longer. I only have to read some of the letters that come across my desk, listen to some of the people that phone and ask what on earth is happening to the economy, why it is that we have to pay more and more and more for the commodities that we want to purchase in the marketplace. And I don't think there's any simple answer to them, for them. I don't think there is any easily identifiable origin of inflation in this country. So I've given up on that approach, that theoretical approach, that approach that takes you through all the economic writers of the centuries to try to come to some solution, rather than that I prefer now that I am in the political arena, to try to deal with the problems that exist, and in doing that, expect that there will be some solution, some greater equality created, some reduction in the onerous burden of inflation on those who find it difficult to deal with it.

In any case, Mr. Speaker, while I appreciated the remarks from the Member for Morris, it seemed what he was saying boiled down to quite simply, that this bill was an illusion and it was an illusion as all government measures to deal with inflation are illusions and that really is the problem, I gather from him, was that the supply of money was what was creating inflation and therefore the Provincial Government in his words was absolved from blame for the creation of inflation . . .

MR. JORGENSEN: I didn't say that.

MR. TURNBULL: Well if he didn't say it he virtually said it.

MR. SPEAKER: The Honourable Member for Morris.

MR. JORGENSEN: I wish the Minister would learn. He has a habit of mis-quoting and thinking he can get away with it. He's not going to get away with it this time. If the Minister's going to quote me then I want him to quote me correctly. I said no such thing.

MR. TURNBULL: Well, Mr. Speaker, we have his indignation rising again. He seemed to indicate that the province - well he did indicate, he didn't seem to - he did indicate that the province has no control over the money supply. That's clear and he knows it. He stated that clear fact. The Constitution clearly sets out that the control of the money supply is a responsibility of the Federal Government and not of the provinces.

But he did indicate that the money supply was a contributing and significant contributing factor to rising inflation. There is some argument to be made for that theory, but I regard it as much more complicated than the Member for Morris indicated in this House and the complications are just too much for debate on this rather straightforward and simple bill.

Mr. Speaker, this bill is simply one that will enable the government to deal with excesses in the marketplace. It is not something that will enable the Provincial Government to curtail inflation within the provincial economy. But to claim, as the Member for Morris did, that it is a deceitful bill is just not reasonable. The bill is clearly stated. The bill gives the government certain limited powers, certain powers under certain conditions to deal with excesses in the marketplace. It can be used in that way when those excesses are perceived, when it becomes obvious that there is a problem in a particular industrial sector, marketing sector of the economy. That's when the bill can be used and that's when it will be used.

Now to ask the government to lay out what industries the bill will be invoked to set prices in, is the kind of hypothetical discussion that I just will not enter into.

Mr. Speaker, while I welcome the contribution of the Member for Morris I have to express some kind of amazement at the contribution of the Member for Roblin yesterday. He came sailing or floating in here after lunch, stood up on his feet and made a robust speech that contained very little of substance. As a matter of fact when I listened to him very carefully it was obvious to me that it contained not only no substance but a great deal of contradiction. On the one hand he was saying that there was no way that the Conservative Party was going to approve this bill and give to me and the government such wide-ranging powers, powers to control prices, powers to set up boards of inquiry, powers to do Heaven knows what in his imagination. On the other hand the

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(MR. TURNBULL cont'd) Member for Roblin and the Member for Morris today indicated that this bill really was nothing at all. It was, as the Member for Morris indicated, an illusion. I think that the Member for Roblin called it window-dressing.

Well, Mr. Speaker, it can't be both and they can't have it both ways. It is either a significant bill which will enable the government to deal with certain things which I think it is, or it is an illusion, one or the other. I don't think it's an illusion, it is a statute. It will be used and I think it can be used effectively given the conditions under which it can be invoked with regard to price setting.

The Member for Roblin also indicated that he would not trust the government with this kind of legislation. Well, you know, given the kinds of goings on in the Conservative Party in this province I don't blame him for not trusting anybody. I'm sure that his ex-Leader feels much the same way as he does. Given the way they act if he trusted me or anybody else I would be mightily surprised. But I don't ask him to trust me. I am not concerned about that. I am only concerned with invoking some kind of consumer protection whether he likes it or not and I intend to pursue that course as long as I am the Minister of this particular department. So his trust is of no concern to me. But I ask him to reconsider the fact that perhaps what he should be doing is thinking of those people who cannot cope with inflation, cannot cope with rising prices and rather than express the kinds of contradictory remarks he does that he should come around to the point of view that consumer protection is necessary, that in some cases under inquiry, the setting of prices while the inquiry is under way will be necessary.

