

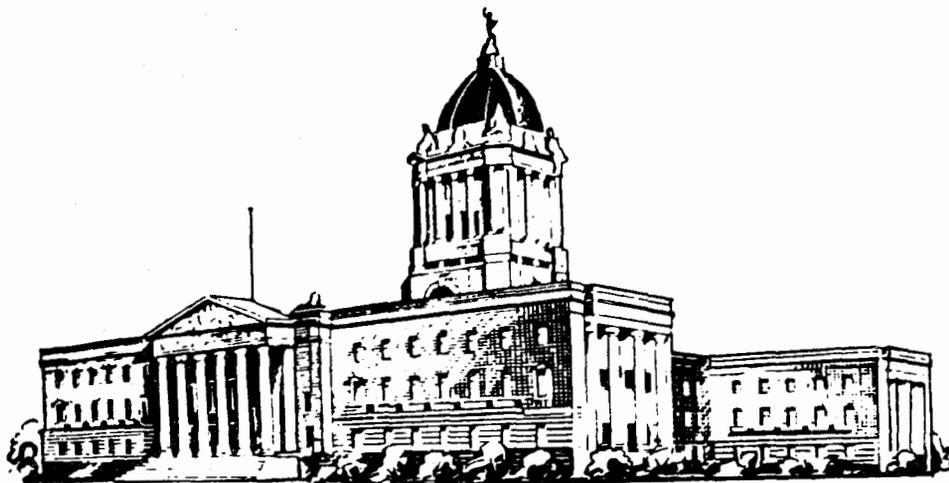


FOURTH SESSION — THIRTIETH LEGISLATURE
of the
Legislative Assembly of Manitoba

**DEBATES
and
PROCEEDINGS**

26 Elizabeth II

Published under the
authority of
The Honourable Peter Fox
Speaker



VOL. XXIV No. 84B FRIDAY, JUNE 17, 1977 2:30 p.m.

TIME: 2:30 p.m.

OPENING PRAYER by Mr. Speaker.

MR. SPEAKER, Honourable Peter Fox (Kildonan): Before we proceed, I should like to direct the attention of the honourable members to the gallery where we have 39 students Grade 6 standing of the Bannatyne School. These students are under the direction of Mr. V. Krentz. This school is located in the constituency of the Honourable Member for Sturgeon Creek.

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

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

ORAL QUESTIONS

MR. SPEAKER: The Honourable Member for Fort Rouge.

MR. LLOYD AXWORTHY: Mr. Speaker, I have a question for the First Minister in respect to the announcement he made this morning, a press release that was issued by Manitoba Housing on the proposed Inner City Housing Action Program for \$20 million. Can he indicate whether this 500 units of public housing that will be built in the Inner City is to be financed through a special public housing allocation from Central Mortgage and Housing or is it part of the normal public housing budget that has previously been announced in the MHRC Estimates?

MR. SPEAKER: The Honourable Minister of Urban Affairs.

HONOURABLE SAUL A. MILLER (Seven Oaks): Mr. Speaker, the initial moneys will be coming from the CMHC allocation to Manitoba. It is hoped, of course, as last year that when we approach them again in the fall, they will increase their allocation in Manitoba because other provinces are not using their allocations.

MR. AXWORTHY: A supplementary, Mr. Speaker. As I understand it then, that the program is part then of the already designated number of public housing units that were being built, can the Minister indicate if there will be any additional provincial capital being spent in this program over and above the normal 10 percent allocation that goes as part of the Federal-Provincial agreement?

MR. MILLER: Mr. Speaker, we certainly try to use as much of the federal money as possible. We were faced with that particular dilemma last year where if no further federal funds would have been available, we would have had to use provincial capital. Fortunately, the Federal Government, in October, made more funds available to Manitoba and we were able to plug into Section 43 of the NHA Act in order to get the necessary funds.

MR. AXWORTHY: A supplementary, Mr. Speaker. Can the Minister indicate what the designation of these units will be. Will they be entirely for families? Will they be available for single people? Will they be available for senior citizens? Do we have an allocation as yet?

MR. SPEAKER: The Honourable Minister of Industry and Commerce.

HONOURABLE LEONARD S. EVANS (Brandon East): Mr. Speaker, I can indicate that these units are essentially for families. These will be family units in excess of 500 suites, or apartments, or household units, in multiple structures.

MR. AXWORTHY: Well, a supplementary from that then, Mr. Speaker. Can the province or any one of the Ministers indicate if there is to be any assistance given for the rehabilitation or upgrading of existing multiple units blocks, apartment sites, particularly to help those, or provide loans for those that need upgrading for fire purposes or other reasons.

MR. EVANS: Well, Mr. Speaker, as indicated during the Estimates of Manitoba Housing, the government is looking at a program to upgrade existing apartment blocks in the inner portions of the City of Winnipeg and we have had some discussions on that matter at some length.

With regard to another element of your question, if I heard the honourable member properly, with regard to the existing tenants, I believe he asked a question with regard to those who are living in the existing buildings. I can advise the honourable member and members of the House that of all of the structures involved, all of the parcels involved, the bulk of them are either unoccupied land, under-utilized land or placarded buildings, buildings that are declared by the City of Winnipeg to be unsanitary. And I believe there may be about twenty families, at the very most involved, and these people will be given top priority and in fact we will assist them in every way possible to find alternative accommodation. And I can assure the honourable member in every case, it will be better accommodation than they have now, because all of them are living in sub-marginal accommodation.

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

MR. GEORGE MINAKER: Thank you, Mr. Speaker. My question is to the Honourable Minister of Industry and Commerce who is responsible for the local group projects in The Employment Program. I wonder if the Honourable Minister can confirm that the People's Liberation Book Store

has received a grant of \$3,080 on one of his projects.

MR. SPEAKER: The Honourable Minister of Industry and Commerce.

MR. EVANS: Well, I'll have to check that item, Mr. Speaker. There was an Outreach type of program being operated, I believe, through that facility, some type of Outreach program to disadvantaged people, as I understand. But I'll have to check the records.

MR. SPEAKER: The Honourable First Minister.

HONOURABLE EDWARD SCHREYER, Premier(Rossmere): Mr. Speaker, this morning I undertook, pursuant to a question from the Leader of the Opposition, to trace down the disposition of what was thought to be seven or eight Orders for Return not yet filed. I'm told that the number is five. I've asked the Clerk of the Executive Council, Mr. Bedson, to trace it down.

The procedure would be that when that is done, a copy would be filed with the Clerk of the Assembly, and a copy sent to the mover of the motion, in the first instance.

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

MR. MINAKER: Mr. Speaker, a supplementary question to the Honourable Minister of Industry and Commerce. I wonder if the Honourable Minister would check to see if also the Liberation Book Store received a grant of some \$5,900.00. Would the Minister check to see if the Peoples' Liberation Book Store and the Liberation Book Store are one and the same organization?

Further, would the Honourable Minister seek out to find out what this store represents or whether, in fact, it represents a left-wing group organization as only a front?

MR. SPEAKER: The Honourable Minister of Industry and Commerce.

MR. EVANS: Mr. Speaker, such grants to community associations, of course, are not available to commercial operations. In this case I believe, if I recall properly, there was a social service program for that neighbourhood involving some people the Honourable Member from Swan River should be concerned about — some disadvantaged people. As I said, we will check it, but it was some type of outreach program if I recall.

I might add, Mr. Speaker, we have approved hundreds of grants all over this province for many many very worthwhile programs and I believe, if I recall, this was an extremely worthwhile program.

MR. SPEAKER: The Honourable Member for Assiniboia.

MR. STEVE PATRICK: Mr. Speaker, my question is to the Minister of Industry and Commerce responsible for housing. I believe early in the Session it was announced in The Throne Speech that there will be some thousand lots coming on stream in the Inkster-Keewatin area that will be available for people sometime during the summer. Can the Minister indicate to the House are these now ready and are the services in, and if they are not ready yet, will they be available for this construction season?

MR. SPEAKER: The Honourable Minister of Industry and Commerce.

MR. EVANS: Mr. Speaker, the engineering design has now been completed and either today or tomorrow, I believe, the corporation will be awarding the contract for the installation of water and sewer services. So we are proceeding forthwith.

MR. PATRICK: Can the Minister answer my second part of the question: Will any of the lots be available during this year because I believe it was indicated early in the Session that they would be available this year?

MR. EVANS: Yes, Mr. Speaker, this is our hope and our plan but we are in the hands of the ability of the contractors and of course right along it has been a matter of working with the various levels of the City government and so on and they have been very co-operative but it all takes time. We are hoping that we will be in a position, as we said earlier, to be able to sell these properties, these lots, at a very good price to consumers in this area this year. So, again, however, I would have to reiterate, it partly depends on how successful we are in actually getting the engineering works in place but work is about to begin.

MR. PATRICK: Well, I appreciate that answer because I was somewhat concerned.

MR. SPEAKER: Question.

MR. PATRICK: My supplementary, Mr. Speaker, is in respect to the program that was announced this morning about housing for 500 new families in the inner core of Winnipeg. Can the Minister indicate to the House if any consultations have taken place with the Winnipeg School Board and the Recreation and Parks Board in respect to recreation facilities and educational facilities for these new families?

MR. EVANS: I can't say to what extent there have been consultations at the staff level but we have certainly worked, I think, in an optimum way with the various people in the City administration. As a matter of fact, the City administration largely helped us identify the particular properties in question. I might add, Mr. Speaker, that these properties are well scattered albeit in the inner city portion of the City of Winnipeg, nevertheless they are scattered about, so I would hope that there would not be any serious problems posed that the member may be implying in his question.

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

MR. HARRY E. GRAHAM: Thank you, Mr. Speaker, I have a question for the Honourable Attorney-

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General the, Minister responsible for the Liquor Control Commission. I would like to ask the Minister if the Liquor Control Commission has phased out their computer operation.

MR. SPEAKER: The Honourable Attorney-General.

HONOURABLE HOWARD PAWLEY (Selkirk): Mr. Speaker, I would take that question as notice.

MR. GRAHAM: Mr. Chairman, perhaps I should ask that question in another manner. Has the Liquor Commission changed over their computer operation to the government's computer centre?

MR. PAWLEY: Mr. Speaker, I believe they have; I certainly hope they have so arranged.

MR. GRAHAM: A supplementary. Can the Minister indicate what has happened to the operators of the computer program at the Liquor Commission? Have they been transferred also or have they been reclassified and given other jobs in the Liquor Commission?

MR. PAWLEY: Mr. Speaker, I did take that question as notice.

I wonder if I could just ask, with the leave of the House, that I get an opportunity to table the information which I agreed to table in connection with wire-tap guidelines. Now this is the original, the document received by me, and I will be asking the Clerk to photocopy copies of it.

MR. SPEAR: The Honourable Member for Wolseley.

MR. ROBERT G. WILSON: In the absence of the Minister of Education, I wonder if the First Minister could maybe answer. Would the Minister advise the House how the Seine River School Division expended its \$300,000 French 1976 language grants, the federal and provincial ones, and have proper records been kept of this expenditure?

MR. SPEAKER: The Honourable First Minister.

MR. SCHREYER: Mr. Speaker, a question having to do with the internal operations of a school division clearly will have to be taken as notice.

MR. WILSON: Well, my supplementary question is, then in the April 26th issue of La Liberte, Mr. Hebert stated that matters of policy pertaining to French language would be made by the Bureau de L'Education Francaise and not by the Minister of Education.

MR. SCHREYER: Well, Mr. Speaker, I am aware that that kind of a statement was reported. I cannot vouch for its authenticity, but even if authentic I've already indicated that that most assuredly cannot be the case by definition.

MR. CHAIRMAN: The Honourable Member for Crescentwood.

MR. WARREN STEEN: Thank you, Mr. Speaker. Earlier today I asked the Minister of Public Works a question regarding the catering facility at Thompson in the government building. It has come to my attention that the caterer, who the Minister referred to this morning, who has been suspended, has issued N.S.F. cheques to his personnel. Does his department, the Minister's department, have any moral or legal obligation regarding the employees who worked for this caterer?

MR. SPEAKER: The Honourable Minister for Public Works.

HONOURABLE RUSSELL DOERN: Well, Mr. Speaker, this is another instance of a free enterprise failure. I do not know whether we have an ethical obligation, but I would certainly check that out. All I know is that we have hired a private firm and they appear to have not fulfilled their commitments.

MR. STEEN: Mr. Speaker, to the Minister, when the firm was appointed to undertake the position as being the caterer, did they have to put up a bond?

MR. DOE: Mr. Speaker, I will take that as notice.

MR. SPEAKER: The Honourable Member for Sturgeon Creek.

MR. F. JOHNSTON: Thank you, Mr. Speaker. I would like to direct my question to the First Minister. I wonder if the First Minister could confirm that the original estimates to install the No. 6 turbine or generator at Jenpeg, which was the first one to go in, the estimate of hours was 33,000 hours and it has now taken over 200,000 hours to install it.

MR. SPEAKER: The Honourable First Minister.

MR. SCHYER: Mr. Speaker, that may be the case. The cost, of course, in terms of the actual cash outlay implications of any delay are a matter as between the supplier and the installer, and not Manitoba Hydro.

MR. F. JOHNSTON: Mr. Speaker, with the other turbines yet to go in, could the First Minister explain why the camp there has been reduced from over 400 to approximately 210 men?

MR. SCHREYER: Well, there might be several reasons, Mr. Speaker. One of them, however, would be the fact that the civil works have been completed and now what is involved is the installation of the mechanical work, so there is obviously quite a diminution of onsite labour activity.

MR. SPEAKER: The Honourable Leader of the Opposition.

HONOURABLE STERLING LYON: Mr. Speaker, a question to the First Minister, which I believe he took notice of some time ago. Is the First Minister yet in a position to advise the House as to the amount of the cost overruns on the installation of the Soviet generators at Jenpeg.

MR. SCHYER: Mr. Speaker, whatever the cost overruns they certainly do not bear on Manitoba Hydro's obligation to pay out cash. Any cost overruns is a matter of, and indeed it is at the present time, a matter of some dispute as between the supplier and the installation company Flanders Limited.

MR. LYON: A further question, Mr. Speaker. I believe it was also taken as notice some time ago. Has the First Minister been advised as yet as to the dollar value of the loss of power from Jenpeg for the approximate one-year period which it is now behind schedule.

MR. SCHREYER: Mr. Speaker, I have asked for some estimating of that and when I obtain the information I can forward it to my honourable friend.

MR. LYON: Mr. Speaker, reverting to an answer that the First Minister gave with respect to Orders for Return, five of which we understand and he acknowledges are still outstanding, can the First Minister give a time frame in which the members of the House can expect to receive these Orders for Return, which are now at least a year old.

MR. SCHREYER: Mr. Speaker, I have indicated that I have asked the Clerk of the Executive Council to apply himself to this task. Some of this can be, I would imagine, done relatively soon. I cannot, however, dismiss the possibility that one or two may be somewhat in the nature of the kind that my honourable friend, the Minister of Agriculture, was referring to this morning requiring considerable detailed research, pulling together of information. But even so I would hope to be able to do so in the next thirty days.

MR. SPEAKER: The Honourable Member for Sturgeon Creek.

MR. F. JOHNSTON: Mr. Speaker, my question is to the Minister of Industry and Commerce, regarding the Manitoba Housing and Renewal Corporation. Is it the practice of the Housing and Renewal Corporation to have a contractor working on projects for as long as four months without a signed contract?

MR. SPEAKER: The Honourable Minister of Industry and Commerce.

MR. EVANS: I would not think so, Mr. Speaker. I wonder if the honourable member would like to give me some details, I'll pursue the matter.

MR. F. JOHNSTON: Mr. Speaker, I would ask and give the details maybe in the form of a question and just briefly say that I don't know that it would do anybody any good. Maybe I would just ask the Minister if he would check with the Housing and Renewal Corporation and see if this practice is going on.

MR. SPEAKER: The Honourable Member for Virden.

MR. MORRIS MCGREGOR: Mr. Speaker, I'd like to direct this to the First Minister. Some six weeks ago I requested him to instruct his Minister of Public Works on a certain action and seven weeks later we realized how extremely successful that was. I, myself, never being one to change course in midstream . . .

MR. SPEAKER: Question.

MR. MCGREGOR: . . . would he now instruct his Minister of Public Works to turn off the solar energy because excess water is becoming a problem.

MR. SPEAKER: The Honourable First Minister.

MR. SCHREYER: Mr. Speaker, I hardly know how to answer. The Minister of Public Works is a colleague. One does not instruct colleagues; one merely asks colleagues. I believe that the Minister of Public Works probably would not be adverse to accepting some responsibility for what has happened in the past six months.

MR. SPEAKER: The Honourable Member for Rhineland.

MR. ARNOLD BROWN: Thank you, Mr. Speaker. My question is to the Minister of Health. This morning I asked him whether a personal care home was slated for Pine Falls and he said he would answer this afternoon. I wonder if he could give us that answer now.

MR. SPEAKER: The Honourable Minister of Health.

HONOURABLE LAURENT L. DESJARDINS (St. Boniface): Yes, Mr. Speaker, I was waiting to have a chance to catch your eye to give the answer and that is the Pine Falls personal care home, as I stated a few times in the House, that Pine Falls was not on the list of the five-year construction program that I had announced last year. I had a meeting with a Dr. Siddal and Mr. Munro, the Chairman of the District Board of the Pine Falls General Hospital, some time in either November or December of 1976. What was discussed was confirmed by a letter from Mr. Edwards, the Chairman of the Commission, on the 22nd of December, 1976, and that is that starting this summer of 1977 there will be discussions between the Board and the Manitoba Health Services Commission to start the planning so we could proceed with this at least immediately after the five-year program — that is in four years from now — or possibly a little before that but it will take a couple of years to plan, anyway.

MR. SPEAKER: The Honourable Member for Flin Flon.

MR. THOMAS BARROW: I'd like to make a change on the Statutory Regulations Committee, Mr. Speaker. The name of Adam to replace that of Malinowski.

MR. SPEAKER: Agreed? (Agreed) The Honourable Member for Sturgeon Creek.

MR. F. JOHNSTON: Mr. Speaker, I'd like to ask the First Minister if he is waiting with anxiety, the same as we are, for the Member from Radisson's question?

MR. SPEAKER: The Honourable First Minister.

MR. SCHREYER: I think, Mr. Speaker, it would be more correct to say that I am waiting with trepidation. Frankly, I would sooner not face that prospect either.

MR. SPEAKER: The Honourable Leader of the Opposition.

MR. LYON: Mr. Speaker, I posed a question yesterday to the Honourable the Minister of Tourism with respect to whether campers on Crown lots would be allowed to pitch tents this coming summer, and I showed him later a copy of the bulletin. I was wondering if the Minister has been in a position since that time to convince the bureaucracy that maybe people should be allowed to pitch tents on their own property.

MR. SPEAKER: The Honourable Minister.

HONOURABLE BEN HANUSCMAK (Burrows): Well, Mr. Speaker, I think one would be well-divided to be very careful in choosing a site for pitching a tent today. I did check the matter out with my department, that was raised by the Honourable Leader of the Official Opposition—**Interjection**—**The Leader of the Official Opposition.**

It is not the intent of the regulation or, as it was paraphrased in the instructions given to cottagers, to prohibit the pitching of tents for strictly recreational purposes for the use of their families. In fact, even if one wished to pitch a tent for the use of friends or relatives staying overnight, that could be checked out and clearance could be obtained from the park ranger for a short period of time. It's not even the intent to prohibit the pitching of a tent to accommodate friends or relatives who may not be accommodated within the cottage. But the intent was to prohibit the pitching of tents and setting up of mobile homes and so forth for rental purposes for season use. However, that regulation will be clarified for the benefit of the users of our campground and cottage areas.

MR. SPEAKER: The Honourable Leader of the Opposition.

MR. STERLING R. LYON (Souris-Killarney): Mr. Speaker, do I take it then that the Minister is saying that a letter of explanation will go out to all property owners holding Crown leases, explaining that they can pitch tents which is contrary to the first letter that went out, which the Minister saw?

MR. HANUSCHAK: No I don't think that there's need for any letter of explanation going out, but come the next season the instructions that are given to cottagers will be redrafted and if there's any problem that may arise during the balance of the camping season for the year that matter will be dealt with on an individual basis. But as I've indicated, it is not the intent of the regulation to prohibit the pitching of tents for recreational use by the family for use by children to play in, nor even is it the intent to prohibit the pitching of a tent to accommodate friends staying overnight, who could not be accommodated in the cottage.

MR. LYON: Mr. Speaker, I wonder if the Minister could open another flap of investigation in his department — did I understand him to say that persons wishing to pitch a tent would have to get prior permission from somebody to pitch a tent in your own backyard?

MR. HANUSCHAK: Mr. Speaker, it was not the intent of the regulation to prohibit the pitching of a tent for recreational use by the family so that regulation isn't relevant to the pitching of tents for recreational use by families. But insofar as pitching of tents for overnight accommodation, then that can be cleared with the park ranger by those who wish to do so.

MR. SPEAKER: The Honourable Leader of the Opposition. Final question.

MR. LYON: Mr. Speaker, at the risk of further confusing a problem that we thought was fairly simple, can I ask the Minister one final question. Can the Minister advise if the letter which went out to all Crown lessees saying that they could not pitch tents on their own property will be revoked so that they will be under no misapprehension as to what the law of the land is?

MR. SPEAKER: The Honourable First Minister. Order please. The Honourable First Minister.

MR. SCHREYER: Mr. Speaker, assuming that such a letter exists and assuming that it has been correctly interpreted, if that is the correct interpretation, then it will be changed. There is no intention to have regulations having to do with whether or not there can be the pitching of a tent in a casual way next to a cottage in a cottage lot in a recreational park.

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

MR. HARRY SHAFRANSKY: Thank you, Mr. Speaker. I have a question to the Minister of Health and Social Development. I wonder if he could recommend to the Member for Sturgeon Creek where he could see a doctor to remove his pangs of anxiety that he exhibits so much in this House?

MR. SPEAKER: The Honourable House Leader.

MR. GREEN: Bill No. 86 please, Mr. Speaker.

MR. SPEAKER: Order please. Bill No. 86. Report stage. . The Honourable Member for Fort Rouge. 86 you said.

MR. GREEN: No, I'm sorry ' I was wrong, Mr. Speaker. The honourable member apparently still has a question.

MR. SPEAKER: The Honourable Member for Radisson.

MR. SHAFRANSKY: Yes I have a question, Mr. Speaker, a supplementary question to the Minister of Health and Social Development. I wonder if the Minister could recommend to the Member for Sturgeon Creek where he could get a frontal lobotomy

ORDERS OF THE DAY — SECOND READINGS

MR. GREEN: Mr. Speaker, Bill No. 88, Second Reading, Page 2.

BILL (NO. 88) — THE STATUTE LAW AMENDMENT ACT (1977)(2)

MR. SPEAKER: The Honourable Attorney-General.

MR. PAWLEY presented Bill 88, The Statute Law Amendment Act (1977)(2), for second reading.

MOTION presented.

MR. SPEAKER: The Honourable Attorney-General.

MR. PAWLEY: Mr. Speaker, in order to expedite time, I think honourable members have the bill and we would be just as well to permit the bill to proceed on its way to committee for the clause by clause analysis.

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

MR. GRAHAM: Mr. Speaker, I can assure the Attorney-General that there is no wish on behalf of our party to hold the bill up any longer and whenever you want to call the committee, we will endeavour to do what we can to move this bill forward.

QUESTION put, MOTION carried.

MR. SPEAKER: The Honourable Leader of the Opposition wish to speak to Bill 88?

MR. LYON: Just a procedural question on Bill 88, Mr. Speaker, as to whether or not the House Leader would want to refer that to Committee of the Whole rather than Law Amendments?

MR. SPEAKER: The Honourable Minister of Mines.

MR. GREEN: Mr. Speaker, I think it will be Law Amendments. We just go out and come back. It will be just as quick. There are less people on Law Amendments.

MR. SPEAKER: The Honourable House Leader.

MR. GREEN: Mr. Speaker, I would want to call Bill No. 14, Page 1 of the Order Paper.

REPORT STAGE

BILL NO. 14 — AN ACT TO AMEND THE LANDLORD AND TENANT ACT.

MR. SPEAKER: Bill No. 14 adjourned by the Honourable Minister of Mines. Report stage.

MR. GREEN: Mr. Speaker, I think that some of the difficulty that we're having with this bill arises from the fact that it was not dealt with at the committee stage in the ordinary way because it was not in the original bill, it was sent by committee and introduced at the report stage. Under those circumstances I think, Mr. Speaker, that there is confusion as to what is desired by either side and we get into the kind of a rather hostile debate that started this morning. We can't deal with a word, we can't change a word, we can't do the things that can be done rather more informally to make sure that there is no problems arising and therefore, we have, I think, a misunderstanding as to intention. I can assure the Honourable Member for Sturgeon Creek that both the Minister and the members who spoke clearly do not wish to interfere with landlord and tenant relationships in the normal way, nor do they want a landlord to prevent a tenant from being able to deal with reasonable information.

But there is this problem of debate. It is a problem having been brought in at this time, when it can't be dealt with by the committee in that way. We have a law which now guarantees some information being received by the tenant and rather than try to deal with that kind of amendment in this kind of setting, we would want consent of the whole House to withdraw the amendment and not proceed with it at this time. —(Interjection)— The amendment dealing with the literature. —(Interjection)— Yes, but I want honourable members to be made quite aware that we do not attribute to the intention of the amendment some of the suggestions. I think if we had been sitting in committee discussing it around a table, we would probably find a way of dealing with it, and more particularly, in dealing with a landlord preventing a tenant from receiving any kind of information other than election material so it might be better to do it in that way because I don't think it is a contentious issue and we are making a contentious issue out of nothing So I would request the members of the Opposition to give me consent to have this amendment withdrawn.