The reverse, Mr. Speaker, you know is really rather ridiculous. You set up an inquiry because the price has risen and while the inquiry is under way the particular person who set the high price continues to charge that price. I mean what kind of inquiry is that? Then after the inquiry makes its report and says oh this price was too high, then some action has to be taken. I don't think that's a sensible approach. It's much more sensible to have the inquiry set up, determine what would be a reasonable price for the time of the inquiry and save the consumers the necessity of paying out of their pockets what might be an unwarranted price increase.

Mr. Speaker, I'm glad really in a way that the members of the Conservative Party are opposing this bill. I was beginning to think that they were going to spend the session agreeing with everything that I did. I brought in The Corporation Act after due consultation with, believe it or not, corporation lawyers, some of the best corporation lawyers in the province. For the edification of the Member for Sturgeon Creek I have no hate on for corporations particularly as long as they act as good citizens. I think that the process that was gone through for the drafting of The Corporations Act proves that. And the process gone through for the drafting of The Real Estate Brokers Act also proves that I have no hate at all on for people in the real estate industry. That does not mean though that I will, like them, listen only to particular interest groups in the community and do what they say. Quite the contrary. A course of action will be taken and they will be consulted to see what improvements can be made in the legislation that agrees with that course of action. That is the way I think that governments should govern.

So they've agreed to The Corporations Act and they voted unanimously for the Rent Control Bill. They are now going to oppose this particular measure. That pleases me, Mr. Speaker, because at least it will give some debate to the problems in the marketplace and may enable some individuals in our community to come forward and indicate how they have had to pay what they consider to be excessive prices for certain commodities. But of course, Sir, our society being the way it is it's more advantageous to the people who are selling goods to come and complain to the committee than it is for those who are buying to come and complain about the high price increases.

They've had opportunity to speak on the principle of this bill in any case through the whole session. The fact that the bill was going to be changed was in the Throne Speech. I said publicly, shortly after that and it was reported, that the change would be a price-setting mechanism and since then they have had my Estimates to debate this principle which they ignored. They passed my Estimates in about three hours and they have had other opportunities too, on the Budget Speech, and they haven't taken them. So I have no qualms about introducing this measure now. It is not something that takes a great deal of

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(MR. TURNBULL cont'd) study, it is simple to understand and if they can't understand it then, Sir, I can't sympathize with them at all.

QUESTION put and declared carried.

A MEMBER: Ayes and Nays, Mr. Speaker.

MR. JORGENSON: Mr. Speaker, may I call it 12:30? --(Interjection)-- Well we'll have a vote right now then or after 2:30, whichever you wish.

MR. SPEAKER: Call in the members. Order please. The vote is in motion now. I took it 30 seconds before the half hour. We've run overtime before, no problem.

Order please. The motion before the House is second reading of Bill 20.

A STANDING VOTE was taken the results being as follows:

YEAS

Messrs.	Adam	Johnston, G.
	Barrow	Malinowski
	Bostrom	Osland
	Boyce	Paulley
	Burtniak	Pawley
	Cherniack	Petursson
	Dillen	Schreyer
	Doern	Shafransky
	Gottfried	Toupin
	Hanuschak	Turnbull
	Jenkins	Uskiw
	Johannson	Walding

NAYS

Messrs.	Bilton	McGregor
	Blake	McKenzie
	Craik	Minaker
	Einarson	Sherman
	Graham	Spivak
	Johnston F.	Steen
	Jorgenson	Watt
	McGill	Wilson

MR. CLERK: Yeas 24, Nays 16.

MR. SPEAKER: In my opinion the Ayes have it and I declare the motion carried.

The Honourable Member for La Verendrye.

MR. BOB BANMAN (La Verendrye): Mr. Speaker, I was paired with the Honourable Minister of Urban Affairs. If I had voted I would have voted against the motion.

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

MR. JAMES R. FERGUSON (Gladstone): Yes, Mr. Speaker. I was paired with the Minister of Mines and Resources. Had I voted I also would have voted against the motion.

MR. SPEAKER: The Honourable Member for Rhineland.

MR. BROWN: Mr. Speaker, I was paired with the Honourable Minister of Health and Social Development. If I had voted I would have voted against the motion.

MR. SPEAKER: The Honourable Member for Pembina.

MR. GEORGE HENDERSON (Pembina): Mr. Speaker, I was paired with the Honourable Minister of Affairs. If I had voted I'd have voted against the motion.

MR. SPEAKER: Thank you. The hour of adjournment having arrived . . .

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MR. USKIW: It probably would be opportune to let the public know that we're going to be in Industrial Relations this afternoon, in which case the hearings have been completed, but following that we intend to be in Law Amendments. That's after Routine Proceedings in the House of course.

MR. SPEAKER: The hour of adjournment having arrived the House is now adjourned and stands adjourned until 2:30 this afternoon. (Thursday)