MR. SPEAKER: Is it agreed? (Agreed)

BILL NO. 14 was read a third time and passed.

BILL NO. 18 — THE RETAIL BUSINESS HOLIDAY CLOSING ACT

MR. SPEAKER: The Honourable Minister of Mines.

MR. GREEN: Bill No. 18, Mr. Speaker. Adjourned debates on Third Reading, Bill No. 18, The Retail Business Holiday Closing Act.

MR. SPEAKER: The Honourable Member for Fort Garry.

MR. SHERMAN: The Minister of Labour says, "Keep it cool," Mr. Speaker. It may be hard to do that

but I will attempt to restrain my opposition to the bill to as great a degree as possible but I will certainly not withdraw my opposition to the bill.

Sir, I think our position on the bill was made abundantly clear on second reading and in committee. We find that in consultation with members of the economic community and particularly those who are small independent store operators since that time that our position has been justified and reinforced in our own minds. I have had individual independent store owners and their wives phone me, get in touch with me, in substantial number in the last few days, in the last few weeks, since the bill went through the committee stage all of them greatly upset by the kind of impact, the kind of effect, that they feel this legislation will have on their lives and on their livelihoods.

We said at the outset that the legislation does nothing for the employment situation in this province and we reiterate that with all the emphasis that we can summon. What is going to happen, Sir, and I have personal evidence of that from individual merchants and store owners in my own constituency and elsewhere, is that people are going to lose jobs under this legislation. I had a store owner — and this is only one of the many calls that I have received — who told me that he was intending to open a new store, he has a small grocery store, and he was intending to open another one in which he would have provided employment to somewhere between five and nine people. Now he is not going to do that. He feels that the kinds of directions that are embodied in this type of legislation are too discouraging and have too much potential for difficulty for him to embark on that kind of an investment.

I have had store owners and their wives phone me, one of them literally in tears, Sir, over the fact that she and her husband had scrimped and saved, had sold what possessions they had to purchase a small store, put their business together, build it up over the years by working seven days and seven nights a week, when necessary, to expand it a little bit and add a few employees, arrive finally at a situation, at a position where they had a viable business and a viable livelihood, and now, because of this legislation, they are faced with a serious cutback in that business and livelihood, so much so that it might prompt them to address themselves to the inevitable and close and go out of business, move elsewhere to operate a business.

Now I know the Minister will say that that is not a valid argument to use because operators of this type only have to close one day a week and they can pick their day, Saturday or Sunday. But, Sir, the legislation is such and the normal course of economic affairs in the marketplace are such that Sunday is an extremely important and crucial business day to independent operators, small merchants, small entrepreneurs. It is the only way that they can derive viability against the pressures of the conglomerates and the multi-nationals and the big chains who command so much of the market.

We feel that this legislation is really an effort and an attempt on the part of this Minister to do the bidding of the major supermarket chains and the Retail Clerk's Union, neither of whom wants to work on Sundays, for reasons of their own. The reasons aren't necessarily the same but the major chains don't want to operate on Sundays and the Retail Clerks' Union doesn't want to work on Sundays so they decide among themselves that nobody is going to work on Sundays, in effect, that nobody is going to be able to compete with them by commanding the Sunday commercial opportunities that are available. And that is one of the most repugnant elements of the legislation to us, Mr. Speaker, that there should be legislated protection for vested interest groups in the economy which works against those small independents who make the effort to work hard, make a living, provide a service, provide employment opportunities, provide a source of taxation and revenue for this government and through this government the people of Manitoba, and who, in short, Sir, help very very potently to make the economy go.

So, Mr. Speaker, our position remains where it has been, that this legislation is harmful and destructive to the spirit of people, to initiative and enterprise and freedom of choice and beyond those important abstractions, harmful to the condition of the economy in this province today. It is going to hurt employment; it is going to hurt business; it flies in the face of the kinds of programs in terms of employment development and job creation that members of the treasury benches opposite strut and boast about. It is a total antithesis to the kinds of things which the Minister of Industry and Commerce and the First Minister and the Minister of Finance protest that they are attempting to do, to shore up and reinforce our economy. The facts speak a lot louder, Sir, than their words do and not many Manitobans are going to be fooled by that kind of speech-making when they feel the impact in the economy, in difficulty as it is today, and see it extended in its difficulties and made worse in its difficulties as a consequence of legislation of this and other kinds.

Sir, the one other aspect that I would like to make reference to in the bill is the fact that individual rights are not respected to the degree that they should be and I think that's an important indictment of this government. I recognize that the Minister was caught in a rather wide-ranging social argument a few months ago because of the intrusion of some major supermarket operators into the field of Sunday commerce but in my view, Sir, he has over-reacted seriously and is responding to a difficulty that I believe could have been solved by adhering closely to legislation already in place in this

country and other jurisdictions and by bringing in this kind of discriminatory legislation. There were a number of amendments proposed by our party at the time of the study of the bill at committee stage, Mr. Speaker, and I think you are familiar with the fact that all the important ones failed. Only one was successful and it really does not have the improvement effects, does not have the beneficial effects that we believe are necessary to make this reasonable legislation that some of the other amendments we proposed did possess.

Lastly, Sir, the penalty clause in the bill is one that I cannot permit to pass by without one further comment. We have here an extremely punitive section which, in effect, says that if a small store owner makes a mistake of violating this Act, that he is liable to the kind of fine on summary conviction that can put him out of business. He is liable to a fine as high as \$5,000 which, Sir, would smash — completely destroy — many small enterprises of the type to which I have referred and of the type that are most seriously affected by this legislation. The other day, Sir, we had a case in this City of two persons being convicted on nine counts of fraud — on nine counts of fraud — and the fine, Sir, was \$1,800.00. That works out to . . .

MR. SPEAKER: The Honourable Minister of Mines.

MR. GREEN: The honourable member is comparing the maximum fine with the fine that was given by a judge in a particular case. Does the member know what the maximum fine for fraud is? Because those are the comparisons.

MR. SHERMAN: Mr. Speaker, I recognize what the Minister is saying, but we had very firm evidence from the Minister of Labour in committee when we tried to move an amendment reducing the maximums and minimums here, that he thought they were far too low. So it does not detract from my argument. We are looking here at a penalty that could drive a small merchant, because he made a mistake, or she made a mistake, or attempted to experiment with a particular choice, that would destroy that business. I suggest to you that that flies in the face of the whole trend of justice in this country today where we have almost, through many of the measures introduced by this government, said, "The first one is on the house." You can get away with the first offence; you will get a light slap on the wrist but don't do it again. There is no such consideration shown to a small merchant, a small store owner, who has worked and slaved to put that enterprise together.

MR. SPEAKER: The Honourable Minister of Mines.

MR. GREEN: Would the honourable member say that under Bill 18 that a magistrate could not impose a very light sentence and say don't do it again, the same as he does now, with any other offence under the present Act?

MR. SHERMAN: Of course he could, Mr. Speaker, but the evidence as expressed by the Minister of Labour in committee is that as far as this government is concerned, if there are any future amendments to come in, they will boost these minimums and maximums. — (Interjection) — Well, this is a reflection of an attitude that is found in this bill, and I suggest to you the attitude is clear, that the attitude brooks no error on the part of a small businessman. There are attitudes of this government expressed in other legislation that brook widespread errors in other fields, but the attitude expressed in this legislation and in that clause says, "We will countenance no such error on the part of a small businessman or businesswoman, because we don't like small business or medium business or any kind of business unless it is controlled by government." That is what that clause says, that is what the attitude of the Minister reflected in committee study.

Well, Sir, the Minister of the Environment may say, "That is not so" — I suggest to him there are many small businessmen in this City today who believe it is so because of the legislation, because of the attitude of the government in putting this legislation through committee. I want to register our most vigorous opposition to legislation of this kind, more vigorously, if possible, than we expressed it earlier, and our intention, Sir, to have a recorded vote so that we can vote in a recorded manner against this discriminatory and destructive bill.

MR. SPEAKER: The Honourable Member for Sturgeon Creek.

MR. F. JOHNSTON: Thank you, Mr. Speaker. Mr. Speaker, when we were in committee on this bill, I have never seen anything railroaded through like this bill was in my life. I have only been in the Legislature for eight years but, Mr. Speaker, when we were discussing one clause of this legislation, the Member for Flin Flon moved that the question be put. The other day in the House he said he did it because he wanted to upgrade the debate of the committee at the time. I have read Hansard and the reference he makes to bad debate was debate presented by my colleague, the Member for Fort Garry. There was an answer from the Minister of Labour and the Attorney-General regarding this subject. The debate was only spoken on once basically by our side, if you take a look at the record. But, Mr. Speaker, the Member for Flin Flon moved the question be put and there was the Minister of Labour who was supposed to be the Dean of the Legislature and who has basically been the House Leader and would have probably been the person to direct that committee at that time, doesn't even know that he was illegal and should have mentioned to the Chairman that the question could not be put, but yet he allowed it to go through.

Mr. Speaker, Section 196 of Beuchesne — I won't read it all — but in the fourth line, it talks about "That the question be put." The very last sentence: "The motion for the previous question is not admitted in Committee of a Whole or in any other Committee." Yet the Minister sat there and allowed that closure to happen just so he could railroad his legislation through this House. And the Member for Flin Flon has the gall to stand up and say that he did it to upgrade the debate.

Mr. Speaker, I would also like to mention that the Minister of Industry and Commerce should have left the room because he probably should be ashamed of himself for not getting up and opposing this legislation. This legislation says "employees of three at all times." I don't know of many grocery stores — whether they are Mom and Pop organizations or not — that do not employ more than three people at all times. There are delivery boys, there are clean-up boys; there is extra help, so that they can get maybe one or two days off during a month. Mr. Speaker, that's the type of legislation that is being put forward only to help the large union and the large chain store in this province.

The Shell Oil Company can have their service stations open selling groceries on Sunday and yet we close a man who has borrowed money from the bank, put his own signature on the line, born and raised in Manitoba. Mr. Speaker, it is terrible legislation and I make one more point. The Minister was told by legal counsel that came before the Legislative Committee, that this was *ultra vires* legislation. There were as many as three opinions given and, Mr. Speaker, any lawyer knows that in this province and in this country, we dwell on case law. I assure you, Mr. Speaker, that the opinion of very good legal counsel was that this bill was *ultra vires* and could not be put through on the basis of the present legislation in force with the Federal Government.

The Minister who has been asked to take the channel that he has which is provided for in legislation within the Manitoba Legislature, that he could find out and have this Bill proved before he puts it into effect as to whether it is *ultra vires* or not. But, he prefers to go to the Supreme Court and I tell you, Mr. Speaker, that is where he is going and he is going to cost the people of Manitoba one heck of a pile of money doing so, and if he has taken the trouble to read the opinions of the three lawyers that have given him the case law on this subject, he just might take the out that he has to find out if this legislation is *ultra vires* but I don't think he will. —(Interjection)— There you are, Mr. Speaker. I don't think he will. I know he won't now and I know that he is going to cost the people of Manitoba a fortune and he doesn't give a damn.

MR. SPEAKER: The Honourable Member for Assiniboia.

MR. PATRICK: Mr. Speaker, on second reading, I indicated that I believed in the principle that we should try to limit commercialism as much as possible on Sundays, but I also had some reservations, and I said I would let the Bill go to Committee and perhaps have the wisdom of all the representations, and I did that. It wasn't difficult for me to change my views and my mind in respect to what I will be doing in the Bill at this stage.

I am concerned particularly in one area. I am concerned about the small independent businessman in this community and I think it will have a very serious effect on him. Because, Mr. Speaker, I am sure that we are all aware that it is the small *entrepreneur*, the small businessman that employs 75 percent of the people in this province, and I think that we should not make it any more difficult than it is at the present time. We know that we have the 7-Eleven Stores, who are owned by a large corporation and open twenty-four hours a day. The Mac Stores are owned by a large corporation and are open, which creates very serious competition for the small local that are still left. I believe there is something in the neighbourhood of forty independents that are left in the province, and if that is all there is I feel that we shouldn't do anything to put any of those people out of business.

Because, Mr. Speaker, really the cornerstone of a strong local community is the small businessman. I know if anybody had the opportunity to collect money for any social or community project, and I have on several occasions for several projects, it seems when you go to a large corporation all you get is a quick brush off and they say, I'm sorry, we have to do it through head office or we have a certain amount of money given to United Way — and that is it. You can't raise any money be it for a community club or for any social or community project that are very important in that community. But you go to that corner grocery store, independent service station, or any small business and that is where you will be able to get \$25 or \$50, who have a very strong feeling for that community.

I am concerned what is happening, Mr. Speaker, because right now the oil companies, the large oil corporations are going in, adjacent with their self-serve units, that they have completely put the small service stations out of business and are now starting to construct grocery stores in conjunction with their self-serve service stations. So this will be another. The Minister of Labour's head but that's I can point it out. He can true, come out to my constituency and he'll find they're just under construction now, just starting to build. So that's a further concern that I have in respect to the small independent businessman.

I'm sure that the Minister must realize that it's not too many years ago when we had very many independent small service stations that people enjoyed going two blocks down from the neighbourhood and getting the services that were required. They can't do it today anymore. You can

go two or three miles. In our constituency there, one independent service station left. The others have all switched to self-serve and you cannot get any mechanical work or anything.

So concern, Mr. Speaker, is really while the principle is great, and I think if we can limit commercialism at least to a minimum, that's great. That's fine. On the other hand, I think we have to also be concerned with what is happening with the small independents that are left in this province and they're disappearing pretty quickly and if there is a way that the Minister can protect them, fine. I can support them. But in this Bill, I would ask him to amend that section that this legislation would not include independent. If that cannot be, I cannot support the legislation.

MR. CHAIRMAN: The Honourable Member for La Verendrye.

MR. BOB BANMAN: Mr. speaker, I would also like to say that as mentioned by the Member from Assiniboia that at second reading the principle of the bill was one that I think many of us supported and supported it with the hope that during the Committee we could get certain changes on some of the aspects of this particular bill. I think one of the reasons, and I spoke during second reading supporting the bill, is I was in full agreement that we should have one day of rest, one common day of rest, a day where families could be together to worship together and to try and maintain the family tie and the family unit and strengthen that. I don't think this bill in its present form is going to do that.

I think that one of the clauses that I was very keen on seeing implemented in this legislation was the opting out clause on religious grounds. In other words that it was mandatory for everybody to be closed on Sunday, unless by his or her own personal religious beliefs they could opt out of that particular qualification and then be open on a day preceding that or immediately thereafter. This is much like the Ontario amendment and that's been debated and I don't think we should belabour that.

But, Mr. Speaker, I just want to say that the bill does not accomplish what I think it should and I think that for those reasons, I can't support the bill in its present form.

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

MR. PAULLEY: Mr. Speaker, I think this is a matter of too much importance to just pass by without some reply from myself as the sponsor of the bill. I feel that if I did not say something then after the Session was over that the opposition to the bill would go out on to the hustings and say that there was no reply from the Minister of Labour, the sponsor of this bill. And knowing the calibre and the capability of members opposite, I'm sure that that would be true because quite frankly, Mr. Speaker, I have no great faith in the approaches that are made from time to time by old politicians, although in saying that, Mr. Speaker, I do not want to depreciate or be derogatory of the place that the politician plays in our democracy.

I think, Sir, that it would only be proper for me to point out to the House and once again to the public that when the bill was introduced into this House for second reading, I called a vote on the principle of the bill and at that particular time I received, or the bill received not necessarily self, the unanimous approval of this Assembly. Now it seems to me, Mr. Speaker that the opposition are attempting to have the best of two worlds, that they're actually being Jekylls and Hydes insofar as this bill is concerned. —(Interjection)— My honourable friend from Sturgeon Creek says that we shouldn't have Law Amendments. We went to Law Amendments and there were certain alternate proposals that were made. There's no question or doubt about that. But in accordance with the democratic system of government that we have, the amendments as proposed by certain members of the committee were defeated, just as surely, Mr. Speaker, as proposals in this House from time to time have been defeated.

While I realize, Mr. Speaker, that one should not reflect on a vote that has already been taken, I think that we had an illustration this morning in a vote whereby apparently the Party Whip of the Conservative Party was going to deny natural justice to somebody who felt that under the laws of the Province of Manitoba they were denied the right of statutory exemptions in order that democracy should prevail. May I suggest to the Honourable Member for Minnedosa that our party had a free vote, unlike the apparent vote of the Official Opposition on that particular proposal, in order that justice may be reconsidered.

But here we have it this afternoon, Mr. Speaker, the spokesmen for the two opposition groups talking about the denial of justice insofar as the small storekeeper is concerned.

MR. SPEAKER: The Honourable Member for Sturgeon Creek.

MR. J.F. JOHNSTON: Mr. Speaker, my question to the honourable member is that his statement regarding the Whips, I wonder if the member would agree that that's an assumption, because I didn't see him at any caucus meeting of ours.

MR. SPEAKER: The Honourable Minister of Labour.

MR. PAULLEY: No, Mr. Speaker, my answer to my honourable friend is: I didn't have to be at the caucus meeting of the Conservative Party. It was evident and it was obvious that every jack man that sat on the opposite side to me voted against the proposition raised by the Honourable Member for Fort Rouge. That's an assumption? Evidence. Evidence. —(Interjection)— Not one of you had the guts to evade the that Party Whip, which I'm sure was on there. I want to say to my honourable friend, the Member for Sturgeon Creek, that I have been around here long enough to know that when

everyone stands up in a political party the Whip is on.

MR. F. JOHNSTON: That's nuts.

MR. PAULLEY: You're nuts.

MR. SPEAKER: Order. Order please. Order please.

MR. PAULLEY: Mr. Speaker, after having voted unanimously on a matter of principle on this bill, apparently some sections have got to the Honourable Member for Fort Garry in respect of Bill 18. He tells me, and he tells this Assembly, that literally tears were coming out of the eyes of the poor small businessman that is going to be prejudiced against as a result of this bill.

I say, Mr. Speaker, that this bill is going to enhance the position of the small businessman in the Province of Manitoba. I think that was made amply clear when the representatives of the associated small business people appeared at the committee and asked us, and pleaded with us, and begged with us to continue and to put into force this legislation on their behalf.

My honourable friend, the Member for Fort Garry, says, "He was a ringer." I wonder if he would say that outside of the House where he hasn't got the immunity that he has within it. Because I think it's a bunch of tripe for my honourable friend, the Member for Fort Garry, to accuse honest people who appear before committee to express their views. If this is the attitude, Mr. Speaker, of the likes of the Honourable Member for Fort Garry, then is it any damn wonder that people lose faith in politicians when such utter garbage is used by the likes of the Honourable? Member for Fort Garry.

He accuses me of being the tool in this particular case for both big business and big unions. And the honourable friends agree with him. Now this is an incompatible position for me or any honourable member to be in. It is another one of those cases I would suggest, Mr. Speaker, that the Minister of Labour is damned if he does and damned if he doesn't. I'm not concerned with big business; I'm concerned with small business. And the evidence that we presented — (Interjection) — Oh, you wouldn't know, you old retiree — like I'm going to be one of these days myself — the Member for Swan River.

But anyway, Mr. Speaker, I am not the agent for either one of them. This bill was proposed in this House because it was a matter that had been under consideration for a considerable number of years, even going back to the times of the dark, dim dread days when . . . — (Interjection) — Yes, and dismal, too. When the Conservatives happened to be in power in the Province of Manitoba, and their previous representative from East Kildonan by the name of Jim Mills attempted to bring in some semblance of legislation and regulation in the very area that I am doing it here now. On a very, very close vote the free *entrepreneurs*, the right-wing Tories of the Conservative Government rejected the proposal — not initiated by a New Democrat, initiated by a then Conservative, who eventually went out because the people realized the incompetence and the inefficiency of the Conservative Party. And woe betide Manitoba if in some lapse of memory or of intelligence they happen to elect the Honourable Member for Souris-Killarney as the Premier of this province, which we all love, called Manitoba.

So my honourable friend, the Member for Fort Garry, says that this is legislative protection for the big business — big industry. I say to him and I say to the people of Manitoba, it exhibits our concern for small business in Manitoba despite the utter nonsense of the Honourable the Member for Fort Garry.

I say, Mr. Speaker, that the approach of the Honourable Member for Fort Garry, and to some degree the utterances of the Honourable the Member for Assiniboia, is a bogey-man approach to a serious situation that we have in Manitoba.

I have already referred to one statement of the Honourable Member for Fort Garry about the matter of the individual rights not protected in this bill. By their denial this morning of the individual rights of a person to have a case heard once again . . . He referred to the penalty clause as being exorbitant.

Well, darn it all, Mr. Speaker, if we are going to have legislation to achieve something that is desired, should we not have penalties that will achieve that end? Under The Lord's Day Act of Canada at the present time a violation of the Act by a business is a paltry \$25.00. What the heck sort of a barrier is that? — (Interjection) — Now, now, now? Yes, it is now, now, now. 25 bucks — you think that that would bother those who are in violation of The Lord's Day Act?

And then the Honourable Member for Sturgeon Creek, who apparently has left the Chamber now and it is a good idea, accused us of railroading and he suggests that what we should have done was to refer this legislation for legal opinions of the courts before enacting the same. Mr. Speaker, should we do that with every piece of legislation that we pass? — (Interjection) — My honourable friend, the Member for Lakeside says, "Your legislation, yes."

The Honourable Member for Sturgeon Creek referred to three legal people who appeared before the committee and expressed the opinion that this might be *ultra vires* of the Province of Manitoba to enact. You know, Mr. Speaker, this legislation has been in effect in the Province of Ontario for over a year and with all their legal talent and knowledgeability in the whole of the Province of Ontario, a similar bill has not been contested. Therefore, Mr. Speaker, I suggest to the Honourable Member for

Sturgeon Creek who is not here, that it is utter and absolute nonsense in view of the experience in Ontario to suggest that before adopting this bill that it should be referred to the courts for adjudication.

You know, my honourable friend, the Meer for Assiniboia made reference to gas stations going into the grocery business and the likes. I don't think I need to say to him that such is the case insofar as drugstores are concerned. Many drugstores now are selling bread and cheese and other commodities that were never ever sold before in drugstores. As a matter of fact, Mr. Speaker, some of them are selling outboard motors and oil and gasoline components on Sunday as well, and my honourable friend, the Member for Assiniboia smiles, and well he might, because it is a truism. But I do want to say this, that if it is a fact — and I don't dispute my honourable friend — if it is a fact that the service stations are going into the grocery field business, they will come under this particular Act insofar as the conduct of their business is concerned.

In conclusion, Mr. Speaker, I just want to say this. This Act is produced in good faith; this Act is nonetheless a continuance of the endeavours of certain Conservative members that I sat with in the House to bring about the protection for the small entrepreneur and to preserve as much as we can, the stores and also to prohibit a further intrusion into the operation of their businesses.

It is true, Mr. Speaker, there has been a change in the way we conduct our society today; it is true that the 7-Eleven and Mac Stores may be under this present Act allowed to continue because they are convenience stores, employing in most cases less than the three provided for in the Act, and it can conceivably be, Mr. Speaker, that one of these days, this Assembly will bring in legislation to prevent the continuing of the likes of the 7-Eleven stores and Mac's and others based on the fact that they have a coon ownership on high but award out contracts for operation to individual managers.

I do not think, Mr. Speaker, this is bad legislation at all. I think it is good protection for the small business entrepreneur and the approach of the Conservative Party and the approach of the Liberal Party in this particular instance is an approach for the protection, not for the small entrepreneur but the large outlets that are conducting business at the present time and are intruding into the Mama-and-Papa store ambit.

QUESTION put, MOTION carried.

MR. SHERMAN: Mr. Speaker, in my opinion the Nays have it.

MR. SPEAKER: Order please. Does the honourable member wish to challenge that? - ...

MR. SPEAKER: Very well. Call in the members.

A STANDING VOTE was taken the results being as follows:

YEAS: Messrs. Adam, Barrow, Burtiak, Cherniack, Derewianchuk, Desjardins, Dillen, Doern, Evans, Gottfried, Green, Hanuschak, Jenkins, Johanson, G. Johnston, Malinowski, Miller, Osland, Pauley, Pawley, Petursson, Schreyer, Shafransky, Toupin, Uruski, Walding.

NAYS: Messrs. Axworthy, Banman, Bilton, Blake, Brown, Craik, Einerson, Enns, Ferguson, Graham, Henderson, F. Johnston, Jorgenson, Lyon, McGill, McGregor, McKenzie, Minaker, Patrick, Sherman, Steen.

MR. CLERK: Yeas 26; Nays 21.

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

Before we proceed, I should like to direct the attention of the honourable members to the gallery where we have 26 students of Grade 6 standing of the Winnipegosis School. This school is from the constituency of the Honourable Member for Ste. Rose. On behalf of the honourable members, we welcome you here.

BILL NO. 86 — AN ACT TO AMEND THE ELECTION ACT

MR. SPEAKER: The Honourable House Leader.

MR. GREEN: Mr. Speaker. I wonder if you would call the Report Stage of Bill No. 86 please.

MR. SPEAKER: Report Stage Bill No. 86. The Honourable Member for Fort Rouge.

MR. AXWORTHY: Mr. Speaker, I beg to move, seconded by the Member for Assiniboia, proposed amendment to Bill 86:

THAT Section 7 of Bill 86 be amended by striking out the word "and" at the end of clause (a) thereof, by relettering clause (b) thereof as clause (d) thereof and by adding thereto, immediately after clause (a) thereof, the following clauses:

(b) by striking out the words "or other British subject" in clause (a) thereof;

(c) by striking out the words "twelve months" in the 1st line of clause (c) thereof and substituting therefor the word and figures "90 days"; and.

MOTION presented on the amendment.

MR. SPEAKER: The Honourable Member for Fort Rouge.

MR. AXWORTHY: Mr. Speaker, if I may be allowed to provide a few words of explanation. As we indicated on second reading of the bill, we felt that the Election Act could have withstood a number of major overhauls. There probably are a number of reasons why it wasn't done and we regret all those but we still feel that there are a number of very specific areas where certain changes could be made to alleviate problems that were encountered in the last election. Problems, Mr. Speaker, I don't know how widespread in all constituencies they are but certainly in those constituencies that are represented by members in this caucus and by discussion with others, that are caused by a fairly major mobility in the population and the fact that a lot of people move around in many ways. So that one of the major points that we are trying to bring forward is that the residency requirement be changed from twelve months to three months, in effect, which would, therefore, allow people who are Canadian citizens, who have moved to Manitoba, who would like to exercise their franchise because they pay taxes and are involved in the community, that are so deprived because they may not have fallen within the legal date. Many people in my constituency, Mr. Speaker, were deprived of the vote and certainly brought it to my attention. I know the Member for Assiniboia had exactly the same circumstances so we felt that the change to a three-month residency requirement would prevent anyone who is a mere transient from voting but, at the same time, not prevent those who have settled in Manitoba and would like to exercise their franchise so we would propose the amendment to reduce the residency requirement.

We also feel that to bring this bill up to date, and we just include it because it was dealing with this clause, that the phrase "or other British subject" is a little bit of an anachronism. It is really bringing into line with the Federal Election Act that one must be a Canadian citizen. We don't feel that that creates any hardships particularly because they have now reduced the requirement for citizenship down to three years and we feel that those who have come into Canada and wish to vote should all be placed on an equal basis. There shouldn't be, in a sense, two groups of people singled out. I certainly know, Mr. Speaker, again from my own experience in my constituency that there is a great deal of confusion as to exactly what does that mean, "a British subject"? Does it include someone in the old notion of the British Commonwealth or British Empire? Does it include people from countries like Guiana that were one time . . . British subject or from the Caribbean or whatever.

There is a great deal of confusion in those areas that causes a lot of problems for the returning officers, it certainly causes a lot of problems for enumerators. We feel that that confusion could be eliminated if we simply eliminated that clause and went on the basis of Canadian citizenship being the basic requirement for the vote.

MR. SPEAKER: The Honourable First Minister.

MR. SCHREYER: Mr. Speaker, perhaps I could say very briefly that the amendments that are brought forward by the Honourable Member for Fort Rouge could be described as being reasonable. That is not to say, however, that anything major rises or falls on them and we consider it the better part of prudence to, without discouraging the honourable member too much, to advise that we do not see fit at this time to accept those amendments. We would not want to be interpreted as discouraging him from bringing them forward again next year. Certainly, to be more specific, the reference to "a British subject" as that is provided for now in our present legislation, I am well aware of the arguments pro and con about that; however, I repeat that we do not see anything significant rising or falling on that point. One could even argue that it is one of the few tangible remnants and perhaps desirable, remnants of the meaning of Commonwealth and commonweal British subject. What practical problems has that interpretation or provision rather, caused us. I venture to say none. If my honourable friend feels that that is an anachronism, I say that perhaps some anachronisms are harmless and have a rather nice touch.

With respect to the matter of reducing the residency requirement and it is true that this bill does treat of the matter of residency to provide for more practical definition but reducing the initial time period with which a person has to be living in the province to be eligible to vote in a provincial election, we feel that twelve months is a reasonable standard. I know one could argue that perhaps it should be six months. I am aware that one other Canadian province, one Canadian province, has a six-month threshold. I am not aware that any province has a three-month threshold. So, for that reason, without indicating in any way a permanent attitude on this, we feel that at this time, it would not be, there is no compelling argument and it is more prudent to remain with the twelve-month requirement.

Finally, the third aspect of the amendment which has to do with, not concurrence but the consecutive days upon which advance polling can take place, it is my understanding that that is the case now. —(Interjection)— I'm sorry. Well, I was dealing with them on the list, Sir. I will desist then for the moment.

QUESTION put on the amendment and lost.

MR. SPEAKER: Second Motion.

MR. AXWORTHY: Mr. Speaker, I rise with a sense of futility actually but I would pursue anyway It's

. not the first time I have risen with a sense of futility.

I would move, seconded by the Member for Assiniboia, the following Motion, that Bill 86 be amended by adding thereto immediately after Section 9 thereof, the following section: Subsection 65(5) of the Act is amended by striking out the word "one" in the last line thereof and substituting therefor the figure "2".

MOTION presented.

MR. SPEAKER: The Honourable Member for Fort Rouge.

MR. AXWORTHY: Mr. Speaker, as I said, I will not take time in the House other than to say that when the Minister said he saw no compelling reason, I thought that the compelling reason was obvious. We're probably going to have an election before this House meets again and that's seems to me a pretty compelling reason to clean up some problems in the Election Act, so that we can eliminate those problems we had before. I don't know what more compelling argument or reason one can have than the fact that we would eliminate some problems. But perhaps I'm assuming too much but I always like to be optimistic, Mr. Speaker, about the future.

I would only say that this particular motion was designed, I think, to cure another really serious problem and that is that many people become disenfranchised because of the way that the advance poll system has worked in the past few elections. The many people who leave town a week or two in advance of an election generally find themselves unable to vote in the advance poll. I would have liked to have been able to propose a more extensive amendment dealing with continuous advanced polling in each of the constituencies, arising a few days after nominations. As it is, it was pointed out to me that because of the short term date — I think it's 14 days between the closing of nominations and the election date — that would be difficult but if we introduced the idea that there would be three days of advanced polls, two of which would have to be on Saturdays, it would have stretched the period of advanced polling out to at least a seven day period and therefore would have provided greater opportunity for people to vote. I gather the Premier again doesn't feel compelled to accept that. I feel it's unfortunate. It will deprive people the opportunity to vote if the record of last election will hold true again in the forthcoming election.

MR. SPEAKER: The Honourable First Minister.

MR. SCHREYER: Again, Mr. Speaker, it is not a major problem unless an election is called on a day of the week that is late in the week. My understanding is that the law does not preclude the electoral authority from providing for advanced polls on two Saturdays plus one other day even as the law stands now, if the election were to be held on a Monday, Tuesday, or even on a Wednesday. It becomes a problem of practical time if the election is on a Thursday, Friday or Saturday — then the problem referred to by my honourable friend would arise. But even so, I would say to my honourable friend, that even if the kind of change that he was proposing was to be adopted, it would perhaps ensure some greater minute degree of availability or of access to advance polling but it still would not reach perfection because any advance polling that is still confined to, even if it be continuous, for a period of a week or two or even three, there will always be some who, because of contingencies of their own particular time schedule — being called away from home for whatever reason for an extended period of time — would not be able to vote.

We acknowledge that this change, if made, might to some degree ameliorate the matter but it would cause other problems unless we were prepared to amend the time between official nomination day and election day so as to be instead of 14 days, 21. But that is a more major change and we do not see our way clear just now to make that change.

QUESTION put, MOTION lost.

MR. SPEAKER: The Honourable House Leader.

MR. GREEN: Mr. Speaker, is there any objection to my moving third reading of Bill No. 86, which is The Election Act?

MR. SPEAKER: Is it agreed? (Agreed)

BILL NO. 86 was read a third time and passed.

MR. GREEN: Mr. Speaker' I move, seconded by the Honourable Attorney-General, that Bill No. 26 . . . Oh, excuse me, I'd like you to call Bill No. 26 standing in the name of the Member for Fort Garry, who is not here.

MR. SPEAKER: Bill No. 26, Adjourned Debate, Third Reading. The Honourable Member for Fort Garry.

MR. GREEN: Can we pass it by, Mr. Speaker. They are going to get the Member for Fort Garry. We can deal with Bill No. 60, The Family Maintenance Act.

MR. SPEAKER: The Honourable Member for Birtle-Russell. Third reading, Bill No. 60.

MR. GRAHAM: Mr. Speaker, may I have a couple of minutes to pick up my papers?

MR. GREEN: The Minister of Agriculture was very anxious to hear what you have to say. He's going to be back later in the afternoon. If he's not back by the time we've dealt with the others, then I

would call it, but he did indicate an interest.

BILL (NO. 62) — AN ACT TO AMEND THE CITY OF WINNIPEG ACT.

MR. SPEAKER: The Honourable Member for Sturgeon Creek.

MR. F. JOHNSTON: Well, thank you, Mr. Speaker. I've been sitting in committees so long I'm rather enjoying it back here to do a little yelling at you fellows.

Mr. Speaker, I think our position has been made very clear on Bill 62. I looked at the papers this morning and I think that we got the message across when one headline said that Bill 62 has raised the ire of the Opposition. Mr. Speaker, the bill basically will be thought of as the bill that lowered the number of councillors in the City of Winnipeg. That's what everybody will read and that's what everybody is concerned about, regarding the City of Winnipeg. I don't hear too many other things said other than, "We've got too many councillors." They're not really thinking over that particular statement when they say it, because, you know, when people say they want to give up something, you sometimes wonder why. Here you have a group of men and by cutting them down it is not going to save the city any money to speak of whatsoever — it . And won't reflect in their taxes here the people have in their grasp a group of men that they can call up at any time to give them service. That's what they're elected for and I sometimes wonder why the people all of a sudden say, "I want to get rid of something that's very useful to me."

I find it hard to understand, Mr. Speaker, but certainly it's something the people of Winnipeg are saying, that they want to have less councillors. I can see the logic of it in the size of the city, that 50 would be very high and it's hard to work with. But we have cut it in half and, Mr. Speaker, I would say that we said in the beginning of this legislation that we were not opposed to it and one of the reasons we're not opposed to it is that it's one of the least important things in the bill. We've changed the community committees to six and with the six community committees, you know, it makes it very easy for legislation next year or two years from now, that if they find that the people of the city are not getting the good representation they deserve, if they find that a man is not capable of taking care of 20,000 people on the urban scene, it can be changed. It's a trial thing at the present time and, you know, our side has never been adverse to taking a look if there's trial. If it can work in numbers, that's fine, but it's not going to save any money and possibly it will take away better service to people. We'll see how it operates and if we have to say to people that it should go down to 12 to be good, it should go down to 10 to be good, we're going to have that opportunity in later years. It's a very easy change to make while we're in the structure of the six community committees.

Mr. Speaker, we oppose this bill because it does nothing, nothing — and I know the Minister and I have not agreed on this through the whole session of it — that gives the local areas more autonomy or more control over their affairs. Even the fact that there has to be a second meeting on the planning, etc., the community committee can have a meeting, the meeting is held in front of councillors that are involved in that area and know the problems and yet it has to go downtown for a second meeting with a different group of councillors who may not even be involved, may not even be involved in that area to make the final decision. As I said last night, I would far prefer that that final decision be made at council and I still think the municipal board is a body that is capable of looking at these situations very very logically, or the mediation board as we used to have at Metro, I thought, was a very good working body. But, Mr. Speaker, the government does not see fit to leave this legislation in a position of having the people within the areas make decisions over their own affairs.

Mr. Speaker, the other thing that happens very obviously in the bill, is that the City Council, although they are going to be allowed to make up their own committees — I think that that's a step in the right direction — but the City Council still hasn't been left the real discretion as to what decisions can be made in the community committees. Those discretions are still laid out by the Provincial Government in a very wide range. I don't see that much change. In fact, as far as the services go, the councillor is probably not going to be able to work through his area as he has been before — that was brought up last night in committee by my colleague, Mr. Wilson. I've checked with councillors and as far as this is working out, they are going to see a difference of who they have to contact to get things done in their area. So we are just moving again towards large centralization. We moved the bill along to the six community committees, which is probably not a bad idea. It might be a bad idea to have cut down the councillors — we'll find that out. But we didn't move along in the way we should have. Here we made the areas bigger and really gave them less authority over their own affairs. So, that doesn't really make common sense.

I know it is true, Mr. Speaker, that it is very unpopular with the City of Winnipeg councillors and the Mayor of Winnipeg, that we would still like to see the Municipal Board involved in the financial decisions regarding the spending of money in the City of Winnipeg and I explained last night that I'm well aware that the Municipal Board can only look at this from the point of view that the City has the ability to raise the money or spend the money that they are asking to borrow. And I guess the proper word is raise the money and pay it back. The board does not really get all that involved with what the money is being spent for and I think I can show that in the other legislation.

Mr. Speaker, so why not have the quasi-judicial board that we've had operating so well in the Province of Manitoba throughout for years and if it's not a good situation, why do we leave Brandon and other areas under the jurisdiction of the Municipal Board?

The other area is the planning. Mr. Speaker, there is no reason for this government to have that much control over the planning. In fact, there's lots of reason why they shouldn't and as I said last night, all provincial governments are purchasing property. This provincial government happens to have purchased a lot of property around the City of Winnipeg and I believe that it would be upon the Minister of Industry and Commerce, who is in charge of the Manitoba Housing and Development Corporation, to say to the Minister of Urban Affairs, "Look, I've got to have that land. I've got to have it in production." And the City of Winnipeg says, "Well, it's not really within our plan. It's going to be too costly to do it." The Minister of Urban Affairs, the Cabinet and certainly the Lieutenant-Governor in Council of the Province of Manitoba is going to be able to say to the City, "If you don't do it, we'll do it or we'll make you do it." That is not good legislation. That's poor legislation when you have the two conflicting situations.

Mr. Speaker, we didn't get the chance last night to speak too long on it. I think we were all very tired. I think we all worked very hard and I would blow our own horn to say that we all deserve credit for the amount of work that's been done in this legislature for the past week and a half. Mr. Speaker, we did not mention the fact that the province has now legislated itself out from under the jurisdiction of the City of Winnipeg as far as the provincial buildings are concerned. Mr. Speaker, it has been said in this House by members opposite that we tried it, it didn't work, we couldn't live with you. We were the first ones to give that privilege to the city to put the government under the jurisdiction of the city, but you know we couldn't get along with them. Mr. Speaker, I say that there has got to be some getting along and the getting along was starting. The Minister of Mines always brings up an area of my constituency. Did you know that that has changed so drastically that the council in St. James-Assiniboia voted, voted, turned down commercial and other and voted to have the public housing and senior citizen go on Country Club Road. The co-operation was starting to be done.

And, Mr. Speaker, the fault has not always laid with the city. The fault, as far as the Manitoba Housing and Renewal Corporation is concerned — they blame the city for zoning and the people that they can very seriously blame is the Land Acquisition Branch of this province and the Manitoba Housing Renewal Corporation who have been having a running battle for eight years. And, Mr. Speaker, I can produce the report that was done by the Management Committee for the government that absolutely shows that the holdups generally of the MHRC were caused by the dispute going on between two departments of government and the ministers in charge of those departments have never cleaned that mess up. It's still available today.

Mr. Speaker, I heard the Member from Radisson say, "the former administration" and I assure you it was not like that before, but he wouldn't know. The Member from Radisson has completely flipped in the past two months and he really doesn't seem to be responsible for what he's saying.

Mr. Speaker, I say to you the other reasoning that I heard that was very good, is that the MHRC approach councils in such a way that they can't deal with them. Councillor Skowron said other people come walking in, they have worked with us, they know how we work within this community, we get things done, we have no problems. The people representing MHRC at counsels within the city or community committees come in unprepared with an attitude that we can do whatever we damn well like. That was stated in Committee by councillors and I don't have to say, Mr. Speaker, that the councillors that stated that are certainly not members of our party, and I would like to say this — that I respect them sincerely for coming forward and giving their opinions the way they did to the government.

Mr. Speaker, so the Minister of Mines says, we tried it and it didn't work. Well, it has been starting to work and with a little more effort on the government's part, it could work. —(Interjection)— And why couldn't we still be the first people or the first province to put that through and make it work instead of saying, "We tried it, we can't get along with you, we're not taking that nonsense from you people, out it goes." —(Interjection)— Legislate it out again. I don't think, Mr. Speaker, that that's the type of attitude that we want between the Provincial Government and the City of Winnipeg.

So, Mr. Speaker, we don't support this bill for the reasons that I have stated. The reasons are very clear that the government is not working with the city. They believe they need more control over them to do as they please, and Mr. Speaker, as I said the number of councillors is a red-herring in this bill. It's not the important part of the bill, because it's a thing that will be tried, tested, and maybe have to be changed and a very easy thing to be changed before the next election. And as the city grows, I think it may have to be, Mr. Speaker. Mr. Speaker, we are opposed to this legislation for the basic reasons that the province has done nothing to allow people to have more control over their own destiny, but as a matter of fact, the province has taken more control over the city. Thank you.

MR. SPEAKER: The Honourable Member for Fort Rouge.

MR. AXWORTHY: Mr. Speaker, in speaking on third reading of this bill, I think there is one basic message that we would like to convey and that is that this bill really marks, I think, a very major

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turning point in the development of local government in this province. Because what it marks is a complete retreat by the Provincial Government from the ideals, principles and objectives that were set forward in the original White Paper establishing Unicity back in 1971. It will be looked upon, Mr. Speaker, with a great deal of regret by many people, because in that White Paper there were many very important and in many cases, exciting ideals and objectives. But this retreat of the Provincial Government from its own position makes Napoleon's retreat from Moscow look like a picnic hayride in comparison. They are going much farther back in a much more torturous way than that honourable gentleman did some hundred years ago.

At that time, Mr. Speaker, the Government of Manitoba — I guess because it was still able to have a degree of understanding of what was going on in the urban area, its own roots hadn't become deadened, it still had a sensitivity to the concerns and aspirations of the people in the City of Winnipeg — understood that there were major changes going on in the city, and it needed a new and different kind of government to respond to that. They also realized that there had to be some very skillful and important changes made from the traditional style of City Government and from the traditional set of relationships between the Provincial Government and the local government. They recognized that we needed a unified system that had a certain degree of central authority, but would also try in its utmost to maintain an opportunity for individual citizens to have access to government, to participate in its decisions, to maintain a degree of control and accountability in their own local areas. So, the trick at that time and one which I think Unicity in its original construction attempted to deal with, was to have a form of being able to make a degree of central decisions, have a central administration, but maintain a decentralized political system so that there could be a high degree of decentralization of political forces and representation. Well, Mr. Speaker, that principle has obviously been abandoned, full scale retreat from that basic principle that they have without saying so in direct words, by their actions indicated that any attempts to decentralize the City of Winnipeg. To allow individual citizens to have the opportunity to maintain a responsibility for their own communities, to have some judgment and role in making decisions in their own communities has been lost.

I don't need to refer, Mr. Speaker, to any authorities other than the NDP Civic caucus that appeared before a Committee which said in very clear, unmistakable terms to the Minister and to the government, "You've lost touch, you don't understand, you're going to ruin what we think is a good thing." Because, I think as councillors they understood that in its own curious, strange, awkward way, Unicity was beginning to work. It had gone through some very difficult periods, but it was beginning to shape out into some acceptable form of arrangements between Community Committees and Resident Advisory Groups, and the central administration. There were problems nonetheless, but what happened was that those problems be corrected and that the concept of the Community Committee-Resident Advisory Group be improved upon, not destroyed. Well the end result of the amendments on this Act will be to destroy the Community Committees and the Resident Advisory Groups. It will be virtually impossible for any sense of local democracy to operate when you're dealing on a scale of a hundred-and-some-odd thousand people.

Any attempt, and I speak for my own area, any attempt to establish a community of interest and communication between individuals stretching you know, from River Avenue to Selkirk Avenue, or to CPR bridge will simply be eliminated. It will be very difficult to bring such large groups of people, and assume that as Resident Advisors, they are going to be able to maintain a degree of local concern they had about who was picking up the garbage, and the problems with the street variations in one area, and other kinds of detailed but important aspects of the ongoing life of a city. The six district system as it's been established will become simply a form of administrative arrangement, and that any ability to maintain a line of responsibility between individual citizens and those six districts, I think will be — perhaps — there will be attempts at it but over a period of time that we erode them and perhaps I think that's really what certain members of the government certainly wanted. We know from statements having been made, that there is not a great deal of sympathy by certain senior members of the government with any form of participatory democracy as it was once understood. They want centralization, and they want a high degree of insulation from that kind of daily representation and accountability of individual citizens.

Well, Mr. Speaker, they are going to achieve that under these amendments, that that concept that was elaborated on, and I think honestly and sincerely by the former Minister of Finance, the present Member of St. Johns, has now been taken away. I suppose, Mr. Speaker, for many of us in the city who felt that that was an interesting, exciting proposal when it first came out, we could probably declare a day of mourning for that lost cause. It just simply is one more example of how this government is trenching and retreating from some previously held principles that gained it some applause by people in this province. I think that they will also lose that applause very quickly as they've certainly lost the applause of their own civic members.

Another basic principle that was elaborated in the Unicity concept and which I think was

important, was that there had to be in the new era of City Government, a degree of executive direction. There had to be some consistent line of policy and program elaborated by civic politicians. The City Government was no longer a caretaker operation, which was simply looking after the maintenance problems of an urban area. Increasingly City Governments were going to have to get into development areas, get into areas which were going to require long term programs, whether it's Unicity development or transportation programs, or development of major water works, but it's not something that could be done on the basis of a series of *ad hoc* arrangements developed by sort of a log-rolling between individual politicians the night that council happens to meet. And therefore, it was going to require a different kind of executive arrangement.

I can recall the debates that took place in this House when the Unicity principle was introduced about the form of trying to set up some sort of parallel to the parliamentary system. The reasons that members opposite argued — I think the Minister of Urban Affairs himself or certainly the Member for St. Johns argued — that unless you've got that degree of executive direction, the ability to make long term decisions, to have programs that you would stick to, and that people could understand because they'd be clearly identified with one set of politicians versus another, that City Government was not going to be able to exercise its mandate to bring about more sort of *entrepreneurial* development activity to give the kind of program and policy that a modern day City Government requires. And the government backstepped in one major way even during that debate, when they eliminated the election of mayor from a group of councillors and went to the direct election of mayor under political pressures at that time. Well, that was a step.

The Taraska Report, four years later, comes along and says, "That has become a major problem in City Government. There is no consistent line of policy, there is no executive accountability, no one knows who's responsible for Trizec. Is it the Mayor, is it the Executive Policy Committee, is it the Committee on Environment, is it individual councillors, is it the Board of Commissioners?" There was no way of telling who was making decisions because everyone was blaming somebody else or saying that it was somebody else's responsibility. The Taraska Report pinpointed that as a major difficulty in City Government.

Mr. Speaker, this bill does nothing to correct it. In fact, as we tried to argue last night, it simply exacerbates the problem. It will now create not one executive centre — it will create two executive centres. It will create competing polls of influence and authority. You will then have a mayor who will be a director elected by the people as well as by an individual group of people in a constituency, but without any direct authority for many of the key committees. He'll be a member we say. Well, he can also be outvoted by those committees consistently but has no way of reacting. So, people are going to say to that person, "Well, we elected you to take those policies and programs out, why aren't you doing it?" He says, "Sorry, because council is different, they keep overriding me. All I've got is a twenty-four hour reservation" — that's the only power that the mayor has under the Act. The only power he has under the Act, the one and only power is to reserve matters for twenty-four hours.

Now is that the kind of power the Premier of the Province would want to have? Would the Premier of the Province like to get along sort of in those kind of circumstances? I doubt it. The Premier of the Province, Prime Minister of a country, and a parliamentary assistant has a much greater degree of powers to bring about decisions than the mayor has. And yet, the recognition at that time was that we had to change the way decisions are made at City Council. Well, this bill has not done that.

Further, Mr. Speaker, going back to those original halcyon days, I can recall reading the report again saying that there must be a new era in the relationship between the province and the city. We can no longer look at each other as adversaries, that we must work out a new set of co-operative arrangements, we must give a higher degree of autonomy to the city so that we can deal as equals, that we can attack problems in a joint partnership way. Well, Mr. Speaker, those things were said, they were enunciated, they were announced and now there's been full retreat from that principle. The province has said, "Sorry, we're tired of trying to make co-operation work; we're tired of having to try to work things out in a partnership arrangement." We are simply going to, really when you look at it, take most of the powers of City Hall, and put them on Broadway Avenue. If people really want to know, Mr. Speaker, where the real decisions are going to be made affecting the City of Winnipeg, then they are going to start looking within these corridors not down at City Hall. Because the real ability, the both latent and real ability to make decisions, financially, fiscally, and in program and planning ways, will reside in the Provincial Government. So, there's no longer a question of equal arrangements. It is now superior, inferior relationships' and that is very very clear in terms of the way that this bill is constructed. They have decided they no longer want to follow those precepts of 4 or 5 years ago. They want to establish a fact, and again, I suppose that there has certainly been a degree of frustration.

But again I think the Member from Sturgeon Creek was right. Certain accommodations were being made, changes were being altered and, again, just at the time when they were beginning to work themselves out, there's been a total rupture of those arrangements and in fact I think that it's been gone at with a vengeance. It hasn't even been returned to the *status quo*, they've in fact I think, gone

further. And, frankly Mr. Speaker, I'm predicting really serious trouble as a result of the kinds of amendments that we've brought in in terms of the tremendous arsenal of provincial powers.

The Member from Sturgeon Creek referred to the ability now of Manitoba Housing Renewal Corporation to basically do what it wants to do without much reference to the planning laws, and if they find those planning laws restrictive, they simply decide that they won't obey them.

There's another area that has to be equally looked at and that is that the whole intervention by the Department of Health and Social Development, and the Minister of Health and Social Development made I think an interesting confession during his Estimates Debates some months ago. He admitted that one of the most perplexing problems he had to deal with is that as a government they adopted the whole notion that treatment in areas of child care, penal reform, mental health, and several others like senior citizens, was going to be done on a community base, which means that you had to acquire properties in a community area and put sort of treatment centres, day-care homes, half-way homes, etc. throughout the city and the confession he made is, they didn't know where they were going to get all these places from. The demand far exceeded the supply and that in certain key areas of the city, places like Wolseley, Fort Rouge, Crescentwood and those areas, you were finding some forty or fifty installations within 10 or 12 square blocks. I have one street in my riding, Mr. Speaker, which almost 75 percent contains different kinds of institutional care homes. There's nothing wrong with institutional care homes, but they can't all be concentrated.

What this amendment does is say that the province can decide where it wants these things to go. He doesn't have to refer it to the city, the Community Committee. If they find that those restrictions are there, they'll just slap them on. And I can see now individual departments without any co-ordination — they may not even tell the Minister of Urban Affairs what they are doing. They simply say, you know the mental health people are going to be putting all theirs in one place, and say, "Hey, you know something, we've got a bunch of people in the child-care places next to us." There's going to be that tremendous placement of all kinds of care facilities which is going to take enormous problem of co-ordination and right now, they will not be in any way susceptible to the city responding to its own . . . saying let's balance them out.

It gives an awful lot of overrides in this bill, Mr. Speaker, that I think will cause serious troubles and it means that this legislature is now going to be the one that is going to have to be making decisions on this government, not the City of Winnipeg. And yet, I would think that the City of Winnipeg is better placed to make those because that's where that kind of local grass roots decisions can be more effectively made.

So, Mr. Speaker, I look forward with some expectation to the review of the City of Winnipeg Act. I felt that it would have been an opportunity to improve upon those original principles, but I never dreamed that they would abandon the principles and retreat from them. And yet that is going to be the end effect of these laws, these amendments, and therefore, Mr. Speaker, we will be voting against the bill.

MR. SPEAKER: The Honourable Member for Fort Garry.

MR. SHERMAN: Mr. Speaker, I just want to participate briefly at this stage before the bill moves through the final stage in the House, because I want to register my objection to it based on one particular feature, or misfeature and that is its implied destruction of the means of local representation and local communication; in effect, the end of local government.

I said in debate on second reading that I regarded it as anti-people legislation and what I meant by that and still mean by that is that it takes people out of the local government picture and takes the local government picture away from people. I want to give you an example, Mr. Speaker. Seven years ago, the people of Fort Garry were about 20,000 in number and they were represented by five councillors and a mayor. Now I'm not arguing the merits of whether there should be five councillors and a mayor or not. I want to give you an example of what's happening to the representation. Seven years ago, 20,000 people were represented by five councillors and a mayor. Tomorrow, under this legislation, 40,000 people in Fort Garry are going to be represented by one councillor. Now, Sir, that just simply does not permit for the kind of local representation and local service that is part and parcel of municipal government. I don't need to belabour the members of the House with the truth of the fact that municipal government is where everything is at; that's where individuals are able to communicate with and participate in their local community problems and talk directly, eye-ball to eye-ball, with their local representatives. It's crucially important that that kind of process, that that environment, that that capacity be maintained in a democracy. And what we're doing, Sir, here is throwing that right out the window. Last Sunday, the three councillors in Fort Garry, who hold office at the present time under the present legislation, all three councillors in Fort Garry were out talking to different residents in the constituency. I made it my business to be involved in some of the affairs of the day just to re-acquaint myself with their attention to certain problems. All three councillors were out working with residents, with individuals on specific local problems, one of them in the area of Waverley Heights, the other two in other areas of the constituency. Sir, when there is only one councillor for the entire area, which is what is going to happen under this bill, that will become quite

obviously quite impossible. And this is what's happening. We are going to see that service, that representation, that communication destroyed, gone, finished, and so it is the end of local government; and so is anti-people legislation.

I mentioned in my earlier remarks that the deterioration of services in areas like Fort Garry under Unicity has been marked and highly noticeable, and I am not going to belabour that point. But there is no question that in terms of individual service, whether it be garbage pickup or snow removal, there has been widespread deterioration, there is widespread dissatisfaction and frustration among residents of areas like mine, with the way that Unicity operates. But the biggest deterioration comes in the ability and the opportunity to communicate with a representative who can do something for you. And that's going to become worse, and I submit the situation that I presented to you, Sir, as irrefutable evidence of that. I am not going to take up any more time of the House, but I say to the Minister that this is what he is doing, he is taking local government away from the people and the people out of local government.

MR. SPEAKER: The Honourable Minister of Urban Affairs.

HONOURABLE SAUL A. MILLER (Seven Oaks): Mr. Speaker, I appreciate the comments made by members opposite; I am not surprised at what I heard because some of it has been said before. However, I have to reject a lot of what they said. I find that there is some ambivalence, and I have to put the question. Are they for a reduction in council or aren't they? You can't have it both ways. You cannot talk about lack of accessibility and lack of representation on the one hand, and then say, "Yes, we agree there should be a reduction in council." So you can't stretch this thing both ways. They can try it and if they want to vote against the reduction in council by voting against the bill, of course that is their privilege, and I don't question it on that basis at all. But they did make some statements which I think have to be responded to.

At no time did I say or did I indicate — and I want the Member for Sturgeon Creek to know this — I never said that there would be savings in the administration of the City of Winnipeg because of this. That is not why it is being brought in and I wouldn't want him at any time to suggest that the reason for these amendments is because it is going to lead to a savings in somebody's tax bill by a nickel or a dime. That was not the intent.

The position being taken by some members opposite is that they deplore the lack of autonomy within the communities. And what they are really saying behind their words, I detect a desire to go back to the Metro days, the salad days when there were municipalities and a Metro government; and annually there'd be a bickering and fighting, headlines in the paper and backbiting as between Metro and the various municipalities because Metro was a big spender and was, in those days, to quote some of the local representatives of those days, "Metro was spending money like it was going out of style and not responsible to anyone" — because they didn't levy; they simply sent the bills along to the various municipalities.

Now maybe they want to go back to Metro, and I think if you'd follow what they're saying to its logical conclusion, this is really what it would end up with. It would go back to giving the communities greater power to do things within their own community, which means again having different programs, different levels of service, and different communities taxing accordingly with a central administration just dealing with those common services like sewer, water, transit and so on. Well, those days are behind us. I don't think today anyone would want to go back to those days. You know, in retrospect, one always looks back to the old days as being good days, but I'd remind members how they felt about the days under Metro and the friction and fighting and constant arguments that took place between the existing municipalities, including the City of Winnipeg and the Metropolitan Council of Greater Winnipeg.

One of the members mentioned that the province has turned its back on the city. The fact of the matter is, Mr. Speaker, I suggest this: That what I heard it's the community committees that are given more powers, the council will somehow be given more powers than it has — and I know we're giving it a lot — then I can see the situation which existed in the sixties, where Metro was created and we were simply told: You're created; you have taxing powers, you can budget, you can demand the money from the municipalities; you're on your own. And the provincial support financially to the Metropolitan Government of Greater Winnipeg was almost nil, and the support to the municipalities, of course, was even less than nil. The fact of the matter is that this government has given financial support to the City of Winnipeg on an unprecedented scale. We recognize the importance of the City of Winnipeg within the context of Manitoba because it is simply a city within Manitoba. It doesn't represent all of Manitoba, but we recognize that it is an important component of the Province of Manitoba, and we've supported it in every way with resources far beyond which would ever be considered for Greater Winnipeg. So to say that we are not working with the city is simply not true. There's never been a closer relationship, a closer working relationship, a better attempt to work with the city and understand the city's problems than there has been in the last few years. And I think the elected people of the City of Winnipeg will have to acknowledge that, those that were there before this present form of government.

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There is concern expressed about the powers of the province, saying that the province really has all the power. Well, Mr. Speaker, the fact of the matter is that today under the existing Act, the province certainly has great powers. The city government, if it wants to undertake certain major projects and wants cost-sharing, has to come to the province, and to the extent that the province agrees or disagrees, that is a great deal of power. That has always been the case. The difference, of course, is that in these days and during the last few years, we do grant considerable moneys to the city, and cost-share in many programs which in the past didn't exist. But to say that we are not working with the city is simply not valid, and they'll be the first to admit it. The powers that we are retaining are the powers with regard to the issuing, the capital borrowing of the city. And it's a question really of who should have it, the municipal board or the Minister of Finance. The city council itself has expressed the desire that it not be under the municipal board because they'd rather deal with somebody who is elected and has to answer to the electorate than to a group of appointed officials. And so we are agreeing with that.

With regard to planning, zoning, etc., there are only two areas that are still going to be subject in any way to the province: the larger, Greater Winnipeg Development Plan which is a tri-level operation, and the Community Plan. These are general plans setting a direction in which a city will grow. And there the province must play a role as it does today. It requires provincial concurrence because it affects not just the City of Winnipeg, it affects the periphery of Winnipeg and goes far beyond the boundaries of Winnipeg as to what happens. So therefore, the province has to have that input.

In any other area, we are now totally relieving the City of Winnipeg from having to go through the process of holding certain hearings and sending it on to the Minister who then has the option of rejecting it or sending it to the municipal board where more hearings take place. I suggest that in practice, it will work well, and I suggest that in practice, it will speed up the operation somewhat and give the city more latitude to make determinations than it has up to now. Because I can tell you honestly from my own experience, getting an appeal from people about certain zoning in a block or a corner or a piece of land and trying to get staff to listen to the tapes, it's almost impossible to make a valid judgment. I feel the city council, in the final analysis, should make that judgment. There will be hearings at the community committee — citizens, because they're losing the right to appeal to the Minister, will have a right to appeal to another committee of council. But again it will be the elected representatives who makes the decisions based on the needs, not just of that particular community, but based on the larger needs, because we have to recognize that although there will be six communities, they are still part of a single Winnipeg.

To me it's incomprehensible to suggest that each community can do its own thing. It has to fit in to the whole. And unless it fits into the whole, you are not going to get a city that is well planned; you are going to get friction, you are going to get some areas pushing for one as against another, and if you give them the authority, then you're going to get the kind of parochialism that I hope we are going to overcome. Because now the communities being larger, the councillors are going to have to, whether they're elected or not, they're going to have to address themselves to problems beyond their own ward, beyond the narrow, smaller areas which they now represent; they're going to be seized of the larger problems.

And we know for a fact that in 1974, when two wards which had been in a former northend constituency were attached to East Kildonan — I believe it was acknowledged at the public hearings — that in fact, it worked out better because for the first time, the council is sitting in the East Kildonan Community Committee, recognized that there were problems in Elmwood which it shouldn't ignore, but now that it was part of their own community, had to address themselves to them. So I think we'll overcome one of the problems that the review committee pinpointed time and again — the degree of parochialism that existed. And it will give that kind of long-term direction which I feel and I agree is so necessary. So to suggest, Mr. Speaker, that there is a new era, whether it be in the province or in the city, that we're now turning our back and working with the city, just isn't so. We have indicated by our track record that we worked very closely with the city; that we recognized the importance of the city, and that we will continue to work with them as we have in the past.

You know, the fact is that some of the arguments I am hearing now are the same arguments that I heard in 1971 when we talked about people's access to government and so on and so forth. I don't think it will be diminished. The community committee is still available to the residents, the Resident Advisory Groups will still be in existence; and the councillors, as they are now, are in the Act, are required to hear the Resident Advisory Groups, and then to convey to the central council. Even in the existing Act, the community committee cannot act as if they were a council on their own. All they can do is convey to the larger council and to the central authority the views of their particular areas. They never did have in the existing Act and don't have now the power to actually legislate, which I think some members would like to see us go back to.

So Mr. Speaker, with those few words, I regret that the members opposite are not prepared to

approve this bill. I believe the bill is a logical second step to the evolution of the relationship between the province and the city; it gives the city more powers, administratively, certainly they never had before. I do not acknowledge that the position of the mayor has diminished; if anything, I think it's enhanced. He is now ex-officio on every committee; he will have a deciding vote in the case of a tie and EPC, and at council; and therefore this puts him in a position where because of that, plus the fact that he can stay a motion till the next subsequent meeting, I think the accountability will be far more clear than it is today. Because by staying a motion, then he can force the council to reconsider something, that is accountability, then it will show up. By using his tie-breaking vote, again accountability will very easily surface.

So Mr. Speaker, I believe that as I said, what we're doing is correct, and I think events will prove us right. We've achieved what I think is a happy medium between on the one desire, access to representatives, responsible government; at the same time, a somewhat more efficient manner of handling the city, so they are not bogged down because of the size of council or because it's unwieldy. We've given them the kind of scope that they now have. And as I indicated when I introduced this bill, I congratulated the mayor and the council for what they had done up to now. I predict that I'll be here to congratulate the mayor and the council for what they'll do in the future.

QUESTION put, MOTION carried.

MR. GREEN: Division, Mr. Speaker.

MR. SPEAKER: On division, very well, so ordered.

MR. GREEN: Division being the Conservatives and the Liberals, nay; and the government yeas. Bill No. 26, Mr. Speaker.

MR. SPEAKER: The Honourable Member for Fort Garry.

MR. SHERMAN: Mr. Speaker, I adjourned debate on this bill earlier this week simply because I had been asked a couple of questions about it, and I wanted to investigate and respond to the technicalities raised. I have done so and satisfied with the enquiry, and I am satisfied with the bill as I was on second reading, and I am prepared to pass it, Sir.

QUESTION put, MOTION carried.

MR. SPEAKER: The Honourable House Leader.

MR. GREEN: Bill No. 65, Mr. Speaker.

MR. SPEAKER: The Honourable Member for Pembina.

MR. GEORGE HENDERSON: Mr. Speaker, I adjourned that for the Member for Fort Garry.

MR. SPEAKER: The Honourable Member for Fort Garry.

MR. SHERMAN: Mr. Speaker, I am opposed to Bill 65 and have so suggested the position of opposition to my colleagues, for the simple reason, Sir, that the bill in the prescription for time and three-quarters as an overtime rate will further damage the economy of this province. There were some amendments made to the bill at committee stage which improved it, but the essential feature remains, Sir, and that is going to time-and-three-quarters on overtime, or adding in the particular fringe benefits that would then serve as part of the surcharge imposed on employers in the area of doing business. I don't feel, Sir, that the option provided by the Minister with respect of fringe benefits, changes the impact of the effect of the bill as far as employers in this province are concerned in any way. I believe that the effect will be to reduce productivity and to reduce the opportunity for workers to earn overtime money and to cause consumers to pay more for goods and services in the marketplace. That, Sir, is a rather destructive collection of features. And it's because of that destructive impact that it will have on our economy, which is in difficulty and is struggling at the present time, that the Conservative Party opposes Bill 65.

MR. SPEAKER: The Honourable Member for Assiniboia.

MR. PATRICK: Mr. Speaker, on second reading I indicated I would like to see the bill go to Committee so we can hear the representations and that has happened and I indicated my position in Industrial Relations Committee that unless the Minister made some changes I could not support the bill. I know on introduction of the bill on second reading the Minister of Labour indicated he would really have an open mind and listen to all suggestions. He said he would listen to all suggestions and I would have hoped that the one principle involved in the bill dealing with involuntary overtime, if that bill would have pertained to that one principle I think that the Minister would have had a good bill and I'm sure perhaps he would have got full support from all sides of the House. I know I can't speak for all the members on my right, but from what I understand, I'm certain that he would have had support. But for some unknown reason the Minister introduced the one-and-three-quarter and I'm sure that from all the presentations that we had before Industrial Relations Committee, and it was indicated from some of the other people, and as well, my communication with many of the workers who are concerned never asked for it. In fact a communication with the Manitoba Federation of Labour — I know when Mr. Thibault appeared before the Industrial Relations Committee did not say that he's against — (Interjection) — Well, he supported it. He said, I would be a fool not to support it. But also at the same time he said he never asked for it. He indicated that to me. So I cannot see why the Minister — he could have had a good bill involving involuntary overtime — why he had to include the one-and-

three-quarter at this time with pretty high unemployment and some anxiety on many employees that this may curtail their overtime and perhaps curtail their earnings. —(Interjection)— The Minister of Mines and Natural Resources, says that's what it's supposed to do. Why didn't the government have the rationale to outlaw any overtime if that's the purpose of the legislation?

MR. SPEAKER: Order please.

MR. PATRICK: So, I indicate to the government that if it was their wish to legislate completely that there'd be no overtime in the province, then that's what should have been done. But they've done it through a different means: one-and-three-quarters. And it has been indicated particularly by some of the employers from the rural parts of Manitoba — one that appeared before the Committee was Ralph King who said that he's employing a very large number of people in rural parts of Manitoba and he indicated what he pays for overtime now and he said it's pretty difficult to keep the doors open and stay in business in that part of the province. But he says, if we're going to be hit with another \$40,000 to \$50,000 overtime it just may be what will close the operation. So surely this would concern me, what effect it will have on the small industries, what effect it will have on the small employers. The other fact is that the employees themselves did not request it and the Manitoba Federation of Labour did not ask for it. But surely Mr. Thibault, well why would he oppose it when there was something extra for his employees. He believes in the principle that perhaps there shouldn't be any overtime. But if that was the wish of the government, I think that's what they should have legislated.

I don't believe that —(Interjection) — No, I wouldn't have, but I would have maintained one-and-a-half times for any overtime at the present time. I'm sure that that would have been much more reasonable legislation. As far as the other part, the other principle of involuntary overtime, I have no problem. But I cannot accept the one-and-three-quarters, so I have to vote against it. We'll be voting against the bill.

QUESTION put, MOTION carried. (On Division)

MR. SPEAKER: The Honourable House Leader.

MR. GREEN: The Division is I gather the Government Caucus aye, the others nay. We can deal with Bill No. 56.

BILL (NO. 56) — THE FARM LANDS PROTECTION ACT

MR. SPEAKER: The Honourable Leader of the Opposition on Bill No. 56.

MR. LYON: Mr. Speaker, on Bill 56, it is not my intention to rehash all of the arguments that have been utilized in the course of the debate on second reading and in the full discussion we had in Committee on Wednesday afternoon and Wednesday evening. Suffice it to say for the record in the House at this time, that our party has supported the concept of some restriction on the amount of land that a foreign non-resident and a foreign corporation may buy in the Province of Manitoba. That's number one. That's clear and I think that's beyond any question. Unless I'm mistaken, Mr. Speaker, everyone in the House supports that basic principle.

Number two, the government for its own reasons has not seen fit to support that principle which has common support within the House and may I say very general support outside of this Legislature, particularly among the farm industry in Manitoba as witnessed by the fact that the Farm Bureau of Manitoba, the largest group representing different farm associations in this province came before the Committee, made its position well known that it supported the restrictions on foreign purchases but did not in any way support restrictions on fellow Canadians or fellow Manitobans in their personal or in their corporate capacities with respect to agricultural or non-agricultural land. Why the government persists in this excessive amount of control that it wishes to place on our citizens, I can't imagine because there is no demand for it among the people. That being the case we can only attribute it to their well-worn and well understood attempt to want to socially over-manage the lives of the people of Manitoba. That is manifested in practically every piece of legislation that they bring before this House. They can take a good principle, they can carry it much too far but thereby they can satisfy that apparent inward craving that they have that they know best, that they can manage better the individual affairs of persons in Manitoba.

Well, the people of Manitoba, Mr. Speaker, don't happen to accept that kind of a philosophy or that kind of an idea. The people of Manitoba have had big government right up to their eyebrows and this bill unfortunately is another manifestation of big government. And it takes, as very often is the case, it takes a good principle, a principle that has support generally throughout the province, and then it puts its own ideological barnacles onto that principle and extends too large a net for the bill — too wide a net — in order to achieve some form of centralized control that heaven knows why they want, over matters that really are no business of the state whatsoever.

Perhaps one of the best manifestations of that tendency in this piece of legislation, Mr. Speaker, shows up with respect to the subsidiary requirements that have to be enacted in order to give some administrative thrust to the extended principle that is contained in Bill 56.

Some mention was made this morning of the amendments that were necessitated to the Real Property Act with respect to this bill. While I'm not debating that bill because it would not be proper to

do so, Sir, I merely make this comment: that if one looks closely at the subsidiary bill — I believe it is Bill No. 79 which has already received third reading — one will find in the companion bill administrative restrictions on the ability of people in Manitoba to transact ordinary land transactions that they are going to be unable to fulfill until this government promulgates regulations under Bill 56 defining their definition of a farmer and meeting certain other requirements that then have to be translated into action in the statutory declaration required under Bill 79. It's a bureaucratic maze. It results in a dog's breakfast, and the legislation that has been brought in, which could have been simple has been translated into a dog's breakfast by my honourable friends opposite, who seem to have an unalterable ability to make complexity out of what should be a very simple principle.

I attach the same caveat as I did the other evening, Mr. Speaker, when I say I do not directly or indirectly condemn the Legislative Counsel. I condemn the people who are giving the bad instructions to the Legislative Counsel so that such bad legislation is turned out; bad in an administrative sense, bad because of the extension of principle that my honourable friends seem bound and determined to put into force.

My honourable friend, the Member from St. Boniface, who is such a strong person of principle himself, sitting as he is as a member of an NDP Government without supporting most of their philosophy — at least that's what he likes to tell us. My honourable friend says, "Well, vote against the bill." We have indicated before . . .

MR. SPEAKER: Order please. Order please.

MR. LYON: If there is now to be a marriage between Radisson and St. Boniface in philosophy, why let's hear about it.

Mr. Speaker, the problem with this . . .

MR. SPEAKER: Order please.

MR. LYON: Well, I'm prepared to go on after adjournment if it's the will of the House. If the House is getting a little too close to the happy hour for my honourable friends opposite to restrain themselves, I'm happy to oblige them.

Mr. Speaker, as I have enunciated before, the first principle is satisfactory, but they have put the socialist barnacles onto that first principle that are going to cause untold intrusion into private affairs in Manitoba that aren't necessary. It makes you wonder how many times you have to state that very simple fact for my honourable friends opposite either to understand or to care. I wonder if they really do care; I doubt if they do care because, after all, as we have heard so often by implication, and as we have heard so often by their philosophical friends in Britain, they do work by the premise that we are the masters now and while we're in office we're going to do things our way whether it's in the public interest or not.

Well, we don't happen to operate that way. No, we don't. Because the purpose of a government . . . —(Interjection)— you are going to get kicked out, only you won't be there for the kicking out. You're getting out early. You're taking your ticket of leave early.

The purpose of a government is to try to give leadership and to represent in legislation what the majority of the people want. I can guarantee to my honourable friends opposite today that the majority of the people in Manitoba do not want the extension of this principle that has been imported into it by the Minister and by his colleagues opposite. That's all I'm saying.

They may well come back and say, "Well, an election will settle that" — and I am sure it will. If my honourable friends want to go to the hustings on the extension of the principle of this bill, fine and dandy. Fine and dandy; they will find out that the very simple statement that we have been making throughout on the principle, the very simple statement that was reiterated to them by the Manitoba Farm Bureau, does represent the thinking of a vast majority of people in Manitoba.

Now this particular Minister, Mr. Speaker, above all, should know that plans that are hatched in the NDP caucus, or in his office, with respect to how the NDP would like to see agriculture or agricultural land operated in Manitoba, very seldom carry the judgement of the farmers of Manitoba.

Need I mention the Beef Marketing Board vote? And the Minister's judgment on this with respect to the feelings of the farmers of Manitoba is just about as accurate as his judgment was with respect to the beef marketing vote — if you want a repetition of the figures, 77 percent against and 23 percent for. I would say you could almost strike an average with respect to most agricultural matters emanating from the Minister's office as being that he is usually about three-quarters, or better, wrong when it comes to diagnosing the opinion of the farmers of Manitoba or the agricultural community.

So, Mr. Speaker, the bill that we have before us is very, very much an imperfect vehicle. It's a very imperfect vehicle. It has one principle in it that we, and I'm sure the members of the Liberal Party, can support, but we give it only grudging support in the sense that we know . . . —(Interjection)— We know, Mr. Speaker, the trouble that it is going to cause to untold thousands of people in Manitoba because of their ineptitude in management. If they knew anything about administering government they wouldn't have brought in this kind of a bill. If they knew anything about administering in government they wouldn't have brought in Bill 60. If they knew anything about administration in government you wouldn't be faced with bills like Bill 61 — ten pages of the bill, 20 pages of

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amendments, and another ten pages of amendments to the amendments — and then they call that good management. That's NDP sloppiness; NDP sloppiness, that's all it is. —(Interjection)— Mr. Speaker, unlike the Minister of Labour, I'm not teeter-tottering as he teeter-totter between big labour and big management.

Mr. Speaker, I say to the honourable members opposite as I said to the Minister the other night, I thank him for those amendments that he did accept, which I think will help to make it a better piece of legislation. The other aspects of the bill that are still wrong are the draconian penalties that are applied within the bill which are out of all sense of reason whatsoever, having regard to the civil remedy that is available and properly available under the bill. But my honourable friends, of course, have to gild the lily always and they have to get at the big bad corporations. Those big bad farm corporations, Mr. Speaker, who may have four people in them, one of whom is a farmer, and who are going to fall under the restrictions in this Act merely because my honourable friends are so unacquainted with the various ways in which people order their own private affairs, that every time the word "corporation" is mentioned they see the Hudson Bay Company, International Nickel, or some of the multinational corporations that their erstwhile leader, Tommy Douglas, was trying to defraud the people of Manitoba.

So, Mr. Speaker, I say to my honourable friend — because he is here tonight; the Minister of Labour is here tonight — if he hates corporations so much, let him have the intestinal fortitude to repeal the Companies Act but don't . . . —(Interjection)— But all he wants to do is apply his prejudice and his socialist discrimination towards these companies.

MR. SPEAKER: Order please, order please. Order, please. The hour of adjournment having arrived . . . Order, please. One member at a time. The Honourable House Leader.

MR. GREEN: Mr. Speaker, I just wondered whether the honourable member was concluded or whether he is in the midst of his remarks.

MR. LYON: I have been stimulated to say more, by my honourable friends opposite.

MR. SPEAKER: Order please. Order please. The hour of adjournment having arrived, the House is now adjourned and stands adjourned until 8 p.m. tonight.